

JOURNAL
of
PROCEEDINGS
of the
HOUSE OF DELEGATES
of
MARYLAND
REGULAR SESSION, 2007
VOLUME I

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

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Mary Monahan
Chief Clerk

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**Annapolis, Maryland
Wednesday, January 10, 2007
Twelve O'clock Noon**

STATE OF MARYLAND, To Wit:

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

Mary Monahan, Chief Clerk of the House of Delegates for the 2007 Session, called the House to order and led the Pledge of Allegiance to the Flag.

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

The Chief Clerk, in accordance with House Rule No. 1, directed that the members-elect be called and qualified. The following members-elect were qualified by the Chief Clerk in the presence of each other taking the Oath of Office prescribed by the Constitution and inscribed the same in the Testbook of the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 1)

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

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

Delegate Conway of the Eastern Shore nominated Delegate Adrienne A. Jones of Baltimore County for the office of Speaker Pro Tem.

Delegate Nathan-Pulliam of Baltimore County seconded the nomination.

Delegate Hixson of Montgomery County moved that the nominations be closed.

Delegate Griffith of Prince George's County seconded the motion.

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

The motion was adopted.

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

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

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

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

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

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

Delegate Love of Anne Arundel County seconded the nomination.

Delegate Donoghue of Western Maryland moved the nominations be closed.

Delegate Kirk of Baltimore City seconded the motion.

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

The motion was adopted.

The Speaker Pro Tem requested that Delegate Barve, House Majority Leader and Delegate O'Donnell, House Minority Leader escort the Speaker-Elect to the Rostrum.

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

SPEAKER OF THE HOUSE MICHAEL E. BUSCH, NOW PRESIDING

The Speaker addressed the House.

Remarks by Governor–Elect Martin O’Malley

Remarks by Lt. Governor–Elect Anthony G. Brown

Remarks by the Honorable Senator Paul S. Sarbanes

ORDER

JANUARY 10, 2007

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE FOLLOWING DESK OFFICERS ARE HEREBY APPOINTED TO SERVE THE HOUSE OF DELEGATES DURING THIS REGULAR LEGISLATIVE SESSION OF 2007:

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

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and ordered journalized.

ORDER

JANUARY 10, 2007

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

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

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

Read and ordered journalized.

ORDER

JANUARY 10, 2007

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE MONIES APPROPRIATED FOR THE EXPENSES OF THIS REGULAR SESSION OF 2007 AS SET FORTH IN THE APPROPRIATIONS BILL, BE PAID UPON JOINT ORDER OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE.

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and ordered journalized.

ORDER

JANUARY 10, 2007

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE SPEAKER OF THE HOUSE SHALL APPOINT THE EMPLOYEES NECESSARY FOR THE PROPER TRANSACTION OF THE BUSINESS OF THE REGULAR SESSION OF 2007, AS PROVIDED FOR IN THE BUDGET. THIS ORDER TO REMAIN IN EFFECT UNTIL CHANGED OR MODIFIED BY THE HOUSE OF DELEGATES OF MARYLAND.

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and ordered journalized.

APPOINTMENTS

JANUARY 10, 2007

BY THE SPEAKER OF THE HOUSE:

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

THAT THE HONORABLE SHANE E. PENDERGRASS OF HOWARD COUNTY BE APPOINTED DEPUTY MAJORITY LEADER;

THAT THE HONORABLE DAN K. MORHAIM OF BALTIMORE COUNTY BE APPOINTED AS ASSISTANT MAJORITY FLOOR LEADER.

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

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

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and ordered journalized.

APPOINTMENTS

JANUARY 10, 2007

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

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

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

The Hon. William A. Bronrott
The Hon. Keith E. Haynes
The Hon. Marvin E. Holmes, Jr.
The Hon. Sally Jameson
The Hon. Anne R. Kaiser
The Hon. Susan C. Lee

The Hon. Shirley Nathan-Pulliam
The Hon. Doyle L. Niemann
The Hon. Victor R. Ramirez
The Hon. Michael L. Vaughn

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

ORDER

JANUARY 10, 2007

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE RULES OF THE HOUSE OF DELEGATES IN EFFECT AT THE END OF THE REGULAR SESSION OF 2006 BE ADOPTED FOR THE REGULAR SESSION OF 2007.

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 10, 2007

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

APPROPRIATIONS:

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

ECONOMIC MATTERS:

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

ENVIRONMENTAL MATTERS:

CHAIRMAN HON. MAGGIE McINTOSH OF BALTIMORE CITY

VICE-CHMN. HON. JAMES E. MALONE, JR. OF BALTIMORE COUNTY

HEALTH AND GOVERNMENT OPERATIONS:

CHAIRMAN HON. PETER A. HAMMEN OF BALTIMORE CITY

VICE-CHMN. HON. MARILYN R. GOLDWATER OF MONTGOMERY COUNTY

JUDICIARY:

CHAIRMAN HON. JOSEPH F. VALLARIO, JR. OF PRINCE GEORGE'S COUNTY

VICE-CHMN. HON. SAMUEL I. ROSENBERG OF BALTIMORE CITY

WAYS & MEANS:

CHAIRMAN HON. SHEILA E. HIXSON OF MONTGOMERY COUNTY

VICE-CHMN. HON. ANN MARIE DOORY OF BALTIMORE CITY

RULES & EXECUTIVE NOMINATIONS:

CHAIRMAN HON. HATTIE N. HARRISON OF BALTIMORE CITY

VICE-CHMN. HON. RUDOLPH C. CANE OF THE EASTERN SHORE

COMMITTEE ON PROTOCOL:

CHAIRMAN HON. JOANNE C. BENSON OF PRINCE GEORGE'S COUNTY

CONSENT CALENDAR:

CHAIRMAN HON. KUMAR P. BARVE OF MONTGOMERY COUNTY

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

APPOINTMENTS

JANUARY 10, 2007

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING COMMITTEE APPOINTMENTS:

APPROPRIATIONS COMMITTEE

Hon. Norman H. Conway, Chairman

Hon. James E. Proctor, Jr. Vice-Chairman

Hon. Susan L. M. Aumann

Hon. Charles E. Barkley
Hon. Gail H. Bates
Hon. John L. Bohanan, Jr.
Hon. Talmadge Branch
Hon. William A. Bronrott
Hon. Galen R. Clagett
Hon. Steven J. DeBoy, Sr.
Hon. Adelaide C. Eckardt
Hon. Tawanna P. Gaines
Hon. Melony G. Griffith
Hon. Ana Sol Gutierrez
Hon. Guy J. Guzzone
Hon. Keith E. Haynes
Hon. Henry B. Heller
Hon. Mary-Dulany James
Hon. Adrienne A. Jones
Hon. Murray D. Levy
Hon. LeRoy E. Myers, Jr.
Hon. Barbara A. Robinson
Hon. Steven R. Schuh
Hon. Theodore J. Sophocleus
Hon. Nancy R. Stocksdale
Hon. John F. Wood, Jr.

ECONOMIC MATTERS COMMITTEE

Hon. Dereck E. Davis, Chairman
Hon. David D. Rudolph, Vice-Chairman
Hon. Aisha N. Braveboy
Hon. Emmett C. Burns, Jr.
Hon. Brian J. Feldman
Hon. Jeannie Haddaway
Hon. Hattie N. Harrison
Hon. Sue Hecht
Hon. Richard K. Impallaria
Hon. Sally Y. Jameson
Hon. James J. King
Hon. Ruth M. Kirk
Hon. Carolyn J. Krysiak
Hon. Mary Ann Love
Hon. Roger Manno
Hon. James N. Mathias, Jr.
Hon. Brian K. McHale
Hon. Warren E. Miller

Hon. Joseph J. Minnick
Hon. Donna Stifler
Hon. Herman L. Taylor, Jr.
Hon. Michael L. Vaughn
Hon. Mary Roe Walkup

ENVIRONMENTAL MATTERS COMMITTEE

Hon. Maggie McIntosh, Chairman
Hon. James E. Malone, Jr., Vice-Chairman
Hon. Saqib Ali
Hon. Pamela G. Beidle
Hon. Elizabeth Bobo
Hon. Joseph C. Boteler, III
Hon. Rudolph C. Cane
Hon. Virginia P. Clagett
Hon. Barbara A. Frush
Hon. Barry Glassman
Hon. Cheryl D. Glenn
Hon. Anne Healey
Hon. Marvin E. Holmes, Jr.
Hon. Tom Hucker
Hon. Stephen W. Lafferty
Hon. Jane E. Lawton
Hon. Doyle L. Niemann
Hon. Anthony J. O'Donnell
Hon. Tanya Thornton Shewell
Hon. Richard A. Sossi
Hon. Dana M. Stein
Hon. Paul S. Stull
Hon. Michael H. Weir, Jr.

HEALTH AND GOVERNMENT OPERATIONS COMMITTEE

Hon. Peter A. Hammen, Chairman
Hon. Marilyn R. Goldwater, Vice-Chairman
Hon. Joanne C. Benson
Hon. Wendell R. Beitzel
Hon. Eric M. Bromwell
Hon. Robert A. Costa
Hon. John P. Donoghue
Hon. Donald B. Elliott
Hon. James W. Hubbard
Hon. A. Wade Kach

Hon. Nicholaus R. Kipke
Hon. Sue Kullen
Hon. Patrick L. McDonough
Hon. Heather R. Mizeur
Hon. Karen S. Montgomery
Hon. Dan K. Morhaim
Hon. Shirley Nathan-Pulliam
Hon. Nathaniel T. Oaks
Hon. Joseline A. Pena-Melnyk
Hon. Shane E. Pendergrass
Hon. B. Daniel Riley
Hon. Shawn Z. Tarrant
Hon. Veronica L. Turner
Hon. Richard B. Weldon, Jr.

JUDICIARY COMMITTEE

Hon. Joseph F. Vallario, Jr., Chairman
Hon. Samuel I. Rosenberg, Vice-Chairman
Hon. Curtis S. Anderson
Hon. Ben Barnes
Hon. Jill P. Carter
Hon. Frank M. Conaway, Jr.
Hon. Kathleen M. Dumais
Hon. Donald H. Dwyer, Jr.
Hon. William J. Frank
Hon. Kevin Kelly
Hon. Benjamin F. Kramer
Hon. Gerron Levi
Hon. Susan C. Lee
Hon. Susan K. McComas
Hon. Tony McConkey
Hon. Victor R. Ramirez
Hon. Todd Schuler
Hon. Christopher B. Shank
Hon. Luiz R. S. Simmons
Hon. Michael D. Smigiel, Sr.
Hon. Kris Valderrama
Hon. Jeff Waldstreicher

WAYS & MEANS COMMITTEE

Hon. Sheila E. Hixson, Chairman
Hon. Ann Marie Doory, Vice-Chairman

Hon. Joseph R. Bartlett
Hon. Kumar P. Barve
Hon. Jon S. Cardin
Hon. D. Page Elmore
Hon. Ron George
Hon. James W. Gilchrist
Hon. Carolyn J. B. Howard
Hon. Jolene Ivey
Hon. J. B. Jennings
Hon. Anne R. Kaiser
Hon. Nancy J. King
Hon. Susan W. Krebs
Hon. Robert A. McKee
Hon. Peter F. Murphy
Hon. John A. Olszewski, Jr.
Hon. Craig L. Rice
Hon. Justin D. Ross
Hon. Melvin L. Stukes
Hon. Frank S. Turner
Hon. Jay Walker

HOUSE COMMITTEE ON RULES & EXECUTIVE NOMINATIONS

Hon. Hattie N. Harrison, Chairman
Hon. Rudolph C. Cane, Vice-Chairman
Hon. Elizabeth Bobo
Hon. Talmadge Branch
Hon. Norman H. Conway
Hon. Dereck E. Davis
Hon. Ann Marie Doory
Hon. Kathleen M. Dumais
Hon. Marilyn R. Goldwater
Hon. Peter A. Hammen
Hon. Sheila E. Hixson
Hon. Carolyn J. B. Howard
Hon. Adrienne A. Jones
Hon. A. Wade Kach
Hon. James E. Malone, Jr.
Hon. Maggie McIntosh
Hon. Anthony J. O'Donnell
Hon. James E. Proctor, Jr.
Hon. Samuel I. Rosenberg
Hon. David D. Rudolph
Hon. Christopher B. Shank

Hon. Joseph F. Vallario, Jr.
Hon. Mary Roe Walkup

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

APPOINTMENTS

JANUARY 10, 2007

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

House Members

Hon. Anne Healey, Chairman
Hon. Eric M. Bromwell
Hon. William A. Bronrott
Hon. Adelaide C. Eckardt
Hon. Brian J. Feldman
Hon. Barry Glassman
Hon. Keith E. Haynes
Hon. Nancy J. King
Hon. Dan K. Morhaim
Hon. Michael D. Smigiel, Sr.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

MESSAGE TO THE SENATE

January 10, 2007

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 V. Clagett, Harrison and McHale.

BY ORDER,

Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE

January 10, 2007

By The Majority Leader

Ladies and Gentlemen of the House of Delegates:

We have received your message notifying the Senate of the organization of your Honorable Body, and requesting the appointment of a joint committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make.

We have appointed on the part of the Senate, Senators Kasemeyer and Brinkley.

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

By Order,

William B.C. Addison, Secretary

Read and ordered journalized.

INTRODUCTION OF BILLS

House Bill 1 – Delegates Krysiak and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Beans and Bread

FOR the purpose of authorizing the creation of a State Debt not to exceed \$850,000, the proceeds to be used as a grant to the Board of Directors of St. Vincent de Paul 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 Appropriations.

House Bill 2 – Delegate Kullen

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way of Calvert County

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the authorized uses of the grant; and making this Act an emergency measure.

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

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

House Bill 3 – Delegate Sophocleus

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County – Women’s Club of Linthicum Heights

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to remove a requirement that the Board of Directors of the Women’s Club of Linthicum Heights, Inc. provide and expend a matching fund; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) ZA02 Item (P)

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

House Bill 4 – Delegate Ramirez

AN ACT concerning

Income Tax Credit for Restaurants in Arts and Entertainment Districts

FOR the purpose of providing a credit against the State income tax for a taxpayer operating a restaurant in certain designated areas under certain circumstances; providing for a limited duration for the credit; providing for a reduction of the allowable amount of the credit over a certain time duration; providing for the carryover of certain unused credit under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for restaurants in certain designated areas.

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 5 – Delegate Hubbard

AN ACT concerning

Electric Industry – Local Aggregation

FOR the purpose of repealing the prohibition of a county or municipal corporation from acting as an aggregator unless the Public Service Commission makes a certain determination; and generally relating to the ability of a county or municipal corporation to act as an aggregator of electricity.

BY repealing

Article – Public Utility Companies
Section 7–510(f)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 6 – Delegate Ramirez

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 nonresident tuition at certain public institutions of higher education under certain circumstances; requiring the Maryland Higher Education Commission to adopt certain regulations; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY adding to

Article – Education
Section 15–106.6
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 7 – Delegate Burns

AN ACT concerning

Automobile Insurance – Rates – Use of Territory as Factor

FOR the purpose of prohibiting an insurer that uses territory as a factor in establishing automobile insurance rates from defining a territory by zip code if the zip code extends into two or more counties; and generally relating to use of territory in establishing automobile insurance rates.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 11–216 and 11–319
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 11–217 and 11–320

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 8 – Delegates Haynes and Kirk

AN ACT concerning

Maryland Health Care Commission – Atlantic C–PORT II Trial: Non–Primary Percutaneous Coronary Intervention Study

FOR the purpose of requiring the Maryland Health Care Commission, on or before a certain date and notwithstanding certain other provisions, to grant a certain waiver for the Atlantic C–PORT II Trial: Non–Primary Percutaneous Coronary Intervention Study; requiring the Commission to submit a report on the findings of the Atlantic C–PORT II Trial: Non–Primary Percutaneous Coronary Intervention Study on or before a certain date; providing for the termination of this Act; and generally relating to the Atlantic C–PORT II Trial: Non–Primary Percutaneous Coronary Intervention Study.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–120(j)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 19–125.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 9 – Delegate Krebs

AN ACT concerning

State Property Tax – Homeowner’s Property Tax Assessment Cap Reduction

FOR the purpose of altering the maximum homestead property tax credit percentage for the State property tax; providing for the application of this Act; and generally relating to the homestead property tax credit and the State property tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(e)(2)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 10 – Delegate Haynes

AN ACT concerning

Criminal Procedure – Expungement of Police Records – Arrest Without Charge – Automatic

FOR the purpose of altering a provision of law so as to make certain procedures relating to expungement of certain police records applicable only to certain arrests, detentions, or confinements occurring before a certain date; establishing that for certain arrests, detentions, or confinements occurring on or after a certain date, the person arrested, detained, or confined is entitled to expungement of certain police records; requiring a certain law enforcement unit to take certain actions within a certain amount of time after release of a certain person entitled to expungement of a certain police record; requiring certain entities to take certain actions within a certain amount of time after receipt of a certain notice of expungement; authorizing a certain person to use a certain legal remedy and recover certain fees and costs under certain circumstances; prohibiting a person who is entitled to expungement of certain police records under certain circumstances from being required to pay a certain fee or costs; and generally relating to expungement of police records.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–102(a) and 10–103
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure

Section 10–103.1
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 11 – Delegate George

AN ACT concerning

Vehicle Laws – Drivers’ Licensing of Illegal Aliens – Restrictions

FOR the purpose of prohibiting, in order to facilitate compliance with the federal Real ID Act, the Motor Vehicle Administration from issuing a new driver’s license to an individual who cannot provide certain documentation certifying that the individual is lawfully present in the United States in accordance with federal law, except under certain circumstances; authorizing the Administration to issue a new driver’s license under certain circumstances to an individual whose documentation certifying lawful presence in the United States has expired; prohibiting the Administration from issuing to a certain individual a driver’s license that has a certain effective term; authorizing the Administration to renew for certain periods the driver’s license of an individual not lawfully present in the United States under certain circumstances; and generally relating to drivers’ licenses and individuals who are not lawfully present in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE EXECUTIVE

January 10, 2007

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

Dear Mr. Speaker:

In accordance with Article II, ' 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland House of Delegates, the following appointment made during the 2006 Recess of the General Assembly:

Vickie J. Neal
928 Gateway Drive
Chestertown, Maryland 21620

Appointed to
Chesapeake College Board of Trustees
For the remainder of a term of 5 years from July 1, 2006

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

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

QUORUM CALL

The presiding officer announced a quorum call, showing 141 Members present.

(See Roll Call No. 2)

ADJOURNMENT

At 12:51 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 11, 2007.

**Annapolis, Maryland
Thursday, January 11, 2007**

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sheila E. Hixson of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 3)

The Journal of January 10, 2007 was read and approved.

EXCUSES:

Del. Bronrott – Personal – Late

Del. Walkup – Personal – Late

INTRODUCTION OF BILLS

House Bill 12 – Delegates Anderson and Vaughn

AN ACT concerning

Criminal Procedure – Supervised Probation – Exemptions from Program and Supervision Fees

FOR the purpose of authorizing a court to exempt a certain person under the supervision of the Division of Parole and Probation from paying a certain monthly program fee under certain circumstances; clarifying that a certain exemption from paying a certain monthly fee that a court may grant a certain person under the supervision of the Division under certain circumstances applies to any monthly fee imposed under a certain provision of law, including the monthly fee imposed during certain fiscal years; providing for the application of this Act; and generally relating to fees imposed on persons in supervised probation.

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

Section 6–115
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–226(a) and (d)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–226(b)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 13 – Delegate Elmore

AN ACT concerning

**Somerset County – County Commissioners and Members of the County Roads
Board – Salaries**

FOR the purpose of increasing the salaries of the County Commissioners for Somerset County and the members of the County Roads Board of Somerset County; establishing a salary for the President of the County Commissioners for Somerset County and the President of the County Roads Board; providing that this Act does not apply to the salary or compensation of the incumbent County Commissioners, President of the County Commissioners, members of the County Roads Board, or President of the County Roads Board; and generally relating to the salaries of the County Commissioners for Somerset County, the President of the County Commissioners for Somerset County, members of the County Roads Board of Somerset County, and the President of the County Roads Board of Somerset County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 2–101 and 9–104(a)
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2006 Supplement, as amended)

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

APPOINTMENTS

JANUARY 11, 2007

BY THE SPEAKER OF THE HOUSE:

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

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 4)

ADJOURNMENT

At 10:30 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 12, 2007.

Annapolis, Maryland
Friday, January 12, 2007

The House met at 11:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Theodore J. Sophocleus of Anne Arundel County.

QUORUM CALL

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

(See Roll Call No. 5)

The Journal of January 11, 2007 was read and approved.

EXCUSES:

Del. Jones – Business - District

Del. McComas – Business – Court

INTRODUCTION OF BILLS

House Bill 14 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Industry

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 Baltimore Museum of Industry, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 15 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland Science 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 Maryland Academy of Sciences for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 16 – Delegate Hixson

AN ACT concerning

**Election Law – Absentee Ballot Applications and Voter
Registration – Deadlines**

FOR the purpose of altering the deadlines for voter registration and absentee ballot applications; and generally relating to absentee ballot applications and voter registration.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–302(a) and 9–305(b)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 17 – Delegate G. Clagett

AN ACT concerning

Public School Construction – Funding – Video Lottery Terminals

FOR the purpose of requiring the State Lottery Commission to regulate the operation of certain video lottery terminals; requiring the Governor to appoint a member of the State Racing Commission as a liaison to the State Lottery Commission; altering

the membership of the State Lottery Commission; specifying certain requirements for members of the State Lottery Commission; requiring the Governor to appoint a member of the State Lottery Commission as a liaison to the State Racing Commission; providing that members of the State Lottery Commission may be compensated as provided in the State budget; authorizing the operation of video lottery terminals connected to a certain central computer that allows the State Lottery Commission to monitor a video lottery terminal and that has certain capabilities; prohibiting access to the central computer to certain licensees with a certain exception; providing that only a person with a certain video lottery operation license may offer a video lottery terminal for public use in the State; providing that this Act is statewide and exclusive in its effect and that certain laws do not apply to video lottery terminals authorized under this Act; authorizing the State Lottery Commission to conduct certain investigations and hearings; requiring the State Lottery Commission to adopt certain regulations; authorizing the State Lottery Commission to require a certain bond and collect certain fees, civil penalties, and taxes; authorizing the State Lottery Commission to inspect and seize certain equipment, financial information, and records without notice or warrant; authorizing the State Lottery Commission to issue a certain number of video lottery operation licenses under certain circumstances; requiring certain video lottery terminal manufacturers, video lottery operators, video lottery employees, and other individuals as determined by the State Lottery Commission to be licensed; providing for the application and licensing process; establishing certain eligibility criteria and disqualifying criteria for a video lottery operation license; requiring certain video lottery operation licensees to maintain certain numbers of live racing days; providing that the license of certain video lottery operation licensees may be revoked if a certain horse racing event or trade names and other items related to the event are transferred outside the State; requiring a certain licensee to conduct a certain annual race with certain exceptions; requiring certain video lottery operation licensees to submit to the State Lottery Commission a certain plan to improve the quality and marketing of horse racing; requiring certain video lottery operation licensees to offer for sale a certain percentage of equity ownership to certain individuals under certain circumstances; requiring certain applicants and licensees to comply with certain provisions of law relating to minority business participation; specifying that certain collective bargaining agreements do not negate certain provisions of this Act; providing for the monitoring of certain provisions of this Act by the Governor's Office of Minority Affairs; providing for certain eligibility criteria and disqualifying criteria for certain licenses; providing for certain waivers of certain licensing requirements under certain circumstances; providing for certain license terms; stating the intent of the General Assembly relating to video lottery operation licenses; prohibiting a video lottery operation license from being transferred or pledged as collateral; prohibiting certain licensees from selling or otherwise transferring more than a certain percentage of the legal or beneficial interest unless certain conditions are met; requiring that the transfer of a certain interest in a person that holds a video

lottery operation license be approved by the State Lottery Commission; requiring the Department of State Police to conduct certain background investigations in a certain manner; requiring the State Lottery Commission to buy or lease the video lottery terminals, associated equipment, and central computer authorized under this Act; specifying limits on the number of video lottery terminals allowed at certain facilities; providing the minimum payout for video lottery terminals and authorizing the State Lottery Commission to adopt certain video lottery terminal payouts; providing for the hours of operation of video lottery terminals; prohibiting the State Lottery Commission from issuing certain licenses under certain circumstances; prohibiting a video lottery operation licensee from offering food or beverages at no cost with a certain exception or from offering food and beverages below certain prices; requiring the State Lottery Commission to adopt certain regulations to reduce or mitigate the effects of problem gambling; authorizing the State Lottery Commission to reprimand a licensee or deny, suspend, or revoke certain licenses under certain circumstances; requiring the Comptroller to collect and distribute certain money in specified ways; establishing the Public School Construction Fund; requiring certain distributions from video lottery proceeds to the Public School Construction Fund to be used for a certain purpose; establishing a Purse Dedication Fund under the authority of the State Racing Commission; providing for a certain distribution from video lottery proceeds to the Purse Dedication Fund for horse racing; providing for certain distributions from the Purse Dedication Fund for horse racing in a certain manner; authorizing the State to pay certain transportation costs; requiring the Department of Transportation to facilitate certain negotiations; requiring a certain transportation plan to be developed by certain counties; providing for the creation of certain local development councils; providing for appointment and membership of certain local development councils; requiring certain counties to develop certain plans to be reviewed by certain local development councils; specifying that certain local development grants should be used for certain purposes; authorizing certain fees and providing for a certain distribution from certain fees to the Compulsive Gambling Fund; creating a Compulsive Gambling Fund in the Department of Health and Mental Hygiene; providing for certain disbursements from the Compulsive Gambling Fund for certain purposes; expanding the types of funds that a certain fire, rescue, and ambulance special fund may receive; exempting a certain procurement by the State Lottery Commission from certain provisions of law; requiring the State Lottery Commission to make a certain annual report by a certain date; requiring the Department of Transportation to conduct a certain study and make a certain report by a certain date; requiring a certain certification entity to conduct certain studies and make certain reports; making the provisions of this Act severable; providing for the staggering of the terms of certain new members of the State Lottery Commission; defining certain terms; providing for the termination of certain provisions of this Act; providing that certain provisions of this Act are contingent on the termination of another Act; and generally relating to the operation of video lottery terminals at certain locations in the State.

BY adding to

Article – Business Regulation
Section 11–202(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–105 and 9–108(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government
Section 9–1A–01 through 9–1A–33 to be under the new subtitle “Subtitle 1A.
Video Lottery Terminals”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 8–102
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 11–203(a)(1)(xvi) and (xvii) and (b)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

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

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 11–203(b)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 402 of the Acts of the General Assembly of 2003)

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

House Bill 18 – Delegate Hixson

AN ACT concerning

Election Law – Voting Systems – Voter–Verified Paper Records

FOR the purpose of requiring that certain voting systems produce a paper record of a voter’s ballot choices and provide the voter with an opportunity to inspect the paper record before casting a final vote; requiring that the paper records be preserved at the polling place in a certain manner and for certain purposes; requiring that certain voting systems be accessible to certain individuals with disabilities; requiring certain comparisons and audits of certain ballots following an election; requiring public notice and demonstrations regarding certain voting systems and procedures; requiring the State Board of Elections to maintain certain information, to document certain occurrences, and to make certain information publicly available; requiring the Governor to allocate certain resources for certain purposes; defining certain terms; requiring the State Board to adopt certain regulations and certain guidelines; and generally relating to voter–verified paper records for voting systems.

BY renumbering

Article – Election Law
Section 9–101 through 9–105, respectively
to be Section 9–102 through 9–106, respectively
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 1–101(xx)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to

Article – Election Law
Section 9–101 and 9–107 through 9–112
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 19 – Delegates Cardin, Morhaim, and Stein

AN ACT concerning

Task Force to Implement Holocaust, Genocide, Human Rights, and Tolerance Education – Membership

FOR the purpose of altering the membership of the Task Force to Implement Holocaust, Genocide, Human Rights, and Tolerance Education to authorize certain individuals to appoint certain former members of the Senate of Maryland and the House of Delegates, respectively, as members of the Task Force; and generally relating to the Task Force to Implement Holocaust, Genocide, Human Rights, and Tolerance Education.

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2005
Section 1

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

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 6)

ADJOURNMENT

At 11:25 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 15, 2007.

**Annapolis, Maryland
Monday, January 15, 2007**

The House met at 8:10 P.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

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

(See Roll Call No. 7)

The Journal of January 12, 2007 was read and approved.

EXCUSES:

Del. Bates – personal – family business - out of town

Del. Jennings – personal

Del. Kelly – personal

Del. Levi – personal – funeral – death in family

Del. Mathias – Martin Luther King, Jr. Service

Del. McConkey – illness

Del. F. Turner – personal – wife sick

INTRODUCTION OF BILLS

House Bill 20 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

**Creation of a State Debt – Baltimore City – Hispanic Apostolate and Immigration
Legal Services**

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 Associated Catholic Charities, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or

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

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

House Bill 21 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Johns Hopkins Bayview Medical Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the proceeds to be used as a grant to the Board of Trustees of Johns Hopkins Bayview Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 22 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Library Square Revitalization

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 Patterson Park 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 23 – Delegate Love (Chair, Anne Arundel County Delegation)

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County –
Hancock’s Resolution Visitor’s Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to expand the authorized uses of a certain grant to the Board of Directors of Friends of Hancock’s Resolution, Inc.; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (O)

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

House Bill 24 – Delegate V. Clagett

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

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

BY adding to
Article – State Government
Section 13–406
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 25 – Delegates Krysiak, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – School 33 Art Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Office of Promotion and 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing

generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 26 – Delegates Lee, Barkley, Goldwater, Kaiser, McComas, Mizeur, and Niemann

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

FOR the purpose of altering a date by which the Task Force to Study Identity Theft is required to make a certain report; providing for an alternate date for the termination of the Task Force; making this Act an emergency measure; and generally relating to the Task Force to Study Identity Theft.

BY repealing and reenacting, with amendments,
Chapter 241 of the Acts of the General Assembly of 2005
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 242 of the Acts of the General Assembly of 2005
Section 1 and 2

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

House Bill 27 – Delegates Morhaim, Aumann, Boteler, Bromwell, Cardin, DeBoy, Frank, Goldwater, Hammen, Impallaria, Jennings, Jones, Kach, Kullen, Lafferty, Malone, McDonough, Nathan–Pulliam, Olszewski, Schuler, Stein, V. Turner, and Weir

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, 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, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 28 – Delegate Morhaim

AN ACT concerning

Procurement – Small Business Reserve Program – Sunset Extension

FOR the purpose of continuing until a certain date the provisions of the State Procurement Law relating to procurements from small businesses under the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501 through 14–505
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004
Section 2

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

House Bill 29 – Delegates Morhaim, Aumann, Benson, Boteler, Bromwell, Burns, Cardin, DeBoy, Frank, Goldwater, Hammen, Impallaria, Jennings, Jones, Kach, Kullen, Lafferty, Malone, McDonough, Nathan–Pulliam, Olszewski, Schuler, Stein, V. Turner, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – HopeWell Cancer Support Facility

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

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

House Bill 30 – Delegates Oaks, Donoghue, and Rosenberg

AN ACT concerning

Oral Health Safety Net Program

FOR the purpose of establishing the Oral Health Safety Net Program in the Office of Oral Health in the Department of Health and Mental Hygiene; providing for the purpose of the Program; requiring the Office to solicit and award certain grants, subject to the State budget; requiring the Office to oversee the operation of the Program; requiring the Office to conduct a certain annual evaluation of the Program; requiring the Office to contract with a certain individual, subject to the State budget; requiring the Office to provide certain education courses, subject to the State budget; requiring the Office to submit a certain report to the Governor and to the General Assembly on or before a certain date; declaring the intent of the General Assembly; requiring the Department to conduct a certain survey; defining a certain term; providing for the termination of this Act; and generally relating to oral health for underserved populations in the State.

BY adding to

Article – Health – General

Section 13–2501 through 13–2506, inclusive, to be under the new subtitle
“Subtitle 25. Oral Health Safety Net Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

APPOINTMENTS

January 15, 2007

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

LEGISLATIVE POLICY COMMITTEE

HON. MICHAEL E. BUSCH (CO-CHAIR)

HON. TALMADGE BRANCH

HON. CAROLYN J. B. HOWARD

HON. SHANE E. PENDERGRASS

HON. CHRISTOPHER B. SHANK

Ex Officio House Members:

HON. KUMAR P. BARVE
HON. NORMAN H. CONWAY
HON. DERECK E. DAVIS
HON. PETER A. HAMMEN
HON. SHEILA E. HIXSON
HON. ADRIENNE A. JONES
HON. MAGGIE McINTOSH
HON. ANTHONY J. O-DONNELL
HON. JOSEPH F. VALLARIO, JR.

JOINT COMMITTEE ON LEGISLATIVE ETHICS

HON. BRIAN K. MCHALE, CHAIRMAN
HON. SUSAN L. M. AUMANN
HON. BARRY GLASSMAN
HON. ADRIENNE A. JONES
HON. MARY ANN LOVE

BY ORDER,
MARY MONAHAN,
CHIEF CLERK

Read and adopted.

MESSAGE TO THE SENATE

January 15, 2007

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

We Propose with Your Concurrence a Joint Session of the General Assembly at 10:20 AM on January 17, 2007 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 Bobo and Stull to Escort Your Honorable Body to the House Chamber for this Joint Session.

By Order,
MARY MONAHAN
Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

January 15, 2007

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 17, 2007 at 10:20 a.m. for the purpose of witnessing the opening of Certified Election Returns by the Speaker, for the Offices of Governor and Lieutenant Governor.

We respectfully concur in your message.

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

Read and ordered journalized.

MARTIN LUTHER KING, JR. DAY ADDRESS

DELEGATE JILL P. CARTER
Baltimore City

Esteemed colleagues, Members of the Maryland House of Delegates, Mr. Speaker, let me first say how humble, grateful, and honored I am to stand before you today. I want to thank all of you, particularly, the Legislative Black Caucus for giving me the opportunity to address you on this occasion of remembrance and tribute to the Reverend Dr. Martin Luther King, Jr. Again, my heart is full, thank you.

As we gather today to honor the memory of the Dr. Martin Luther King, Jr., let us also open our hearts and minds to the memory of his wife, who was “married to the movement,” Coretta Scott King. While the rest of us lost a drum major for justice, a drum major for peace, a drum major for righteousness, she lost her husband and the father of her four young children. But never her dignity, never her composure, never her purpose. Martin’s story cannot be revered, regarded, and remembered without honoring Coretta: an outspoken critic of war and apartheid; an advocate of gay rights, animal rights, and

human rights. Coretta Scott King was the custodian of her family's faith and our nation's spirit. She endured wiretaps, death threats, innuendo, and hardship to service justice. Mrs. King once said: "When you are willing to make sacrifices for a great cause, you will never be alone." It gives us comfort on this day to know she and Martin are together again, casting their hopeful eyes upon us.

As I prepared my text for this occasion, I pondered a question that left me feeling as if I tugged upon an unraveling thread in the otherwise glorious fabric of the King Holiday. As I struggled to find the proper balance between reverence and observation, this question nagged me, like a pebble nestled in the arch of my shoe. So, please indulge me, for I must raise it: How would Dr. King feel about our gathering today? More specifically, how would he feel about those that have gathered to honor him and the way we've chosen to do so?

I raise the question not as a contrarian or recalcitrant, though some might use such words to describe my passion for advocacy. I raise the question because I am struck by a peculiar paradox. Many will gather in Maryland and across the nation to speak Dr. King's words and recall his deeds, while working overtime to counter his philosophy, dismantle his progress, and alienate his progeny. I hope I don't need to call names.

If you must know of whom I speak, look no further than the state of our public schools. Look no further than our inner city neighborhoods, the aftermath of Hurricane Katrina, or the misguided policy, which has our young men and women dying on foreign soil.

If you still don't know of whom I speak, think of those whose strategy for gaining power depended upon the suppression and marginalization of the vote of people of color in Florida and Ohio, the very people Dr. King represented at the signing of the Voting Rights Act.

And, if you still don't know of whom I speak, stroll through Baltimore. Watch as shining towers of steel, concrete, and glass rise in the Inner Harbor and downtown, while those that live in the forgotten areas of our city serve life sentences in substandard housing, substandard schools, and travail neighborhoods of boards, bricks, broken glass, and broken spirits.

Talk, as I have, to those that have turned a cynical ear to the promises of politicians, the prayers of preachers, the lessons taught by frustrated teachers, the admonishments of demoralized police officers, and the echoes of their childhood dreams.

Yet, there are people honoring Dr. King today, who travel the country pushing ballot initiatives, which seek to deny access to students struggling to overcome the legacy of systemic discrimination. Even here, in the great state of Maryland, in her largest city of Baltimore, we put more black boys in the penal system than we graduate from high

school. Yet, those charged with finding solutions have told us, “we’re on the right track,” “the issues are too complex,” “we are doing the best we can do.” “We’re making progress.”

Despite their best efforts, it is easier for a pregnant mother to get heroin than healthcare in some neighborhoods. The city’s great investment downtown, has filled the pockets of many from out of town. Yet, we haven’t created or guaranteed jobs or opportunity to those who live in our town.

So across this nation, we gather today to honor a man who sacrificed for social and economic justice as if his legacy is distinct from our reality. It is not.

Do we truly honor Dr. King with a parade? With the laying of a wreath? Do we honestly honor the legacy of that great orator – that man who moved into the slums of Chicago to shine the light on economic injustice, that man who spoke out for the humanity of little brown children being burned by bomb blast and napalm in Vietnam, and that scholar who preached, practiced, and endured for non-violence – by allowing hope and faith to wither in the hearts of the people he loved?

I say we cannot honor King by gathering those of title and status on podiums across this nation, to quote him out of context, manipulate his intent, or ignore the subtext of his life. In fact, we risk making a mockery of a man and his mission, by treating him solely as an icon, devoid of dirt beneath his nails from the intense labor of tilling the rigid, rock-laden soil of the social and political landscape of this country, hoping for gold at the heart of America’s soul. Dr. King fostered a movement that forced America to confront America. He called on the principles of democracy and capitalism to serve all as FUNCTION, not merely PRODUCT. He challenged the conscious of the individual to consider the importance of serving that which is permanent, before contemplating that which serves only personal, temporary self-interest:

Dr. King said:

“Power properly understood is nothing but the ability to achieve purpose. It is the strength required to bring about social, political and economic change.”

Dr. King said:

“The time is always right to do what is right.”

Dr. King said:

“The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy.”

Dr. King said:

“Our scientific powers have outrun our spiritual powers; we have guided missiles and mis-guided men.”

Dr. King said:

“True peace is not merely the absence of tension, it is the presence of justice.”

Dr. King said:

“Of all the forms of inequality, injustice in health care is the most shocking and inhumane.”

Dr. King said:

“The greatest sin of our time is not the few who have destroyed but the vast majority who sat idly by.”

And,

“In the end, we will remember not the words of our enemies but the silence of our friends.”

My friends, I no longer wonder what Dr. King – a man of courageous actions and penetrating words – would think of this holiday, this world, us.

A wise person once said that if you take your goals and subtract your doubts and fears, you are left with your reality. In Baltimore, the reality is that 76% of African-American boys will not finish high school, the reality is that it’s still easier to get a gun on the street than a quality education in the classroom. The reality is our children test last in the state, and our state listens to the needs of our children last. So, I ask, what are we afraid of? What are we waiting for?

When will justice come to all of Maryland? When will justice come to Baltimore? When will a quality education be treated as a fundamental right? When will those we elect to run our cities and states focus on finishing the job they have, before seeking the next opportunity? When will we truly honor the legacy of The Rev. Dr. Martin Luther King, Jr.?

We can all honor Dr. King’s legacy by making this day of observance – a National Day of Service. My father, Walter P. Carter, believed that. He practiced a purposeful life in pursuit of justice. In 1965, as President of CORE, through direct action, he desegregated hotels and restaurants, in Maryland, from Baltimore City to Ocean City. In 1971, his last words, spoken in a speech on the day of his death were: “I will commit the rest of my life

to making this city a fit place where our kids can live.” At the time of his death, Walter was leading the city’s fight against slum and substandard housing, unfair housing practices, blockbusting. Today, in 2007, we are just getting back around to addressing one remnant of those unfair housing practices, i.e. ground rents. There is only one way to truly honor my father and Dr. King. We must measure how great and civilized our society is not by the power it obtains, or how shiny or tall its buildings appear, or the levels of destruction it can cause with its weapons. Our society’s greatness must be measured by how well it treats those that have the least.

In Maryland, in Baltimore, we have what we need to succeed, to overcome the obstacles we face, and the tribulations, which await. Our collective will to do so will be reflected just outside our doors, through the corridors of our halls of power, in the classrooms where our children learn, in our statistics when murder, rape, and robbery decline and random acts of economic justice run rampant in the human resource offices of our small and large corporations.

I honor King, I honor my father, I honor you with each breath I take for the service that you give. I pledge the rest of my life to the pursuit of progress, justice, and equity. Please, wake up each day, and further the legacy of Dr. King, with your courage, your commitment, and your voice in the choir for justice.

Thank you.

Delegate Anderson moved the Delegate’s remarks be journalized.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 8)

ADJOURNMENT

At 8:44 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 16, 2007.

**Annapolis, Maryland
Tuesday, January 16, 2007**

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon Cardin of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 9)

The Journal of January 15, 2007 was read and approved.

EXCUSES:

Del. Bates - Personal - Family Business - Out of Town

Del. Elmore - Medical

Del. Levi - Personal - Funeral - death in family

Del. McDonough - Personal - Traffic

Del. Vaughn - Medical

INTRODUCTION OF BILLS

House Bill 31 – Delegates Morhaim, Cardin, Costa, Kach, and Stein

AN ACT concerning

Community or Homeowners' Associations – Standing to Participate in Certain Proceedings

FOR the purpose of authorizing a community or homeowners' association to institute, defend, intervene, or participate in certain governmental proceedings or forms of alternative dispute resolution under certain circumstances; authorizing a community or homeowners' association to assert a claim in its name on behalf of its members under certain circumstances; defining a certain term; expressing the intent of the General Assembly; providing for the construction and application of this Act; and generally relating to the standing of a community or homeowners'

association to participate in certain proceedings and forms of alternative dispute resolution under certain circumstances.

BY renumbering

Article – Courts and Judicial Proceedings
Section 6–406.1
to be Section 6–406.2
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 5–406(a)(1), (7), and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings
Section 6–406.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 7–108
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

MESSAGE TO THE HOUSE OF DELEGATES

January 16, 2007

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 17, 2007, 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 Frosh and Conway, 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 Kasemeyer and Brinkley to escort the Governor; and, Senators Currie and Middleton to escort the Lieutenant Governor.

By Order,

William B.C. Addison, Jr.
Secretary

Read and ordered journalized.

MESSAGE TO THE SENATE

January 16, 2007

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 17, 2007 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 Benson and McHale to escort the Governor-elect; and, Delegates Costa and Cane to escort the Lieutenant Governor-elect.

By Order,
MARY MONAHAN
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 10)

ADJOURNMENT

At 10:17 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 17, 2007.

Annapolis, Maryland
Wednesday, January 17, 2007

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

Prayer by Delegate Jill P. Carter of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 11)

The Journal of January 16, 2007 was read and approved.

EXCUSES:

Del. Bronrott - In Traffic – Late

Del. Davis – Stuck in Traffic

Del. Vaughn - In Traffic – Late

INTRODUCTION OF BILLS

House Bill 32 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – Fort McHenry Visitors Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Trustees of the Patriots of Fort McHenry/Living Classrooms, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 33 – Delegates Goldwater, Barkley, Bronrott, and Lee

AN ACT concerning

Creation of a State Debt – Montgomery County – Glen Echo Park

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 County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 34 – Delegates Morhaim, Costa, and Kach

AN ACT concerning

Planning and Zoning Decisions – Standing to Appeal

FOR the purpose of altering the standing requirements for a party to a proceeding before a county board of appeals to appeal the decision of the county board of appeals to the circuit court under certain circumstances; altering the standing requirements for a party to a proceeding in a circuit court regarding a decision of a county board of appeals to appeal the decision of the circuit court under certain circumstances; altering the standing requirements for an aggrieved person, a community association, and a homeowners association to appeal to the circuit court a final action of the district council in Montgomery County or Prince George's County, a decision of the board of appeals in Montgomery County, or a decision of the board of zoning appeals in Prince George's County under certain circumstances; imposing certain requirements on an appeal heard by the circuit court in Montgomery County or Prince George's County under certain circumstances; altering the standing requirements for an aggrieved person, a community association, and a homeowners association to appeal to the circuit court a decision of a local board of appeals, a zoning action of a local legislative body, or any matter arising under the planning and zoning laws of a local jurisdiction under certain circumstances; imposing certain requirements on an appeal heard by the circuit court on certain planning and zoning matters under certain circumstances; repealing the authority of a local legislative body to allow an appeal to the circuit court of any matter arising under the planning and zoning laws of the local jurisdiction under certain circumstances; providing for the construction of this Act; defining certain terms; providing for the application of this Act; and generally relating to standing to appeal planning and zoning decisions.

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 5(U)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–105(a), 8–106(e), 8–110(b), and 8–111.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–111.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02, 2.13, and 4.08
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 35 – Delegate Hixson

AN ACT concerning

Income Tax – Expensing of Section 179 Property

FOR the purpose of clarifying a certain modification under the Maryland income tax relating to certain federal tax changes; providing for the application of this Act; and generally relating to clarification of a certain income tax modification relating to certain federal tax changes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–210.1(b)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 36 – Delegates McConkey, Boteler, Lawton, and Niemann

AN ACT concerning

Home Financial Accountability Act of 2007

FOR the purpose of clarifying the availability of certain books and records kept by or on behalf of certain common ownership communities for certain purposes and to certain persons; making a stylistic change; repealing protection from public inspection for certain records; repealing the authority of certain common ownership communities to impose a reasonable charge on a person desiring to review certain books and records; and generally relating to access to the books and records of cooperative housing associations, condominiums, and homeowners associations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6B–18.5
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–116(c) and (d) and 11B–112(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

**JOINT SESSION FOR THE PURPOSE OF WITNESSING THE OPENING
OF THE CERTIFIED ELECTION RETURNS**

Delegates Bobo and Stull escorted the Senate into the House Chamber.

President Miller called for the Senate Roll.

SENATE QUORUM CALL

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

(See Senate Roll Call No. 39A)

Speaker Busch called for the House Roll.

HOUSE QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 12)

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

MESSAGE FROM THE SECRETARY OF STATE

January 17, 2007

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 2006 General Election.

Sincerely,
Mary D. Kane
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 7, 2006 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 16th day of January 2007.

Linda H. Lamone
Administrator

Read and ordered journalized.

MARYLAND STATE BOARD OF ELECTIONS
NOVEMBER 7, 2006 GUBERNATORIAL GENERAL ELECTION
OFFICIAL ELECTION RESULTS

(See Exhibit A of Appendix II)

Read and ordered journalized.

Senator Kasemeyer moved the Senate be adjourned.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 13)

ADJOURNMENT

At 10:27 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 18, 2007.

**Annapolis, Maryland
Thursday, January 18, 2007**

The House met at 10:20 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tanya Thornton Shewell of Carroll County.

QUORUM CALL

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

(See Roll Call No. 14)

The Journal of January 17, 2007 was read and approved.

EXCUSES:

Del. Davis – personal

Del. Glassman – personal – doctor appointment

Del. Goldwater – illness

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 37 – Delegates Holmes, McConkey, Barnes, Frush, Hubbard, and Niemann

AN ACT concerning

Income Tax Exemption Amounts – Blind and Elderly Individuals

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland income tax for certain individuals who as of the last day of the taxable year are blind or are at least a certain age; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to certain exemptions allowed to be deducted to determine Maryland taxable income.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–211

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 38 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Stukes, and F. Turner

AN ACT concerning

Income Tax – Credit for Providing Adult Literacy Programs

FOR the purpose of allowing certain business entities a certain credit against the State income tax for certain taxable years for a certain amount of the cost of adult literacy services provided to an employee; limiting to a certain amount the total amount of credits a business entity may claim in any taxable year; providing that the credit may be refundable under certain circumstances; providing for the issuance of certain initial credit certificates by the State Superintendent of Schools, subject to certain requirements and limitations, for certain fiscal years; providing certain limits on the amount of credits that can be claimed; requiring the State Superintendent to issue final credit certificates under certain circumstances; establishing the Adult Literacy Services Tax Credit Reserve Fund; limiting the credit amounts in the aggregate for which the State Superintendent may issue initial credit certificates for any fiscal year; authorizing the Governor to include certain appropriations to a certain fund in the annual budget bill for certain fiscal years; requiring the Comptroller to transfer certain amounts from a certain fund to the General Fund under certain circumstances; requiring the State Superintendent to submit certain reports; requiring the State Superintendent to adopt certain regulations; defining certain terms; and generally relating to a tax credit against the State income tax for certain costs associated with adult literacy services.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 39 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

Creation of a State Debt – Baltimore City – The Baltimore Station Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Baltimore Station, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 40 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Rice, Stukes, and F. Turner

AN ACT concerning

Income Tax Credit for Services Donated to Community Health Organizations

FOR the purpose of allowing a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health care services to low-income individuals on a certain basis; allowing certain community health organizations to submit proposals to the Department of Health and Mental Hygiene for allocation of the available credit for approved programs; allowing a community health organization to assign the tax credit allocated to the organization's program to certain health care professionals who donate services to the community health organization's approved program; requiring the Department to certify to the State Comptroller the applicability of the credit for each health care professional; limiting the total available credit that may be allocated for each taxable year; requiring the Department to adopt certain regulations; defining certain terms; requiring a certain study to be done and provided to certain committees of the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of this Act; and generally relating to a credit against the State income tax for certain health care professionals who donate services to certain organizations providing health care services to low-income individuals.

BY adding to

Article – Tax – General

Section 10-726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 41 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Stukes, and F. Turner

AN ACT concerning

Income Tax – Subtraction Modification for Health Insurance and Medical Expenses

FOR the purpose of providing a subtraction modification under the Maryland income tax for the costs of health insurance and other medical expenses incurred by an individual on behalf of another adult individual under certain circumstances; providing that the subtraction may not exceed a certain amount; providing for the application of this Act; and generally relating to an income tax subtraction modification for the costs of health insurance and other medical expenses incurred on behalf of another adult individual.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 42 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Charles County Humane Society

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 Charles County Humane Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 43 – Delegates Jones, Doory, Hixson, and McIntosh

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 \$500,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 44 – Delegates Bobo, Barve, Ali, Anderson, Barnes, Beidle, Bronrott, Cane, Cardin, V. Clagett, Feldman, Frush, Gilchrist, Glenn, Gutierrez, Guzzone, Healey, Heller, Hixson, Holmes, Hubbard, Hucker, Kaiser, Kramer, Kullen, Lafferty, Lawton, Lee, Love, Malone, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Pena–Melnik, Pendergrass, Rice, Rosenberg, Ross, Simmons, Stein, Taylor, F. Turner, and Waldstreicher

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment and the Motor Vehicle Administration to establish by regulation and maintain a certain low emissions vehicle program applicable to certain vehicles by a certain date; requiring the Administration and the Department to establish certain motor vehicle emissions standards and certain compliance requirements; authorizing the adoption of certain regulations; requiring the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling or registering certain vehicles under certain circumstances; prohibiting certain acts related to certain vehicles or vehicle engines under certain circumstances; providing for the application of certain enforcement and penalty provisions; defining certain terms; specifying that certain provisions of federal law apply to a certain extent; providing for the effective date of this Act; and generally relating to the establishment of a low emissions vehicle program.

BY adding to

Article – Environment

Section 2–1101 through 2–1106, inclusive, to be under the new subtitle “Subtitle
11. Low Emissions Vehicle Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 45 – Calvert County Delegation

AN ACT concerning

Calvert County Board of Education – Compensation

FOR the purpose of altering the compensation received by certain members of the Calvert County Board of Education; providing that this Act does not apply to the salary or compensation of the incumbent members of the Board; and generally relating to the compensation received by members of the Calvert County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–303

Annotated Code of Maryland

(2006 Replacement Volume)

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

APPOINTMENTS

January 18, 2007

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

JOINT COMMITTEE ON LEGISLATIVE ETHICS

Hon. Rudolph C. Cane

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

FOR the purpose of adding a new article to the Annotated Code of Maryland, to be designated and known as the “Human Services Article”, to revise, restate, and recodify the laws of the State relating to the Department of Human Resources and its component parts, including the Maryland Commission for Women, the Commission on Indian Affairs, the Commission on Responsible Fatherhood, the Social Services Administration, the Family Investment Administration, and the Community Services Administration; revising, restating, and recodifying certain provisions relating to local departments of social services, local directors, and local boards; revising, restating, and recodifying certain provisions relating to public assistance, including the Family Investment Program, the Public Assistance to Adults Program, burial assistance, and food stamps; revising, restating, and recodifying certain provisions relating to community services, including the Energy Assistance Program, transitional services programs, adult services, and the Citizenship Promotion Program; revising, restating, and recodifying certain provisions relating to the Department of Disabilities, the Maryland Commission on Disabilities, the Interagency Disabilities Board, the State Disabilities Plan, the Personal Assistance Services Advisory Committee, Blind Industries and Services of Maryland, disability programs and services, and individuals with disabilities; revising, restating, and recodifying certain provisions relating to children, youth, and families, including the Advisory Council to the Children’s Cabinet, local management boards, the State Coordinating Council for Children, local coordinating councils, the Children’s Cabinet Fund, at-risk youth prevention and diversion programs, residential child care programs, and the Residential Child Care Capital Grant Program; revising, restating, and recodifying certain provisions relating to the Department of Juvenile Services and its facilities, programs, and services, the Interstate Compact on Juveniles, and the Juvenile Services Facilities Capital Program; revising, restating, and recodifying certain provisions relating to the Department of Aging, the Commission on Aging, the Interagency Committee on Aging Services, programs and services for seniors, continuing care, and senior

citizen activities centers; revising, restating, and recodifying certain provisions relating to the Maryland Legal Services Corporation; revising, restating, and recodifying certain provisions relating to confidentiality of certain information and sharing of certain information by certain agencies; repealing certain obsolete provisions; defining certain terms; providing for the construction and application of this Act; providing for the continuity of certain units and the terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interests, licenses, registrations, certifications, and permits; 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 laws of the State relating to human services.

BY repealing

Article 10 – Legal Officials

Section 45A through 45H and 45J through 45–O, inclusive, and the subheading
“The Maryland Legal Services Corporation”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article 30 – Deaf, Mute or Blind

In its entirety

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 41 – Governor – Executive and Administrative Departments

Section 2–501 through 2–503, inclusive, and the subtitle “Subtitle 5. At-Risk Youth Prevention and Diversion Programs”; 6–101 through 6–104, inclusive, and 6–106, and the subtitle “Subtitle 1. Creation and Organization of Department”; 6–201 through 6–204, inclusive, and the subtitle “Subtitle 2. Community Services Administration”; 6–401 through 6–406, inclusive, and the subtitle “Subtitle 4. Energy Assistance Program Act”; 6–7A–01 through 6–7A–06, inclusive, and the subtitle “Subtitle 7A. Community Attendant Services and Supports Program”; 6–901 through 6–912, inclusive, and the subtitle “Subtitle 9. Commission on Indian Affairs”; 14–901 through 14–914, inclusive, and the subtitle “Subtitle 9. Assistive Technology Guaranteed Loan Fund”; 18–401 through 18–408 and the subtitle “Subtitle 4. Commission on Responsible Fatherhood”; 18–601 through 18–604, inclusive, and the subtitle “Subtitle 6. Attendant Care Program”; and 18–701 through 18–707, inclusive, and the subtitle “Subtitle 7. Residential Child Care Capital Grant Program”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 49C – Maryland Commission for Women
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 49D – Children, Youth, and Family Services
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 70B – Department of Aging
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 78A – Public Works
Section 55 and the subheading “Check Cashing”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 83C – Juvenile Services
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 88A – Department of Human Resources
Section 1, 1A, 2, 3, 3A(a), (b), (c)(1), (2), and (4), (d), and (e), 4, 5, 6, 6A, 7, and 13 through 18, inclusive, and the subheading “In General”; 44A through 53A, inclusive, 55, and 56, and the subtitle “Family Investment Program”; 62 and the subheading “Prohibited Acts”; 62A and the subheading “Funeral Expenses”; 63 through 71, inclusive, 73 through 78, inclusive, 80, 82, and 83, and the subheading “State Public Assistance Programs”; 84 through 87, inclusive, and the subheading “Community Home Care Services”; 88 and 89 and the subheading “Federal Food Coupons”; 124 through 127, inclusive, and the subtitle “Homeless Women — Shelter”; 128 through 129A, inclusive, and the subheading “Respite Care for Developmentally and Functionally Disabled Persons”; 130A through 130E, inclusive, and the

subtitle “Statewide Nutrition Assistance Program”; 130F through 130K, inclusive, and the subtitle “Maryland Emergency Food Program”; 131 through 137, inclusive, and the subtitle “Shelter, Nutrition, and Service Program for Homeless Individuals”; 138 through 141, inclusive, and 143 and the subtitle “Certified Adult Residential Environment Program”; and 145 and the subtitle “Citizenship Promotion Program”

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article – Courts and Judicial Proceedings
Section 7–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – State Government
Section 9–1101 through 9–1119, inclusive, and the subtitle “Subtitle 11.
Department of Disabilities”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing

The article designation “Article 88A – Department of Human Resources”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding

New Article – Human Services
Section 1–101 through 11–801, inclusive, and the various titles
Annotated Code of Maryland

BY repealing and reenacting, with amendments,

Article 1 – Rules of Interpretation
Section 25
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 1 – Rules of Interpretation
Section 34
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 6–306
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing

Chapter 9 of the Acts of the General Assembly of 2006
Section 4

BY repealing and reenacting, with amendments,

Chapter 9 of the Acts of the General Assembly of 2006
Section 5

BY repealing and reenacting, with amendments, and transferring to the Session Laws

Article 88A – Department of Human Resources
Section 3A(c)(3) and 4A
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross–References and Corrections

FOR the purpose of correcting certain cross–references to the Human Services Article in the Annotated Code of Maryland; correcting certain errors in the Human Services Article; 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 Human Services Article and cross–references and corrections to it.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 6–301(q)(8)(iii)1. and 12–107(b)(8)(ii)3. and (9)(ii)3.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–502(b)(1)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–127
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10–303(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 23–101(e)(2)(vii) and (viii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–201(g)(2) and 9–604(b)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–810(a)(2), 3–827(a)(3), 3–8A–27(f), 5–805(a)(4) and (5)(ii)3.,
7–202(d)(2), and 7–301(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–401(f)(2)(ii), 9–404(b)(1)(ii), 9–405(a)(3)(i), and 9–410(f)(1)(iv)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–220(c)(2)
Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–217(a)(9), 7–502(c), 8–410(b)(2), 8–417(b)(1), and 22–301(f)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 8–105(a)(10), 13–101(b)(3), (4), and (5), and 13–207(e)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–313(d)(3)(iv), 5–503(a), 5–508(b)(7), 5–509(b)(2), 5–509.1(b)(1) and (2), 5–556(e), 5–561(b)(3), (4), and (5), 5–570(c)(3)(iii), 5–584(e), 5–714(f)(2), 5–1202(a)(4), 5–1310(a), 10–108(a)(5) and (6), 10–108.7(1), 10–112(a)(1) and (b)(1)(i) and (2), 10–113(a)(1), 10–113.1(a)(1), 10–119(b)(1)(i), 10–119.3(e)(1)(i)2.A., and 10–1A–01(c)(3)(i)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–302(d)(3), 4–306(b)(1)(iii), 5–406(a)(2), 7–703(c)(1)(i) and (vii), 13–1010(b)(1)(i), 13–1111(b)(1)(i), 15–103(b)(9)(xiv)3., 15–139(c)(1), 15–303(a)(3), 16–101(d)(2)(ii) and (e)(2)(iv), 16–206, 19–114(d)(2)(ii), 19–345.2(c)(3), 19–712.6(a), 19–1409(b)(8), 19–1801(2)(vii), 19–1806(a)(2) and (3), (c)(1), (d), and (e), and 19–1901(b)(5)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 3–301(a) and 9–246(f)(1)(iv)

Annotated Code of Maryland

(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7–512.1(a)(7) and (c)(2)(i)1. and 8–201(a)(2)(i) and (iii)

Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–302(b)(2), 7–315(f)(2)(i) and (ii), and 13–224(a)(4) and (6)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–404(7), 6–406(c), 12–101(a)(7) and (14) and (b), 12–103.2(a), and
12–401(14)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–206(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 516 of the Acts of the General Assembly of 2005)

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

QUORUM CALL

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

(See Roll Call No. 15)

ADJOURNMENT

At 10:36 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 19, 2007.

**Annapolis, Maryland
Friday, January 19, 2007**

The House met at 11:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Gail H. Bates of Howard County.

QUORUM CALL

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

(See Roll Call No. 16)

The Journal of January 18, 2007 was read and approved.

EXCUSES:

Del. Carter - medical
Del. Goldwater - illness
Del. Griffith – personal – speaking engagement
Del. McKee - surgery
Del. V. Turner - medical

INTRODUCTION OF BILLS

House Bill 46 – Delegates N. King, Barkley, Bronrott, G. Clagett, Dumais, Feldman, Gilchrist, Hixson, Kaiser, Kramer, Manno, and Rice

AN ACT concerning

Income Tax – Research and Development Tax Credits – Modifications

FOR the purpose of increasing the aggregate amount of income tax credits for certain research and development expenses that may be approved by the Department of Business and Economic Development each year; providing for the application of this Act; and generally relating to an income tax credit for certain research and development expenses.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–721
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 47 – Delegates Hixson, Cardin, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Rice, Stukes, and F. Turner

AN ACT concerning

Motor Fuel Tax – Exemption for Biodiesel Fuel – Government Vehicles

FOR the purpose of exempting certain biodiesel fuel purchased for use in certain government vehicles from a certain percentage of the State motor fuel tax; requiring the Comptroller to adopt certain regulations; providing for the termination of this Act; and generally relating to motor fuel tax exemptions for biodiesel fuel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–303
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 48 – Delegates Morhaim, Aumann, Barve, Frank, Minnick, Oaks, Shank, and Stein

AN ACT concerning

Circuit Courts – Medical Injury – Medical Malpractice Administrative Review Board

FOR the purpose of requiring certain medical injury actions filed in court after a certain date to be submitted to a medical malpractice administrative review board; requiring a court to refer a certain action to a circuit administrative judge; requiring a circuit administrative judge to appoint a certain judge to chair a board and notify certain parties of certain information; requiring a circuit administrative judge to consider certain matters in appointing a chair of a board and provide specifications for a certain curriculum; suspending statutory time limits under certain provisions of law and under the Maryland Rules for a certain period in

certain circumstances; providing procedures for a chair to choose members of a board and for a party to strike a member from a board; requiring that board members meet certain criteria; requiring that certain board hearings be closed to the public; requiring that board deliberations and certain testimony are privileged and confidential; authorizing a chair to take certain action, with certain exceptions; requiring a board to make certain determinations about liability and proximate cause; providing that certain rules of evidence are not applicable in a certain board hearing; giving a board subpoena power; authorizing a board to appoint a certain impartial expert witness under certain circumstances; providing for admissibility of certain records under certain circumstances; authorizing parties to take certain actions in a hearing; requiring a board to issue a written decision answering certain questions; requiring a decision to be made within a certain time period; requiring a board to serve the decision on the parties and the court; requiring a board's decision to be served in a certain manner and format to the Statewide Medical Care Data Base of the Maryland Health Care Commission and the Maryland Patient Safety Center, which may use certain data only for certain purposes; requiring the Maryland Health Care Commission to make board decisions available to the public in a certain manner and format; providing for the payment of board members and costs of proceedings equally between the parties under certain circumstances; authorizing a party to accept or reject a decision of a board; requiring the parties to take certain actions in either case; authorizing the admission of a board decision in a court proceeding; establishing a certain presumption about a unanimous panel decision in a subsequent trial; authorizing a party to call a member of a board as a witness in a subsequent trial; requiring a court to retain a certain neutral expert witness under certain circumstances; requiring a certain party that is the losing party under a board decision and the losing party in a subsequent trial to pay certain costs, including the other party's attorney's fees; exempting certain individuals serving on a certain board from civil liability under certain circumstances; defining a certain term; providing for the application of this Act; making the provisions of this Act severable; and generally relating to establishing medical malpractice administrative review boards in medical injury cases.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–2A–01(a), (c), (f), and (g), 3–2A–04(a) and (b)(1), (2), and (4), and
3–2A–06D(a), (b), (c), and (d)

Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings

Section 3–2A–06E

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–615
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 49 – Delegates Oaks and Rosenberg

EMERGENCY BILL

AN ACT concerning

**Communications Towers – Zoning and Other Regulatory Approval – Adjacent
Local Jurisdiction**

FOR the purpose of prohibiting a local jurisdiction from granting zoning or other regulatory approval to a communications tower located within a certain distance from another local jurisdiction unless that communications tower satisfies the zoning and other regulatory requirements of each local jurisdiction; prohibiting a local jurisdiction from granting zoning or other regulatory approval to a communications tower subject to this Act unless the person seeking approval of the tower submits a certain written statement of approval from a certain adjacent local jurisdiction; requiring a local jurisdiction to consider a request for a certain written statement of approval of a certain communications tower according to established policies and procedures governing approval of communications towers in the jurisdiction; making this Act an emergency measure; providing for the application of this Act; and generally relating to zoning and other regulatory approval for communications towers.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02 and 2.13
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01(b)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 50 – The Speaker (By Request - Administration)

**Budget Bill
(Fiscal Year 2008)**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2008, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

House Bill 51 – The Speaker (By Request - Administration)

AN ACT concerning

**Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2007, and
the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and
2006**

FOR the purpose of authorizing the creation of a State Debt in the amount of Eight Hundred Six Million, Seven Hundred Ninety-Nine Thousand Dollars (\$806,799,000), 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 certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program; repealing a requirement for a certain appropriation; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 508 of the Acts of the General Assembly of 2000
Section 1(3) Item RB23(A) and Item SA23(C)

BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000, as amended by Chapter
204 of the Acts of the General Assembly of 2003, and Chapter 46 of the
Acts of the General Assembly of 2006
Section 1(3) Item RP00(A)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item ML10(A) and Item ZA00(F)

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

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ML10(A)

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
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(1) and Section 1(3) Item MJ02(A) and Item ML10(A)

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

House Bill 52 – Delegates Anderson and Oaks

AN ACT concerning

Baltimore City – Sheriff’s Office – Appointed Positions

FOR the purpose of altering the maximum number of certain positions the Baltimore City Sheriff is authorized to appoint; and generally relating to the Baltimore City Sheriff’s office.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(d)(1)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 53 – Delegates Morhaim, Cardin, Elliott, Frank, Hammen, Nathan–Pulliam, and Stein

AN ACT concerning

Residential Child Care Programs – Out-of-Home Placement – Standards for Staff and System for Outcomes Evaluation

FOR the purpose of requiring the Department of Juvenile Services, the Department of Human Resources, the Department of Health and Mental Hygiene, and the Governor’s Office for Children to adopt certain regulations to require certain staff members of certain residential child care programs to meet certain qualifications; requiring the Department of Juvenile Services, the Department of Human Resources, and the Governor’s Office for Children to develop, coordinate, and implement a certain system of outcomes evaluation; specifying the uses of the system for outcomes evaluation; requiring the system for outcomes evaluation to use certain measures for a certain purpose; requiring the Governor’s Office for Children, the Department of Juvenile Services, and the Department of Human Resources to consult with the University of Maryland, Baltimore, in planning and implementing the system for outcomes evaluation; establishing certain requirements for the system for outcomes evaluation; providing that the Department of Juvenile Services and the Department of Human Resources may not disclose personal identifiers and must ensure confidentiality of certain information when reporting certain information and data; requiring the Governor’s Office for Children, in coordination with the Department of Juvenile Services and the Department of Human Resources, to submit a certain report to the Governor and the General Assembly on or before a certain date; requiring the Governor’s Office for Children, the Department of Juvenile Services, the Department of Human Resources, and the Department of Health and Mental Hygiene, in cooperation with representatives of certain programs and certain groups, to develop certain regulations and certain recommendations; requiring the Governor’s Office for Children to report to the General Assembly on certain recommendations on or before a certain date; defining certain terms; and generally relating to residential child care programs.

BY repealing and reenacting, without amendments,

Article – Human Services
Section 8–101(a), (b), (c), (k), and (m)
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Human Services
Section 8–1001 through 8–1003, to be under the new subtitle “Subtitle 10.
Residential Child Care Programs – Standards for Staff and System for
Outcomes Evaluation”
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 54 – Delegate Elmore and Queen Anne’s County Delegation

AN ACT concerning

**Somerset and Queen Anne’s Counties – Authorization to Harvest Seafood and
Engage in the Seafood Industry**

FOR the purpose of authorizing the governing bodies of Somerset County and Queen Anne’s County to adopt an ordinance, resolution, or regulation or take other action to authorize a person to engage in certain activities related to the seafood industry and to harvest seafood; clarifying that the governing body of the county in which the ordinance, resolution, or regulation will apply is required to hold a public hearing and obtain the written consent of the Secretary of Natural Resources before adopting a certain ordinance, resolution, or regulation; providing that an ordinance, resolution, or regulation, adopted by a governing body under this Act without written consent of the Secretary, is void; providing that in the event of a certain conflict, federal law, State law, or a certain written program guidance preempts a certain ordinance, resolution, or regulation adopted by a governing body under this Act; making conforming changes; and generally relating to the authority of the governing bodies of certain counties to authorize a person to engage in certain activities related to the seafood industry and to harvest seafood.

BY repealing and reenacting, with amendments,

Article 25 – County Commissioners
Section 232
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 55 – The Speaker (By Request – Administration)

AN ACT concerning

Health Services Cost Review Commission – User Fees

FOR the purpose of altering the maximum amount of user fees the Health Services Cost Review Commission may assess; and generally relating to the Maryland Health Services Cost Review Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–213(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–213(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 56 – The Speaker (By Request – Administration)

AN ACT concerning

Maryland Health Care Commission – User Fee Assessments

FOR the purpose of altering the maximum amount of user fees the Maryland Health Care Commission may assess; making permanent a certain authorization to assess indirect costs; and generally relating to the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–110(b) and 19–111(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 57 – The Speaker (By Request – Administration)

AN ACT concerning

Maryland Transportation Authority – Intercounty Connector – Funding

FOR the purpose of altering a requirement that a certain sum be appropriated to the Maryland Transportation Authority for the Intercounty Connector for a certain fiscal year; and generally relating to the Maryland Transportation Authority and the funding of the Intercounty Connector.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 58 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit and District Courts

FOR the purpose of altering the number of resident judges of the circuit courts in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; and generally relating to judgeships in the circuit courts and the District Court of Maryland.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–503(a)(15) and (b) and 1–603(b)(4) and (6)
Annotated Code of Maryland
(2006 Replacement Volume)

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

APPOINTMENTS

January 19, 2007

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

Minority Leader, The Hon. Anthony J. O'Donnell

Minority Whip, The Hon. Christopher B. Shank

Assistant Minority Leader, The Hon. Nancy R. Stocksdale

Assistant Minority Whip, The Hon. Jeannie Haddaway

Chief Deputy Whip, The Hon. William J. Frank

Minority Parliamentarian, The Hon. Michael D. Smigiel, Sr.

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

The Hon. Joseph C. Boteler, III

The Hon. Susan L. M. Aumann

The Hon. Anthony McConkey

The Hon. Donald Dwyer, Jr.

The Hon. Tanya T. Shewell

The Hon. Richard A. Sossi

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 17)

ADJOURNMENT

At 11:20 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 22, 2007.

**Annapolis, Maryland
Monday, January 22, 2007**

The House met at 8:07 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate James N. Mathias, Jr. of Wicomico and Worcester counties.

QUORUM CALL

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

(See Roll Call No. 18)

The Journal of January 19, 2007 was read and approved.

EXCUSES:

Del. Goldwater – illness

Del. Kelly – business

Del. McKee – recovering from surgery

Del. V. Turner - medical

INTRODUCTION OF BILLS

House Bill 59 – Delegates Malone and DeBoy

AN ACT concerning

Creation of a State Debt – Howard County – Norbel School

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 Norbel School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 60 – Southern Maryland Delegation

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

FOR the purpose of authorizing certain electric cooperatives to supply their standard offer service load through a portfolio of blended wholesale supply contracts of short, medium, and long terms under certain circumstances; making this Act an emergency measure; and generally relating to wholesale supply contracts and electric cooperatives.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–510(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 61 – Delegates Eckardt, Cane, Haddaway, Smigiel, and Sossi

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

FOR the purpose of altering the number of voting members of the Mid–Shore Regional Council appointed by the governing bodies of Caroline, Dorchester, and Talbot counties; authorizing the bylaws of the Mid–Shore Regional Council to provide for additional public membership on the Council; and providing that the Mid–Shore Regional Council is immune from being sued.

BY repealing and reenacting, with amendments,
Article 20C – Mid–Shore Regional Council
Section 2–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–506.1
Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 62 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class D License

FOR the purpose of authorizing the Board of License Commissioners of Dorchester County to issue a Class D (on-sale) beer, wine and liquor license; specifying a license fee; specifying that the license is for a certain period; requiring that alcoholic beverages sold under the license be consumed only on the licensed premises; prohibiting an individual under a certain age from being on the licensed premises; providing that only the Board may decide the number of Class D licenses to be issued; requiring the Board to determine whether the premises for which a Class D license is issued meets certain requirements; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–210
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 63 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands

FOR the purpose of requiring in Dorchester County a holder of a certain special Class C license to distribute at the event for which the license is issued a wristband to each

individual who is at least 21 years old; prohibiting a holder of a certain special Class C license from serving an alcoholic beverage to any individual who does not wear the wristband; making a certain stylistic change; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(6) and (d)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 64 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Historical Society Museums

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 Trustees of the Dorchester 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 Appropriations.

House Bill 65 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Issuance of Additional Class A Beer Licenses

FOR the purpose of adding in Dorchester County a certain type of alcoholic beverages license to the types of licenses that entitle premises to be issued additional Class A beer licenses; authorizing the Board of License Commissioners of Dorchester County to limit the number of additional Class A beer licenses that it issues; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 9–102(b–6)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 66 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Creation of a State Debt – Dorchester County – Galestown Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Commissioners of Galestown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 67 – Delegates Anderson, Conaway, Dumais, Gutierrez, Montgomery, Ramirez, Rosenberg, Shank, Simmons, Smigiel, Valderrama, and Vallario

AN ACT concerning

Criminal Procedure – Custodial Interrogation – Electronic Recordation

FOR the purpose of establishing that, in a prosecution for a crime of violence, statements of a defendant made during a certain custodial interrogation are presumed involuntary unless a certain electronic recording is made of the interrogation; establishing that, if a court finds by a preponderance of evidence that a defendant was subjected to a custodial interrogation in violation of this Act, a statement made by the defendant following the custodial interrogation is presumed involuntary in a prosecution for a crime of violence; establishing that a presumption of involuntariness established by this Act may be overcome by certain clear and convincing evidence; providing that this Act does not preclude the admission in a criminal proceeding of certain statements by a defendant; prohibiting the State from destroying or altering certain electronic recordings made of certain custodial interrogations until certain circumstances exist; defining certain terms; providing for the application of this Act; and generally relating to

custodial interrogations of certain individuals.

BY adding to

Article – Criminal Procedure

Section 2–401 through 2–403 to be under the new subtitle “Subtitle 4. Custodial Interrogation”

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

House Bill 68 – Delegates Cane, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Wicomico County – Alcoholic Beverages – Places of Public Entertainment and Unlicensed Establishments

FOR the purpose of prohibiting a person in Wicomico County from serving or dispensing certain items or serving, dispensing, keeping, or allowing to be consumed alcoholic beverages or other component parts of mixed alcoholic drinks in certain places of public entertainment; prohibiting a person who operates a certain business establishment for profit in Wicomico County from knowingly allowing customers to bring alcoholic beverages for consumption into the establishment; defining certain terms; establishing a certain penalty; and generally relating to alcoholic beverages in places of public entertainment and unlicensed establishments in Wicomico County.

BY adding to

Article 2B – Alcoholic Beverages

Section 20–110

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 69 – Delegate Cane (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Delegates Beidle, Boteler, Braveboy, V. Claggett, Eckardt, Elmore, Frank, Haddaway, Hubbard, Jennings, Love, Mathias, Morhaim, Proctor, Rudolph, Smigiel, Sophocleus, Sossi, Walkup, and Weir

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; 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 2006 Supplement)

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

House Bill 70 – Delegates Morhaim, Nathan–Pulliam, and Oaks

AN ACT concerning

State Board of Dental Examiners – Nomination of Board Members

FOR the purpose of adding the Maryland Academy of General Dentistry to the list of dental organizations that submit nominees for the State Board of Dental Examiners to the Governor; increasing the number of weeks before a certain meeting that a certain notice must be mailed; and generally relating to the nomination process for the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–202
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 71 – Delegates Morhaim, Aumann, Cardin, DeBoy, Kach, Malone, and Stein

AN ACT concerning

Baltimore County – Board of Education – Elected Members

FOR the purpose of establishing a procedure for the election of certain members of the Baltimore County Board of Education; requiring some 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; 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; and generally relating to the 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

(2006 Replacement Volume)

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

(2006 Replacement Volume)

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

House Bill 72 – Delegates McIntosh and Glassman

AN ACT concerning

**Environment – Groundwater Contamination – Notification and Reimbursement of
Costs**

FOR the purpose of altering certain procedures for notification of certain property owners of certain groundwater contamination findings by the Department of the Environment and the local health department; altering certain reimbursement requirements for certain responsible persons; and generally relating to groundwater contamination.

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–411.2

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 73 – Delegates Krebs, Aumann, Beitzel, Dwyer, Eckardt, Elliott, Elmore, Frank, Haddaway, Kach, Shewell, Stocksdale, Weir, and Weldon

AN ACT concerning

Maryland Estate Tax – Family Property Protection Act

FOR the purpose of altering a certain limit on the unified credit used for determining the Maryland estate tax; repealing a requirement that the Maryland estate tax be determined without regard to a certain deduction allowed under the federal estate tax; stating the intent of the General Assembly; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 74 – Delegates Krebs, Ali, Anderson, Aumann, Eckardt, Elliott, Elmore, George, Haddaway, Holmes, Kach, Kaiser, Minnick, Montgomery, Morhaim, Olszewski, Shewell, Sophocleus, Stocksdale, and Weldon

AN ACT concerning

Solar Energy Grant Program – Grant Awards

FOR the purpose of altering the maximum amount of certain grants under the Solar Energy Grant Program administered by the Maryland Energy Administration; and generally relating to the Solar Energy Grant Program.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 75 – Delegate Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Sandi’s Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of Sandi’s Learning Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 76 – Delegates Cardin, Barve, Bobo, Bronrott, V. Clagett, Costa, Elmore, Gilchrist, Hecht, Hixson, Ivey, Kaiser, N. King, Kipke, Krebs, Morhaim, Rice, Sophocleus, Stein, and F. Turner

AN ACT concerning

Solar Energy Tax Credit

FOR the purpose of establishing a period of eligibility for a credit against the State income tax for certain costs of certain equipment that uses solar energy to generate electricity, to heat or cool a structure or provide hot water for use in a structure, or to provide solar process heat; providing for the amount of the credit; prohibiting the use of the credit under certain circumstances; providing for the application of this Act; and generally relating to a State income tax credit for certain equipment using solar energy.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–719
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 77 – Delegate Cardin

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Orphans' Court Judge – Degree of Juris Doctor or Its Equivalent

FOR the purpose of proposing an amendment to the Maryland Constitution to require an individual to possess a degree of Juris Doctor, or its equivalent, from an accredited law school to be eligible to be a judge of an orphans' court; providing for an exception of limited duration; providing for the expiration of a certain exception; generally relating to the requirements of becoming a judge of an orphans' court; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 40

BY proposing an addition to the Maryland Constitution
Article XVIII – Provisions of Limited Duration
Section 6

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

House Bill 78 – Delegate Cardin

AN ACT concerning

Environmental Tobacco Smoke Elimination and Waiver Act

FOR the purpose of prohibiting a person from smoking tobacco products except under certain circumstances; authorizing certain counties to regulate smoking under certain circumstances; repealing certain provisions of law concerning tobacco smoking in retail stores; declaring the intent of the General Assembly; stating the purpose of certain provisions of this Act; prohibiting a person from smoking in indoor areas open to the public except under certain circumstances; authorizing smoking in certain bars and restaurants if the owner has a certain waiver; providing that a separate waiver is required for each bar or restaurant, that a waiver is not transferable, and that a waiver is effective for a certain period of time; providing that a certain section does not apply to certain counties under certain circumstances; requiring the Department of Health and Mental Hygiene to determine the number of waivers for sale in certain counties in collaboration with certain county governments; providing that the number of waivers for sale may not exceed a certain percentage of bars and restaurants in a certain county; requiring that the number of waivers for sale decrease over a certain period of time; requiring the Department of Health and Mental Hygiene to conduct a certain number of auctions to sell certain waivers in certain counties during certain fiscal years; providing for a certain calculation for payment of certain waivers; requiring

that the Department of Health and Mental Hygiene pay the money from the sale of waivers to a certain fund; prohibiting the Department of Health and Mental Hygiene from awarding waivers after a certain date; requiring certain owners to provide certain notice to and receive certain statements from certain employees before implementing certain waivers; requiring the posting of certain signs; requiring the Department of Health and Mental Hygiene to adopt certain regulations and collaborate with certain local health departments; requiring the Department of Health and Mental Hygiene to report to the General Assembly regarding certain provisions of this Act; establishing certain penalties for certain violations of this Act; prohibiting smoking in certain places of employment; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly regarding the enforcement efforts and the effect of the efforts by the Department of Labor, Licensing, and Regulation; establishing certain penalties for certain violations in certain places of employment; defining certain terms; declaring that nothing in this Act shall be construed to preempt a certain entity from enacting and enforcing certain measures; making a stylistic change; and generally relating to the prohibition of smoking in indoor areas open to the public and indoor places of employment.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(jj) and 236B
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Business Regulation
Section 2–105(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 2–105(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 24–501 through 24–505 and the subtitle “Subtitle 5. Tobacco Smoking in Retail Stores”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 24–501 through 24–510 to be under the new subtitle “Subtitle 5. Environmental Tobacco Smoke Elimination and Waiver Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Labor and Employment

Section 2–106(c) and 5–314(c)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 2–106(c), 5–314(c), and 5–608

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 5–101(a), (c), (d), and (g)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

House Bill 79 – Delegates Cane, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Wicomico County – Board of License Commissioners – Attorney’s Salary

FOR the purpose of increasing the annual salary of the attorney for the Board of License Commissioners of Wicomico County; and generally relating to the Board of License Commissioners of Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–112(x)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–112(x)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 80 – Delegates Cane, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Wicomico County – Alcoholic Beverages – Minimum Seating Capacity for Licensed Restaurants

FOR the purpose of lowering the minimum seating capacity requirement for restaurants in Wicomico County for which a Class B beer, wine and liquor license is issued; and generally relating to alcoholic beverages licenses in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and (x)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(x)(2)(iv)1.C.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 81 – Delegates Cane, Anderson, Benson, Branch, Braveboy, Burns, Conaway, Gaines, Glenn, Griffith, Harrison, Haynes, Howard, Jones, Kirk, Levi, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, Rice, Robinson, Stukes, Tarrant, Taylor, Vaughn, and Walker

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Programs

FOR the purpose of requiring the Maryland Higher Education Commission to make a certain determination concerning a program approved or implemented after a certain date under certain circumstances; providing that certain decisions of the Commission concerning duplication of academic programs are subject to judicial review in the circuit court in accordance with certain rules and certain provisions of the Maryland Administrative Procedure Act; and generally relating to the review of duplicative academic programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–206 and 11–206.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 82 – Delegate Conaway

AN ACT concerning

State Holiday – Rosa Parks’s Birthday

FOR the purpose of making a certain date the legal State holiday commemorating Rosa Parks’s birthday; and providing that Rosa Parks’s birthday is a paid holiday for State employees.

BY repealing and reenacting, with amendments,
Article 1 – Rules of Interpretation
Section 27
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 9–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 83 – Delegates Conaway, Anderson, and Robinson

AN ACT concerning

Courts – Jury Duty – Payment to Jurors

FOR the purpose of increasing the State per diem for jury service under certain circumstances; providing for the application of this Act; and generally relating to payment for jury service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 84 – Delegate Conaway

AN ACT concerning

Real Property – Contract for Sale – Notice of Option to Redeem Ground Rent

FOR the purpose of requiring certain contracts for sale of real property subject to a redeemable ground rent to include notice of the option of redeeming the ground rent for a certain sum; and generally relating to contracts for sale of real property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 14–117(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 14–117(a–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 85 – Delegates Simmons, G. Clagett, Jones, McIntosh, and Vallario

AN ACT concerning

General Assembly – Legislative Inquiries and Examinations

FOR the purpose of clarifying that the Legislative Policy Committee may delegate its authority to issue subpoenas, administer oaths, and take other related actions to any committee created by the Legislative Policy Committee; providing certain venue and procedures for certain legislative committees that have the power to issue subpoenas whenever those committees seek to take legal action to obtain compliance with a subpoena or to compel testimony; providing that the provisions of law that establish a code of fair procedures for the operation of a legislative investigating committee do not limit the authority of a committee or subcommittee of the General Assembly to exercise the power to administer oaths or subpoena witnesses and records as otherwise authorized by law; repealing a prohibition on the filming, televising, or broadcasting, in whole or in part, of certain hearings; providing for procedures and venue with respect to the filing of a petition for an order directing compliance with a subpoena or compelling testimony; providing that the party whose conduct necessitated the filing of the petition has a certain number of days to respond to the petition; providing that a response by the party whose conduct necessitated the petition is the party's sole remedy for objecting to a subpoena and prohibiting that party from filing a motion to quash or a petition for an injunction with respect to the subpoena; requiring proceedings to enforce compliance with a subpoena issued by a legislative committee to be handled by the court in a certain manner; prohibiting the introduction of additional evidence in any hearing in a proceeding on a petition to comply with a subpoena or to compel testimony; requiring the court, under certain circumstances, to order the party whose conduct necessitated the petition to pay the petitioner reasonable expenses, including attorney's fees; providing for a certain exception; providing that a party to a proceeding to enforce compliance with a subpoena may appeal the decision of the court only in a certain manner; and generally relating to legislative inquiries and examinations.

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–407, 2–408, 2–507, 2–807, 2–1104, 2–1602, and 2–1609(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 2–1802

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 86 – Delegate Shewell (By Request) and Delegates Bartlett, McComas, Minnick, and Stull

AN ACT concerning

**Vehicle Laws – Distracted Driving and Use of Wireless Communication Devices
While Driving – Prohibitions**

FOR the purpose of providing that a person who drives a motor vehicle in an inattentive manner under certain circumstances is guilty of distracted driving; prohibiting a driver of a certain school vehicle from using certain wireless communication devices; prohibiting the holder of a learner’s instructional permit who is 18 years of age or older from driving a motor vehicle while using certain wireless communication devices; prohibiting a certain driver of a motor vehicle that is in motion from using the driver’s hands to use certain wireless communication devices; providing for exceptions to the prohibitions of this Act; making stylistic changes; defining certain terms; and generally relating to distracted driving and prohibitions against the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–901.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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

House Bill 87 – Delegates Shewell, Aumann, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Frank, Impallaria, Jennings, Kach, Kipke, Krebs, McComas, Miller, Minnick, O’Donnell, Shank, Stocksdale, Stull, and Weldon

AN ACT concerning

Real Property – Condemnation Proceedings – Valuation of Property

FOR the purpose of establishing that damages awarded for the taking of property used for a business may include certain damages for the loss of goodwill under certain circumstances; including certain costs in calculating diminution of value for certain property; altering the payment for relocation costs in a condemnation proceeding by eliminating certain monetary limitations; making stylistic changes; altering a certain definition; defining a certain term; and generally relating to the valuation of property in a condemnation proceeding.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 12–104(a) and 12–105(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 12–104(h)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–105(a) and (b) and 12–205(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 88 – Delegates Shewell, Anderson, Aumann, Bartlett, Beidle, Beitzel, Boteler, Cane, Costa, DeBoy, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Glassman, Haddaway, Impallaria, Jennings, Kach, Kelly, Kipke, Krebs, McComas, McDonough, McKee, Miller, Minnick, O’Donnell, Shank, Smigiel, Sossi, Stocksdale, Stull, Walkup, Weir, and Weldon

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

FOR the purpose of expanding the disclosure requirement, under certain circumstances, of a police record and juvenile court record concerning a student to include the principal of a nonpublic school in which the student is enrolled, or the principal's designee; requiring the confidentiality of the records obtained by the nonpublic school principal; defining a certain term; making a certain stylistic change; and generally relating to police and juvenile court records of a nonpublic school student.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 89 – Delegates Shewell, Anderson, Dwyer, Eckardt, Frank, George, Jennings, Kach, Krebs, McDonough, Minnick, Shank, Stocksdale, and Walkup

AN ACT concerning

Alcoholic Beverage Violations – Driver's License Suspensions

FOR the purpose of clarifying the elements of a certain alcoholic beverage Code violation concerning a person furnishing an alcoholic beverage to an individual under the age of 21 years; requiring a court to notify the Motor Vehicle Administration of certain alcoholic beverage Code violations; requiring the Court of Appeals, in conjunction with the Motor Vehicle Administrator, to establish certain procedures for reporting certain violations; authorizing the Administration to suspend the driver's license of a person who is found guilty of certain alcoholic beverage Code violations; providing certain exceptions for persons subject to certain other penalties; and generally relating to driver's license suspensions for certain alcoholic beverage Code violations.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–117 and 10–119(l) and (m)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law
Section 10–119(1)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–206.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 90 – Delegates Shewell, Boteler, Eckardt, Elliott, Frank, Impallaria, Kach, McComas, Minnick, Shank, Stocksdale, Stull, and Weldon

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring certain businesses to destroy or arrange for the destruction of records that contain certain personal information in a certain manner; requiring certain businesses that own or license certain personal information of an individual residing in the State to implement and maintain certain security procedures and practices; requiring certain businesses that own or license computerized data that include certain personal information of an individual residing in the State to notify the individual of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; requiring the notification to include certain information; requiring certain businesses to give certain notice to certain consumer reporting agencies; requiring certain businesses to provide notice of a breach of the security of a system to the Office of the Attorney General and the Maryland Department of Homeland Security at a certain time; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal or State law; providing that compliance with a federal or State law is deemed to be compliance with this Act with regard to the subject matter of that law under certain circumstances; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; providing for a delayed effective date; and generally relating to the protection of personal information owned or leased by businesses or included in computerized data owned or licensed by businesses.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3506 to be under the new subtitle “Subtitle 35.

Maryland Personal Information Protection Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 19)

ADJOURNMENT

At 8:33 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Tuesday, January 23, 2007.

Annapolis, Maryland
Tuesday, January 23, 2007

The House met at 11:03 A.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 20)

The Journal of January 22, 2007 was read and approved.

EXCUSES:

Del. Costa – illness

Del. Goldwater – illness

Del. Harrison – doctor’s appointment

Del. McKee – recovering from surgery

Del. V. Turner – medical

Del. Walkup - Personal

INTRODUCTION OF BILLS

House Bill 91 – Delegate Hubbard

AN ACT concerning

Food Service Facilities – Artificial Trans Fat – Prohibition

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting a food service facility from using food containing artificial trans fat for certain purposes; providing for a certain exception to the use of trans fat by a food service facility; requiring a food service facility to maintain on-site the original label for certain food under certain circumstances; authorizing a food service facility to provide certain documentation indicating the contents of a food instead of providing the original label; requiring a food service facility to obtain certain documentation under certain circumstances; requiring the Secretary of Health and

Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to list certain food service facilities on the Department's website under certain circumstances; providing that a violation of this Act shall have no effect on the issuance of a certain license; providing for the applicability of this Act to certain penalties; providing for a delayed effective date; and generally relating to the prohibition on the use of artificial trans fat in a food service facility.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(e), (f), and (h) and 21–304(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–314, 21–315, 21–318, and 21–1214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 21–353 through 21–356 to be under the new part “Part VIII. Artificial
Trans Fat”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 92 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Lions Camp Merrick

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 Lions Camp Merrick, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 93 – Delegates Doory, McIntosh, and Anderson

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 \$500,000, 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 Appropriations.

House Bill 94 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Old Blair High School Auditorium

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided for the Old Blair High School Auditorium grant.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Items ZA01(AR) and ZA02(AV)

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

House Bill 95 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

FOR the purpose of providing that, in a conversion of rental facilities to condominiums,

if a tenant who is entitled to receive a purchase offer does not receive the purchase offer at the same time as the tenant receives the notice of conversion, then a certain time period of continued residency does not begin until the tenant receives the purchase offer; requiring that a certain written notice given to a certain tenant include certain language relating to the time frame a tenant may remain in a residence if a purchase offer is not included with a notice of conversion; and generally relating to notice requirements for the conversion of rental facilities to condominiums.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–102.1(a) and (f) and 11–136(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–102.1(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 96 – Delegates Hixson, Huckler, and Mizeur

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Extended Leases – Property Tax Credit

FOR the purpose of altering the minimum period of a certain extended lease that a developer converting a rental facility to a condominium is required to offer certain households under certain circumstances; authorizing the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property owned by a developer that converts a residential rental facility to a condominium and offers extended leases to tenants of the residential rental facility; authorizing the county or municipal corporation to provide, by law, for the amount, duration, and application of the property tax credit and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to the conversion of rental facilities to condominiums.

BY repealing and reenacting, with amendments,
Article – Real Property

Section 11–102.1(f), 11–137(b) and (f)(1), and 11–140(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property
Section 9–246
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 97 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Prince George’s County – CASA Multi–Cultural Service 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 CASA of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 98 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – National Labor College Academic Services Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$3,500,000, the proceeds to be used as a grant to the Board of Trustees of the National Labor College, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 99 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Birchmere Music Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 100 – Delegates Nathan–Pulliam, Barve, Benson, Braveboy, Burns, Cane, Donoghue, Frush, Gaines, Griffith, Gutierrez, Hubbard, Jones, Kullen, Lee, Mizeur, Montgomery, Morhaim, Oaks, Pena–Melnik, Pendergrass, and Taylor

AN ACT concerning

Health Occupations – Cultural Competency Workgroup

FOR the purpose of requiring the Department of Health and Mental Hygiene to convene a certain workgroup; requiring each health occupations board within the Department to develop certain recommendations for requiring individuals licensed by the health occupations boards of the Department to receive instruction in cultural competency; requiring the workgroup to make recommendations and to review certain curriculum modules; providing for the staffing of the workgroup; requiring the workgroup to make a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Department of Health and Mental Hygiene and a workgroup on cultural competency.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS**Senate Bill 5** – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

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

BY adding to

Article – State Government

Section 13–406

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

January 23, 2007

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

JOINT COMMITTEE ON PENSIONS

Hon. Melony G. Griffith, Chairman

Hon. Susan L. M. Aumann

Hon. Gail H. Bates

Hon. Talmadge Branch

Hon. William A. Bronrott

Hon. Henry B. Heller

Hon. Mary-Dulany James

Hon. Murray D. Levy

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 21)

ADJOURNMENT

At 11:19 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Wednesday, January 24, 2007.

Annapolis, Maryland
Wednesday, January 24, 2007

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

Prayer by Delegate Carolyn J. Krysiak of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 23)

The Journal of January 23, 2007 was read and approved.

EXCUSES:

Del. Beidle – mtg. w/Governor

Del. Bronrott – funeral

Del. G. Clagett – mtg. w/Governor

Del. V. Clagett – mtg. w/Governor

Del. Dwyer – mtg. w/Governor

Del. George – mtg. w/Governor

Del. Goldwater – illness

Del. Kipke – mtg. w/Governor

Del. Lee – funeral

Del. Love- medical

Del. McConkey – mtg. w/Governor – left early

Del. McIntosh – doctor's appointment

Del. McKee – recovering from surgery

Del. Schuh – mtg. w/Governor

Del. Sophocleus – mtg. w/Governor

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 101 – Delegates Burns, Anderson, Bohanan, Cane, Carter, Conaway, Doory, Glenn, Howard, Jones, Lafferty, Levy, McIntosh, Morhaim, Nathan–Pulliam, Oaks, Rosenberg, Stein, Vallario, and Vaughn

AN ACT concerning

State Government – Commemorative Months – Black History Months

FOR the purpose of requiring the Governor to proclaim the months of January and February to be “Black History Months”.

BY adding to

Article – State Government
Section 13–502
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 102 – Wicomico County Delegation

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

FOR the purpose of establishing that the prohibition against open air burning at certain times and places does not apply to a burning conducted under the direct control and supervision of certain personnel; making a technical correction; making certain stylistic changes; altering a certain definition; and generally relating to the application of a ban on open air burning.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 5–720
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 103 – Delegates Rosenberg, Anderson, Bromwell, Cane, Cardin, Carter, Conaway, Dumais, Gutierrez, Howard, Hubbard, Jones, Morhaim, Ramirez, Shank, Smigiel, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

FOR the purpose of requiring each law enforcement agency in the State to adopt written

policies relating to eyewitness identification that comply with certain standards by a certain date; requiring each law enforcement agency to file a copy of a certain policy with the Department of State Police by a certain date; requiring the Department to compile certain policies and allow public inspection of certain policies by a certain date; and generally relating to eyewitness identification in a criminal proceeding.

BY adding to

Article – Public Safety

Section 3–505

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

House Bill 104 – Delegates Rosenberg, Carter, and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Edward A. Myerberg Senior Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Edward A. Myerberg Senior Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 105 – Delegates Haddaway and Eckardt

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Frederick Douglass Memorial Action Coalition may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BN)

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

House Bill 106 – Delegate Feldman

AN ACT concerning

State Property Tax Exemption – Nonprofit Swim Clubs

FOR the purpose of providing an exemption from the State property tax for certain property owned by a nonprofit swim club and used exclusively for certain activities; providing for the application of this Act; and generally relating to the State property tax and certain swim clubs.

BY adding to

Article – Tax – Property

Section 7–308

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 107 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bowie Municipal 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 Mayor and City Council of the City of Bowie for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 108 – Delegates O’Donnell, Kullen, Proctor, and Vallario

AN ACT concerning

Creation of a State Debt – Calvert County – Annmarie Garden

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Trustees of the Koenig Private Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 109 – Delegates Stukes, Haynes, and Kirk

AN ACT concerning

Creation of a State Debt – Bon Secours Hospital

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 Bon Secours Hospital, Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 110 – Delegates Simmons, Barnes, and Smigiel

AN ACT concerning

Maryland Comparative Negligence Act

FOR the purpose of establishing that in an action brought to recover damages for negligence under certain circumstances, the fact that a plaintiff may have been contributorily negligent may not bar recovery by the plaintiff or the plaintiff's legal representative or beneficiary under certain circumstances; requiring any damages awarded under this Act to be diminished in proportion to the amount of negligence attributed to the plaintiff; providing for the scope of this Act; providing for the application of this Act; and generally relating to certain actions for damages and comparative negligence.

BY adding to

Article – Courts and Judicial Proceedings
Section 11–2A–01 to be under the new subtitle “Subtitle 2A. Maryland
Comparative Negligence Act”
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 111 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Jonestown Entrepreneur Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of Jonestown Entrepreneur Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 112 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Wicomico County – Liquor Control Board – Salaries

FOR the purpose of altering the annual salaries of the chairman and members of the Wicomico County Liquor Control Board; providing that this Act does not apply to the salary or compensation of the incumbent chairman or members of the Board; and generally relating to the Wicomico County Liquor Control Board.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–201(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(h)(6)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 113 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – 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 Appropriations.

House Bill 114 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Baltimore County – Westchester Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Westchester Center Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 115 – Delegate Conaway

AN ACT concerning

Subsequent Sexual Offenders – Parole Elimination

FOR the purpose of eliminating parole eligibility for sexual offenders who are serving terms of imprisonment for certain offenses against minors committed on or after a certain date after having been previously convicted of certain sexual offenses against minors; and generally relating to the parole eligibility of subsequent sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–301
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 116 – Delegate Glassman

AN ACT concerning

Election Law – Reporting of Slate Expenditures

FOR the purpose of requiring that each campaign finance report filed by a campaign finance entity that is a slate include information regarding certain expenditures made on behalf of, or for the benefit of, certain candidates on the slate; and generally relating to the disclosure of information on campaign finance reports filed by a slate regarding the actual or intended beneficiaries of certain expenditures made by the slate.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–304
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 117 – Delegates Lee, Rudolph, Goldwater, Ali, Anderson, Aumann, Barkley, Bobo, Bronrott, Dumais, Frank, Gaines, Gilchrist, Harrison, Hecht, Howard, Hucker, Impallaria, Ivey, James, Kach, Kaiser, Kirk, Krysiak, Kullen, Lawton, Manno, McDonough, Montgomery, Nathan–Pulliam, Niemann, O’Donnell, Rice, Shank, Shewell, Simmons, Smigiel, Stifler, Stocksdale, Stukes, Taylor, F. Turner, Valderrama, Vallario, Vaughn, and Waldstreicher

AN ACT concerning

Consumer Protection – Consumer Reporting Agencies – Security Freezes

FOR the purpose of authorizing a consumer to elect to place a security freeze on the consumer's consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer's consumer report within certain time periods after certain requests are received and to take certain actions within a certain number of business days after placing a security freeze on a consumer's consumer report; providing that while a security freeze is in place, a consumer reporting agency may not provide any information in a consumer's consumer report without certain authorization of the consumer; requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances; establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of business days after receiving a request from a consumer; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze, subject to certain exceptions; requiring a consumer reporting agency to give certain notices to a consumer at certain times; authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to consumer reporting agencies and security freezes on consumer reports.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–1202(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Commercial Law

Section 14–1202.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 118 – Delegates Glassman, Impallaria, James, Lawton, McComas, McDonough, Riley, Rudolph, and Stifler

AN ACT concerning

**State Government – Priority Funding for Public School and Transportation
Projects for BRAC**

FOR the purpose of requiring the Interagency Committee on School Construction, in making recommendations to the Board of Public Works for public school construction projects, to make a high priority the funding of any project that is needed to accommodate projected student population growth resulting from recommendations of the 2005 Defense Base Realignment and Closure Commission; requiring the Maryland Department of Transportation, in its Consolidated Transportation Program, to include as a priority any capital project that is needed to accommodate projected transportation needs resulting from recommendations of the 2005 Defense Base Realignment and Closure Commission; and generally relating to priority funding for public school and transportation projects that are needed to accommodate growth generated by Base Realignment and Closure (BRAC) recommendations.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–302
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 119 – Delegates Eckardt and Haddaway

AN ACT concerning

Health – Laboratory Examination Reports – Invasive Diseases

FOR the purpose of adding certain invasive diseases to the list of invasive diseases that a medical laboratory director must report to a certain county health officer; and generally relating to reportable invasive diseases by laboratories.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–205(a) and (b)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–205(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 120 – Caroline County Delegation

AN ACT concerning

Creation of a State Debt – Caroline County – Old Caroline High School

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 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 121 – Delegate Elmore

AN ACT concerning

Somerset County – Alcoholic Beverages – License Fees

FOR the purpose of increasing by a certain amount the annual fees for all retail alcoholic beverages licenses in Somerset County; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–101(u), 3–201(u), 3–301(u), 3–401(u), 4–201(b)(6), 5–101(u),
5–201(u), 5–301(u), 5–401(u), 6–201(u)(2), 6–301(u)(2), 6–401(u),
7–101(s)(5), and 8–312(f)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 3–201(a)(1), 3–301(a)(1), 3–401(a)(1), 4–201(a)(15), 5–201(a)(1),
5–301(a)(1), 5–401(a)(1), 6–201(a)(1) and (u)(1), 6–301(a)(1) and (u)(1),
6–401(a)(1), 7–101(s)(1), and 8–312(a) and (b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 122 – Delegate Elmore

AN ACT concerning

**Creation of a State Debt – Somerset County – Alice Byrd Tawes Nursing Home
Replacement Facility**

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

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

House Bill 123 – Delegates Lee, Rudolph, Ali, Anderson, Aumann, Barkley, Bobo, Bronrott, Dumais, Eckardt, Frank, Gaines, Gilchrist, Goldwater, Gutierrez, Harrison, Hecht, Howard, Hucker, Impallaria, Ivey, James, Kach, Kaiser, J. King, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Manno, McDonough, Montgomery, Nathan–Pulliam, Niemann, Rice, Schuler, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stifler, Stocksdale, Stukes, Taylor, F. Turner, Vallario, Vaughn, and Waldstreicher

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring a certain business to destroy or arrange for the destruction of records that contain certain personal information in a certain manner; requiring a certain business that compiles, maintains, or makes available certain personal information of an individual residing in the State to implement and maintain

certain security procedures and practices; requiring certain businesses that compile, maintain, or make available certain records that include certain personal information of an individual residing in the State to notify certain individuals of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that certain provisions of this Act do not relieve a certain business from a duty to comply with certain other requirements of federal, State, or local law; providing that compliance with a federal or State law is deemed compliance with this Act with regard to the subject matter of that law under certain circumstances; 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; establishing a private right of action for an individual affected by a violation of this Act; defining certain terms; and generally relating to the protection of personal information owned or leased by businesses or included in records compiled, maintained, or made available by businesses.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3506 to be under the new subtitle “Subtitle 35.
Maryland Personal Information Protection Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 124 – Delegates Cardin, Barnes, Bromwell, Bronrott, Doory, Glassman, Impallaria, Kach, Lawton, Minnick, Morhaim, Rosenberg, Schuler, Stein, F. Turner, and Weir

AN ACT concerning

Tax Credit – Fuel–Efficient Vehicles

FOR the purpose of establishing a credit against the motor vehicle excise tax for certain qualified fuel–efficient vehicles for a certain period; establishing certain fuel economy ratings for certain vehicles to qualify for the credit; establishing the amount of the credit; requiring the Motor Vehicle Administration to adopt certain regulations and certify certain information to the Comptroller; repealing an expired credit against the motor vehicle excise tax for certain qualified electric vehicles and certain hybrid vehicles; clarifying a certain definition; and generally relating to a credit against the motor vehicle excise tax for qualified fuel–efficient vehicles.

BY repealing

Article – Transportation

Section 13–815

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 13–815

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 23–206.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 125 – Delegates Cardin and Kaiser

AN ACT concerning

Task Force to Study Charitable and Commercial Gaming Activities in Maryland

FOR the purpose of establishing a Task Force to Study Charitable and Commercial Gaming Activities in Maryland; to study and assess certain gaming activities in the State; providing for the membership and staffing of the Task Force; prohibiting members of the Task Force from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring a report by a certain date; providing for the termination of this Act; providing for a delayed effective date; and generally relating to the Task Force to Study Charitable and Commercial Gaming Activities in Maryland.

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

House Bill 126 – Delegates Cardin, Barve, Bromwell, George, Hixson, Kach, Lafferty, Morhaim, Rosenberg, Stein, and Taylor

AN ACT concerning

Advanced Electric Meters – Residential Use

FOR the purpose of requiring the Public Service Commission to adopt regulations to require electric companies to make advanced electric meters available to residential customers by a certain date; limiting the charges that an electric company may impose for certain costs for advanced electric meters and certain installation and service charges; defining a certain term; and generally relating to advanced electric meters for residential use.

BY adding to

Article – Public Utility Companies

Section 7–309

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

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

House Bill 127 – Delegates Cardin, Morhaim, Olszewski, and Rosenberg

AN ACT concerning

Public Schools – Summer Learning Pilot Program

FOR the purpose of establishing the Summer Learning Pilot Program; providing for the purpose of the Program; requiring the State Board of Education to select a certain number of schools to host the Program; prohibiting the State Board from selecting a school for the Program without the approval of the county board of education; requiring certain county boards to develop a model summer learning program with a certain curriculum; requiring a county board, in consultation with the State Board, to determine the cost of the Program in that county; requiring a county board to identify funds to pay for a certain percentage of the Program from certain sources; requiring the State to pay certain funds for the Program under certain circumstances; requiring the State Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Summer Learning Pilot Program.

BY adding to

Article – Education

Section 7–208

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 128 – Delegates Montgomery, Kaiser, Taylor, and Barkley

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Trustees of the Grand United Order of Odd Fellows Sandy Spring Lodge # 6430, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (AQ)

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

House Bill 129 – The Speaker (By Request – Administration) and Delegates Busch and Haynes

AN ACT concerning

State Employees – Collective Bargaining – Negotiations

FOR the purpose of authorizing collective bargaining negotiations to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; and generally relating to permissible matters of negotiation under the State employee collective bargaining process.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–502
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 130 – The Speaker (By Request – Administration) and Delegates Barnes, Bromwell, Busch, Costa, Feldman, Haynes, Hubbard, Morhaim, Nathan–Pulliam, and F. Turner

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

FOR the purpose of authorizing the Department of Health and Mental Hygiene to impose a quality assessment on certain nursing facilities; providing for the terms of the assessment; requiring a certain assessment to be paid to the State Comptroller at a certain time; providing that the payment of the assessment by the nursing facility shall be based on certain net receipts; requiring the Department to use the amounts collected to fund reimbursements to nursing facilities under the Medicaid program; providing that the quality assessment funds allocated for Medicaid reimbursement of nursing facilities are to be in addition to and not to supplant funds already appropriated for this purpose; requiring the Department to adopt certain regulations; defining a certain term; requiring the Department to seek certain approval for excluding a continuing care facility from the definition of nursing facility; making this Act subject to a certain contingency; providing for the termination of this Act; and generally relating to a quality assessment on nursing facilities.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–401(d) and (m)

Annotated Code of Maryland

(As enacted by Chapter __ (S.B.6) of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–301(l) and (o)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 19–310.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 131 – The Speaker (By Request – Administration) and Delegates Bobo, Busch, V. Clagett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, and F. Turner

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment and the Motor Vehicle Administration to establish by regulation and maintain a certain low emissions vehicle program applicable to certain vehicles by a certain date; authorizing a modification concerning the applicability of the program to vehicles of certain model years; requiring the Administration and the Department to establish certain motor vehicle emissions standards and certain compliance requirements; authorizing the adoption of certain regulations; authorizing the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling, registering, or transferring the registration of certain vehicles under certain circumstances; prohibiting certain acts related to certain vehicles or vehicle engines under certain circumstances; providing for the application of certain enforcement and penalty provisions; defining certain terms; specifying that certain provisions of federal law apply to a certain extent; and generally relating to the establishment of a low emissions vehicle program.

BY adding to

Article – Environment

Section 2–1101 through 2–1106 to be under the new subtitle “Subtitle 11. Low Emissions Vehicle Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–110 and 13–406

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 132 – The Speaker (By Request – Administration) and Delegates Busch, Haynes, Howard, Hubbard, Hucker, Kaiser, Kullen, McIntosh, Morhaim, Rosenberg, and F. Turner

AN ACT concerning

Maryland Health Care Access Act of 2007

FOR the purpose of altering certain eligibility requirements for participation in the Maryland Children’s Health Program; requiring the Department of Health and Mental Hygiene to establish a certain annual family contribution; requiring the Department to adopt certain regulations; establishing the Maryland Institute for

Health Care Quality as an independent, nonprofit organization; establishing the purpose, duties, and membership of the Institute; requiring the State Health Services Cost Review Commission to adopt certain regulations and make a certain report on or before a certain date; requiring the Commission to establish certain standards and benchmarks in conjunction with certain entities; establishing the Maryland Health Insurance Exchange as a body corporate and independent of all State units; providing for the governance, purpose, and duties of the Exchange; establishing the Board of Directors of the Exchange; establishing the composition, terms of members, duties, and authority of the Board; establishing eligibility requirements for participation in health benefit plans offered by the Exchange; requiring each employer in the State with a certain number of employees to adopt and maintain a certain cafeteria plan; providing certain penalties for a violation of certain provisions of this Act; requiring each group or individual health benefit plan issued or delivered in the State by certain carriers to permit a child to continue coverage under the plan under certain circumstances and for a certain period of time; authorizing certain carriers in the small group insurance market to offer a discounted rate for participation in certain wellness activities; providing that the Maryland Health Insurance Plan is within the Exchange; altering the purpose of the Plan; repealing certain provisions of law that establish and govern the Board of Directors for the Plan; repealing certain provisions of law that authorize the Board of Directors for the Plan to aggregate the purchasing of prescription drugs for certain enrollees; repealing certain reporting requirements; requiring the Board of Directors of the Exchange to make certain annual reports to the Governor and the General Assembly; requiring the Secretary of Health and Mental Hygiene to develop a certain plan to improve the quality and cost-effectiveness of care for certain individuals and to make a certain report on the plan; requiring the Department of Budget and Management and the Department of Health and Mental Hygiene to jointly develop a certain wellness incentive pilot program; requiring the Departments to implement the plan on or before a certain date; requiring the Maryland Health Care Commission and the State Health Services Cost Review Commission to collaborate in seeking a proposal to establish a certain regional health information exchange; establishing a Task Force on Expanding Access to Affordable Health Care; providing for the membership, chair, staff, compensation of members, and duties of the Task Force; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; 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 Maryland Health Care Access Act of 2007.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–301(a) and 19–219(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–301(b) and (c), 15–301.1, and 19–219(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 19–140 and 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–418, 15–1201(r); and 15–1601 through 15–1614 to be under the new
subtitle “Subtitle 16. Maryland Health Insurance Exchange”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 12–101 through 12–103 to be under the new title “Title 12. Cafeteria
Plan”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–501(a), (g), (i), and (j) and 15–1201(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–501(c), 14–502, 14–503, and 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 133 – The Speaker (By Request – Administration) and Delegates Busch, Haynes, and McIntosh

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

FOR the purpose of authorizing the Department of Natural Resources to lease land under certain waters of the Chesapeake Bay for oyster restoration; requiring the Department to adopt regulations and condition the leases to require a holder of certain oyster bottom to plant a certain minimum amount of seed oyster on certain surfaces within a certain time frame; authorizing the Department to extend the time frame for planting oyster seed on certain leased oyster bottom under certain circumstances; authorizing a holder of certain leased oyster bottom to catch oysters for certain purposes; establishing that a holder of certain leased oyster bottom may only restore a certain species of oyster; establishing that certain penalties apply for certain unlawful taking of oysters; establishing that certain penalties apply for unlawfully taking oysters in certain areas; altering a certain element of the criminal offense of unlawfully taking oysters; altering the range of time for a tidal fish license suspension that applies to a person who unlawfully takes oysters; establishing a certain additional penalty for a violation of certain time restrictions on catching or landing oysters; requiring the Department to impose certain license suspensions in a certain manner; requiring the Department to adopt certain regulations; establishing the Task Force on Oyster Restoration in the Chesapeake Bay; providing for the membership of the Task Force; requiring the Secretary of Natural Resources to appoint the chair of the Task Force; requiring the Task Force to examine certain issues related to oysters in the Chesapeake Bay and to formulate a certain action plan; providing for reimbursement for the expenses of a member of the Task Force; providing that certain provisions of the Maryland Public Ethics Law do not apply under certain circumstances to certain regulated lobbyists who serve on the Task Force; providing for the staff of the Task Force; requiring the Task Force to report to the Governor and the General Assembly by a certain date; providing for the termination of certain provisions of this Act; making certain technical corrections; making certain stylistic changes; altering a certain definition; and generally relating to oyster restoration in the Chesapeake Bay.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–11A–05(a)(1), (b), and (f)(1) and (2), 4–11A–07, 4–11A–11,
4–11A–12(a), 4–11A–13(a), (b), and (c)(1), and 4–1201(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Natural Resources

Section 4–1201(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 134 – The Speaker (By Request – Administration) and Delegates Busch, Conway, Barkley, Barnes, Bohanan, Branch, Cardin, Frush, Griffith, Haynes, Heller, Hixson, Howard, James, Jones, Kaiser, N. King, Proctor, Ramirez, Ross, and F. Turner

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

FOR the purpose of prohibiting, for a certain academic year, an increase in the tuition that may be charged to a resident undergraduate student at certain public senior higher education institutions in Maryland; and generally relating to tuition reductions at certain public senior higher education institutions in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.5
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 135 – The Speaker (By Request – Administration) and Delegates Barve, Busch, Feldman, Haynes, N. King, Lawton, and Morhaim

AN ACT concerning

Maryland Life Sciences Advisory Board

FOR the purpose of establishing the Maryland Life Sciences Advisory Board in the Department of Business and Economic Development; providing for the membership, terms, and chair of the Advisory Board; providing for the duties of the Advisory Board; requiring certain reports by the Advisory Board; and generally relating to the Maryland Life Sciences Advisory Board.

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–2C–01 through 5–2C–03 to be under the new subtitle “Subtitle 2C.
Maryland Life Sciences Advisory Board”

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 136 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, James, Rudolph, Glassman, Dwyer, Frank, Frush, Griffith, Haynes, Howard, Jones, Malone, McComas, McConkey, Smigiel, Stifler, and F. Turner

AN ACT concerning

Base Realignment and Closure Subcabinet

FOR the purpose of establishing the Base Realignment and Closure Subcabinet in State government; providing for the membership, chair, and staffing of the Subcabinet; providing for the duties and responsibilities of the Subcabinet; requiring the Subcabinet to submit a certain annual report to the Governor and General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to the Base Realignment and Closure Subcabinet.

BY adding to

Article – State Government
Section 9–802
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 137 – The Speaker (By Request – Administration) and Delegates Busch and Haynes

AN ACT concerning

State Agencies – StateStat

FOR the purpose of establishing a StateStat accountability process to enhance the managing for results process; authorizing the Governor to require certain agencies to participate in the StateStat process; requiring certain agencies to submit certain strategic plans and performance measurement reports to the Secretary of Budget and Management by a certain date; requiring the performance measurement reports to contain certain information; requiring the budget books to contain certain limited information from the StateStat agency strategic plan of certain units of State government; authorizing the Office of Legislative Audits to include in

certain performance audits a review of certain performance measures; defining certain terms; and generally relating to a StateStat accountability process and the managing for results process.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–1001 through 3–1003 and 7–121(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–1221(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1221(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 138 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Task Force on Health Care Access and Reimbursement

FOR the purpose of establishing the Task Force on Health Care Access and Reimbursement; providing for the membership of the Task Force; authorizing the Task Force to consult with certain individuals and entities in performing the duties of the Task Force; requiring the Secretary of Health and Mental Hygiene to chair the Task Force and establish certain subcommittees; providing for the duties of the Task Force; requiring the Task Force to make certain recommendations; requiring the Department of Health and Mental Hygiene to provide staff support to the Task Force; requiring the Task Force to make certain reports to the Governor and General Assembly on or before certain dates; providing that members of the Task Force are entitled to a certain reimbursement; providing for the termination of this Act; and generally relating to the Task Force on Health Care Access and Reimbursement.

BY adding to

Article – Health – General
Section 19–710.3
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 139 – The Speaker (By Request – Administration) and Delegates Howard, N. King, Busch, F. Turner, Ali, Barkley, Barnes, Benson, Branch, Bronrott, Davis, Frush, Gilchrist, Griffith, Gutierrez, Haynes, Heller, Hucker, Jones, Kullen, Lawton, Malone, Rosenberg, Ross, Tarrant, and Waldstreicher

AN ACT concerning

Education – Geographic Cost of Education Index – Funding

FOR the purpose of requiring the State to provide certain grants to certain county boards of education to reflect regional differences in the cost of education that are due to factors outside the control of local jurisdictions; providing for the manner of calculation and distribution of certain grants in certain fiscal years; requiring the State Department of Education to update a certain geographic cost of education index (GCEI) at certain times; requiring the Department to submit a certain proposed GCEI adjustment to the Governor and General Assembly and to recommend certain legislation at certain times; and generally relating to the funding of a geographic cost of education index in the Bridge to Excellence in Public Schools Act.

BY repealing and reenacting, with amendments,

Article – Education
Section 5–202(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 140 – The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim

AN ACT concerning

Statewide Advisory Commission on Immunization – Universal Vaccine Purchasing System

FOR the purpose of expanding certain duties of the Statewide Advisory Commission on Immunizations; requiring the Commission to make certain recommendations in a certain annual report by a certain date; providing for the termination of a certain provision of this Act; and generally relating to the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

APPOINTMENTS

January 24, 2007

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

Workers' Compensation Benefit and Insurance Oversight Committee

Hon. Carolyn J. Krysiak (House Chairman)
Hon. Joseph J. Minnick

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 124 Members present.

(See Roll Call No. 24)

ADJOURNMENT

At 11:21 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Thursday, January 25, 2007.

**Annapolis, Maryland
Thursday, January 25, 2007**

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

QUORUM CALL

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

(See Roll Call No. 25)

The Journal of January 24, 2007 was read and approved.

EXCUSES:

Del. Bartlett – stuck in traffic jam

Del. Goldwater – illness

Del. Nathan-Pulliam – illness

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 141 – Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Sending Renewal Notices by Electronic Means

FOR the purpose of authorizing the State Board of Pharmacy to send renewal notices by electronic means to licensed pharmacists, pharmacy and distribution permit holders, and registered pharmacy technicians; and generally relating to the State Board of Pharmacy sending renewal notices by electronic means.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–308(b), 12–407(b), 12–602(j)(2), and 12–6B–07(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 142 – Delegates Morhaim, Anderson, Cardin, and Feldman

AN ACT concerning

Business and Economic Development – Biotechnology Investment Incentive Act

FOR the purpose of altering a certain credit allowed against the State income tax for certain investments in certain technology businesses; imposing certain eligibility restrictions for the credit; altering certain limits on the amount of credits that may be claimed by certain persons; repealing a provision making the credit refundable under certain circumstances; imposing certain limits on the amount of credits the Secretary of Business and Economic Development may certify for investments in a single business; providing that the credit may be claimed over a certain period; providing that certain unused credits may be carried forward to certain taxable years; repealing certain provisions providing for the recapture of the credit under certain circumstances; requiring certain persons to submit certain documentation, notices, and tax returns to the Department of Business and Economic Development to remain eligible to claim the credit; providing for the forfeiture of certain unclaimed credit under certain circumstances; requiring certain regulations to provide for allocation of certain available credit under certain circumstances; and generally relating to a certain tax credit for certain investments in certain technology businesses in the State.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–725(b), (d), and (i)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – Tax – General

Section 10–725(f)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–725(f)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 143 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – Property Tax Credits – Commercial Investment and Economic Development

FOR the purpose of authorizing the governing body of Queen Anne’s County to grant, by law, a property tax credit against the county property tax imposed on certain property owned by certain businesses under certain circumstances; limiting the amount and duration of a certain property tax credit; providing for the application of this Act; and generally relating to county property tax credits for certain businesses in Queen Anne’s County.

BY adding to

Article – Tax – Property

Section 9–319(d)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 144 – Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Pharmacist Rehabilitation Committee – Definition

FOR the purpose of altering the membership of a State Board of Pharmacy pharmacist rehabilitation committee so that it includes at least one pharmacist instead of being comprised of a majority of pharmacists; and generally relating to pharmacist rehabilitation committees of the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–317

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 145 – Delegate Elmore

AN ACT concerning

Somerset County – Treasurer – Salary

FOR the purpose of altering the salary of the Treasurer of Somerset County; providing that this Act does not apply to the salary or compensation of the incumbent Treasurer of Somerset County; and generally relating to the salary of the Treasurer of Somerset County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 51(r)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 146 – Delegate Beitzel

AN ACT concerning

Local Government – Garrett County Commissioners – Disposal of Surplus Supplies

FOR the purpose of authorizing the Board of County Commissioners of Garrett County to dispose of surplus supplies, equipment, or other personal property belonging to the county by recycling or disposal in the Garrett County landfill.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 147 – Delegates Morhaim, Barve, Cardin, Jones, Shank, and Stein

AN ACT concerning

Health Care Malpractice – Expression of Regret or Apology – Inadmissibility

FOR the purpose of altering a certain evidentiary rule concerning an expression of regret

or apology in certain civil actions and proceedings against health care providers; making a stylistic change; providing for the application of this Act; and generally relating to the admissibility of an expression of regret or apology in certain health care malpractice proceedings or actions.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–920
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 148 – Delegates Hixson, Barve, Howard, N. King, Murphy, Olszewski, Rice, and F. Turner

AN ACT concerning

**Presidential Elections – Agreement Among the States to Elect the President by
National Popular Vote**

FOR the purpose of altering certain methods of nominating presidential electors; altering certain methods of electing presidential electors; repealing a certain restriction governing elector voting; entering the State of Maryland into the Agreement Among the States to Elect the President by National Popular Vote; providing that any state is eligible to become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a certain procedure for appointing presidential electors in member states; specifying when the Agreement becomes effective; providing for the withdrawal of a member state; requiring notification of member states; specifying that the provisions of the Agreement are severable; defining certain terms; making this Act subject to a certain contingency; and generally relating to the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–503, 8–504, and 8–505
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 8–5A–01 to be under the new subtitle “Subtitle 5A. Agreement Among
the States to Elect the President by National Popular Vote”

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 149 – Delegates Niemann, Ivey, and Ramirez

AN ACT concerning

**Creation of a State Debt – Prince George’s County – World Arts Focus
Performance Theatre**

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 World Arts Focus, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 150 – Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Rice, Stukes, and F. Turner

AN ACT concerning

Education – Funding Formula for Adult Education and Literacy Grants

FOR the purpose of requiring the State Department of Education to provide competitive adult education grants beginning in a certain fiscal year for certain eligible adult education providers; requiring that funding for State adult education grants shall be provided in the State budget; providing for the manner of calculation of the amount of a certain State adult education grant available for each county for distribution to certain adult education providers; providing for an adjustment to the State adult education grant to reflect regional differences in the cost of education due to certain factors; providing for a certain minimum adult education provider adjustment amount to certain adult education providers under certain circumstances; providing for a certain small program adjustment amount for certain adult education providers under certain circumstances; providing for the calculation of the total State adult education grant amount available to the counties under certain circumstances; providing for a certain phase-in of the total State adult education grant amounts available for certain fiscal years under certain circumstances; requiring that a county provide a certain local share of funding for

adult education programs in order to be eligible to receive a State adult education grant; providing for the manner of calculation of certain county contributions for adult education funding; providing that a county's local contribution to adult education program funding may include certain contributions of private donors and the federal government; requiring the State Department of Education to distribute competitive grants for certain adult education and literacy services in accordance with the State Plan for Adult Education and Family Literacy; requiring that certain State grants for adult education programs be based on need and performance; requiring the State Board of Education to adopt certain regulations; defining certain terms; and generally relating to establishing a funding formula for adult education and literacy services.

BY repealing

Article – Education
Section 5–218
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 5–218
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 151 – Delegates Hixson, Bromwell, Cardin, Conway, Gilchrist, Howard, Ivey, Kaiser, N. King, Krebs, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Hometown Heroes Act of 2007 – Income Tax – Subtraction Modification for Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain public safety retirement income attributable to an individual's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; defining a certain term; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to an individual's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–207(x)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 152 – Delegates Weir, Aumann, Boteler, Cardin, Frank, McDonough, Minnick, Olszewski, and Schuler

AN ACT concerning

**Law Enforcement Officers' Pension System – Membership – Martin State Airport
Law Enforcement Officers**

FOR the purpose of providing membership in the Law Enforcement Officers' Pension System to certain law enforcement officers at the Martin State Airport who are employed by the Military Department; and generally relating to membership in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201 and 26–202
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 153 – Garrett County Delegation and Allegany County Delegation

AN ACT concerning

Vehicle Laws – Registration Plates Honoring Mountain Maryland

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed registration plate honoring Mountain Maryland; specifying the vehicles that are eligible for the registration plate; requiring the owner of a vehicle issued the registration plate to pay certain fees; providing for the distribution of a certain fee to the Chesapeake Bay Trust and the Maryland Agricultural Education Foundation, Inc.; requiring the Administration to consult with the Greater Allegany Business Foundation and the Garrett County Economic Development Corporation on certain matters; requiring the Administration to adopt regulations; and generally relating to registration plates honoring Mountain Maryland.

BY adding to

Article – Transportation

Section 13–619.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 154 – Delegates Minnick, Benson, Kirk, Krysiak, and Vallario

AN ACT concerning

Income Tax Credit for Employer–Provided Child Care for Employees

FOR the purpose of allowing a State income tax credit for certain expenses paid or incurred by an employer during the taxable year to provide on–site child care for employees at the employer’s business location in this State; providing for the application of this Act; and generally relating to a State income tax credit for certain expenses paid or incurred by an employer to provide on–site child care for employees.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 155 – Delegates Doory, Bartlett, Benson, and Nathan–Pulliam

AN ACT concerning

Education – Prekindergarten Programs – Alternative Providers

FOR the purpose of requiring county boards of education to determine in a certain comprehensive master plan their current capacity to provide prekindergarten programs; requiring a county board to include a description of the county board's process to contract with certain alternative early learning and child care providers to provide certain additional capacity under certain circumstances; requiring a county board to contract with certain alternative early learning and child care providers under certain circumstances; requiring a county board to address the capacity that is available from alternative providers under certain circumstances; and generally relating to requiring county boards of education to determine their capacity to provide prekindergarten programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–101.1(d)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 156 – Delegates Minnick, Aumann, Boteler, Bromwell, Frank, Jennings, Morhaim, Nathan–Pulliam, Olszewski, Schuler, Stein, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Community College of Baltimore County Dental Education Facility and Clinic

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of The Community College of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 157 – Delegate Morhaim

AN ACT concerning

Health Insurance – Prohibited Discrimination and Rebates – Incentives for Participation in Wellness Programs and Other Exceptions

FOR the purpose of providing that it is not discrimination or a rebate under certain insurance laws for an insurer, nonprofit health service plan, or health maintenance organization to provide reasonable incentives to an insured, subscriber, or member for participation in a bona fide wellness program offered by the insurer, nonprofit health service plan, or health maintenance organization under certain circumstances; requiring any incentive offered for participation in a bona fide wellness program to be reasonably related to the program; prohibiting the value of the incentive from exceeding a certain limit; requiring the Maryland Insurance Commissioner to adopt certain regulations; applying certain exceptions to certain prohibitions against certain discrimination and rebates to health maintenance organizations; defining certain terms; and generally relating to exceptions to prohibitions against discrimination and rebates under insurance laws.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 27–210
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 158 – Calvert County Delegation

AN ACT concerning

Business Regulation – Licenses – Application – Calvert County

FOR the purpose of prohibiting the clerk of the circuit court for Calvert County from issuing a certain license to a business that will be located in Calvert County unless the applicant submits to the clerk a certain certification that the location of the business is zoned for the type of business for which the applicant is seeking the license; requiring that the certification be issued by a certain department or municipal corporation under certain circumstances; and generally relating to the

issuance of licenses in Calvert County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 159 – Delegates Nathan–Pulliam, Benson, Bromwell, Burns, Costa, Elliott, Hammen, Jones, Kullen, Morhaim, and Tarrant

AN ACT concerning

Hepatitis C Inmate Treatment Program – Report

FOR the purpose of requiring the Department of Public Safety and Correctional Services, in collaboration with the Department of Health and Mental Hygiene, to provide a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to hepatitis C testing and treatment of inmates.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–1001(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 160 – Delegates Krebs, Aumann, Barkley, Beitzel, Eckardt, Elliott, Feldman, Kach, Shewell, Stocksdale, and Weldon

AN ACT concerning

Education – State Board of Education Members – Qualifications

FOR the purpose of requiring a certain number of members of the State Board of Education to be, at the time of their appointment, parents of students enrolled in public schools in the State; providing for the application of this Act; and generally relating to the qualifications of members of the State Board of Education.

BY repealing and reenacting, with amendments,
Article – Education

Section 2–202
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 161 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

Governor’s Appointments Office and Appointing Authorities – Duties

FOR the purpose of prohibiting the Governor’s Appointments Office from superseding or interfering with any function of certain appointing authorities in the Executive Branch of State government and the Secretary of the Department of Budget and Management with respect to the Secretary’s functions regarding the State’s personnel systems as assigned by law; prohibiting the Governor from delegating to the Appointments Office or any other unit, officer, official, or employee in the Office of the Governor or the Executive Branch any function or duty with respect to the hiring and termination of at will and special appointments in the principal departments of the Executive Branch and other units in the Executive Branch; providing a certain exception; providing that appointing authorities in the Executive Branch of State government have certain exclusive powers and duties, including the power to appoint, transfer, reassign, discipline, and terminate employees under their jurisdiction; prohibiting an appointing authority from delegating final decisions on the termination of an employee; defining certain terms; and generally relating to gubernatorial appointments and appointing authorities in the Executive Branch of State government.

BY adding to

Article – State Government

Section 8–3A–01 to be under the new subtitle “Subtitle 3A. Appointments in State Government”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 162 – The Speaker and Delegates Jones, G. Clagett, McIntosh, and Simmons

AN ACT concerning

State Employees’ Rights and Protections Act of 2007

FOR the purpose of requiring the Secretary of Budget and Management to designate certain positions in State government as special appointment positions based on certain criteria; requiring the Secretary to provide certain information on special appointments; providing that certain personnel actions regarding certain special appointments in State government be made under certain circumstances; providing a certain exception; extending current provisions to require special appointees in the skilled, professional, and management services to be given a certain written job description and an annual performance evaluation; clarifying that certain disciplinary appeals by certain employees may only be based on the grounds that an action is arbitrary or capricious; clarifying that only employees in the executive or management services or under a special appointment in the State Personnel Management System may be terminated for any reason that is not illegal or unconstitutional, solely within the discretion of the employee's appointing authority; providing that certain employees may not be terminated under certain circumstances; providing that terminated management service employees be given the reason for a termination in writing; allowing a court to allow certain fees and costs as a result of an action by certain employees; requiring the Department of Legislative Services, with assistance from the Department of Budget and Management, to undertake a review of the current State Personnel Management System and other State laws, and the extent to which changes to the laws may be needed particularly with respect to at-will and special appointment positions; requiring the Secretary of Budget and Management to develop certain processes through regulation for notifying certain employees of a certain status; and generally relating to State personnel in the Executive Branch of State government.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 1–101(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–201, 4–302, 5–208, 7–102, 7–501, 11–113, and 11–305
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 163 – Delegates Burns, Benson, Nathan–Pulliam, and F. Turner

AN ACT concerning

Income Tax Credit – Child Support – Incarcerated Noncustodial Parent

FOR the purpose of allowing certain eligible parents to claim an income tax credit in a certain amount against the State income tax under certain circumstances; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit may not be carried over to any other taxable year; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain eligible parents.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 164 – Delegates N. King, Ali, Barkley, Barve, Bronrott, Dumais, Elmore, Feldman, Gilchrist, Hixson, Ivey, Jennings, Kaiser, Kramer, Lawton, Love, Montgomery, Olszewski, Rice, Ross, Waldstreicher, and Walker

AN ACT concerning

Education – Relocatable Classrooms – Indoor Air Quality Standards

FOR the purpose of requiring the Board of Public Works, in consultation with the Department of General Services, to adopt regulations to establish certain standards and specifications to enhance the indoor air quality of relocatable classrooms; and generally relating to regulations governing the indoor air quality of relocatable classrooms.

BY repealing and reenacting, without amendments,

Article – Education

Section 5–301(a)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–301(b)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 165 – Delegates Rosenberg, Anderson, and Carter

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation

FOR the purpose of including the Baltimore Public Markets Corporation, in Baltimore City, in the definition of “local government” for the purposes of the Local Government Tort Claims Act; providing that Baltimore Public Markets Corporation and its employees may not raise as a defense a certain limitation on liability; providing for the application of this Act; and generally relating to the Local Government Tort Claims Act and the Baltimore Public Markets Corporation, in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d) and 5–303(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 166 – Delegates Pendergrass, Goldwater, Guzzone, Harrison, Heller, James, and Weir

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Video Lottery Terminals – Constitutional Amendment Subject to Voter Approval

FOR the purpose of adding a new article to the Maryland Constitution to prohibit the statutory expansion of forms of gaming, with certain exceptions, by the General Assembly; limiting the number of licenses that the State may issue to operate video lottery terminals; limiting to a certain number the number of video lottery terminals at a certain facility that a video lottery facility licensee may operate; limiting the number of licenses to operate video lottery terminals to locations at a certain number of different regions and counties of the State; prohibiting the State from issuing a license for a video lottery facility under certain circumstances; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
New Article XIX – Video Lottery Terminals
Section 1 through 3

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

House Bill 167 – Howard County Delegation

AN ACT concerning

**Howard County – Property Tax Credit – Residence Jointly Owned by an Individual
and the Howard County Housing Commission**

Ho. Co. 6–07

FOR the purpose of authorizing the governing body of Howard County to grant, by law, a tax credit against the county property tax imposed on certain owner-occupied residential real property; authorizing the governing body of Howard County to specify the amount and duration of the credit; authorizing the governing body to provide for implementation and administration of the credit; providing for the application of this Act; and generally relating to the property tax in Howard County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–315(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 168 – Howard County Delegation

AN ACT concerning

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

Ho. Co. 3–07

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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 169 – Delegates Taylor, Montgomery, Kaiser, and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Damascus Heritage Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Damascus Heritage Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 170 – Delegates Aumann, Bates, Boteler, Branch, Cane, G. Clagett, DeBoy, Eckardt, Elliott, Elmore, Frank, Haddaway, Howard, Impallaria, Jennings, Kaiser, Krebs, Manno, McComas, McDonough, Miller, Minnick, Myers, Shewell, Smigiel, Sossi, Stocksdale, Walkup, and Weir

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Eligibility

FOR the purpose of reducing the number of years of creditable service that a member of the State Retirement and Pension System is required to accrue in order to be eligible to receive military service credit; and generally relating to the eligibility requirements for receiving military service credit in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 38–104

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 171 – Delegate Hubbard

AN ACT concerning

**Maryland Health Care Commission – Chronic Care Management and Wellness
Promotion – Study**

FOR the purpose of requiring the Maryland Health Care Commission, in consultation with the Department of Health and Mental Hygiene, to conduct a certain study of chronic care management and wellness promotion; requiring the study to include certain elements; requiring the Commission to present a written report of its study, on or before a certain date, to certain legislative committees; and generally relating to a study of chronic care management and wellness promotion.

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

House Bill 172 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, DeBoy, Doory, Frank, Glenn, Hammen, Harrison, Haynes, Jennings, Jones, Kirk, Krysiak, Lafferty, Love, Malone, McHale, Minnick, Morhaim, Nathan–Pulliam, Niemann, Oaks, Olszewski, Robinson, Rosenberg, Schuler, Stein, Stukes, Tarrant, and Weir

EMERGENCY BILL

AN ACT concerning

**Real Property – Ground Rents – Prohibition on Creation of Ground Rent Leases for
Residential Property**

FOR the purpose of prohibiting, on or after a certain date, the creation of a lease or sublease of a certain term and subject to the payment of a certain ground rent for certain residential property; making this Act an emergency measure; and generally relating to ground rent leases for residential property.

BY adding to

Article – Real Property

Section 8–111.2

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 173 – Delegates Cardin, Bromwell, Bronrott, Lawton, Montgomery, Rosenberg, Stein, and Taylor

AN ACT concerning

Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road

FOR the purpose of prohibiting a driver of a motor vehicle from overtaking and passing a bicycle, an EPAMD, or a motor scooter that is going in the same direction unless the driver can do so safely without endangering the rider of the bicycle, EPAMD, or motor scooter; prohibiting a driver of a vehicle from intentionally interfering with the movement of a person who is riding a bicycle, EPAMD, or motor scooter; requiring a driver of a motor vehicle to yield the right-of-way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a bicycle lane; and generally relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1209
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

APPOINTMENTS

January 25, 2007

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

JOINT SUBCOMMITTEE ON PROGRAM OPEN SPACE/AGRICULTURAL LAND PRESERVATION:

Hon. Rudolph C. Cane (House Chairman)
Hon. Elizabeth Bobo
Hon. Virginia P. Clagett
Hon. Mary-Dulany James
Hon. Paul S. Stull

By Order,

Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 26)

ADJOURNMENT

At 11:21 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 26, 2007.

Annapolis, Maryland
Friday, January 26, 2007

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melony G. Griffith of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 28)

The Journal of January 25, 2007 was read and approved.

EXCUSES:

Del. Cane – business/National AG Conference – D.C.

Del. V. Clagett – funeral

Del. Goldwater – illness

Del. McKee – doctor's appointment

Del. Ross – out of town

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 174 – Delegates Olszewski, Aumann, Barkley, Bobo, Bromwell, Cardin, G. Clagett, Manno, Minnick, Mizeur, Pendergrass, and Weir

AN ACT concerning

**Vehicle Laws – Distracted Driving and Use of Wireless Communication Devices
While Driving – Prohibitions**

FOR the purpose of providing that a person who drives a motor vehicle in an inattentive manner under certain circumstances is guilty of distracted driving; prohibiting a driver of a certain school vehicle from using certain wireless communication devices; prohibiting the holder of a learner's instructional permit or a provisional driver's license who is 18 years of age or older from driving a motor vehicle while

using certain wireless communication devices; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use certain wireless communication devices; providing for exceptions to the prohibitions of this Act; making stylistic changes; defining certain terms; and generally relating to distracted driving and prohibitions against the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–901.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

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

House Bill 175 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Robinson Nature Center

Ho. Co. 1–07

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

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

House Bill 176 – Delegates Love, Anderson, Aumann, Barkley, Barnes, Bartlett, Beidle, Beitzel, Bohanan, Bromwell, Cane, V. Clagett, Costa, DeBoy, Dumais, Eckardt, Elmore, Frank, Frush, George, Glassman, Haddaway, Harrison, Holmes, Hubbard, Hucker, Jameson, Jennings, Kach, Kaiser, Kelly, Kipke, Krebs, Kullen, Lee, Levy, Manno, McComas, McDonough, Miller, Minnick, Nathan–Pulliam, O’Donnell, Olszewski, Pendergrass, Riley, Rudolph, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stocksdale, F. Turner, Walkup, and Wood

AN ACT concerning

Income Tax – Subtraction Modification for Military Retirement – Expansion

FOR the purpose of expanding the applicability of a certain subtraction modification under the Maryland income tax for military retirement income by removing a certain limitation applicable to certain service with the commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey; increasing the maximum amount of a certain subtraction modification under the Maryland income tax for military retirement income; providing for the application of this Act; and generally relating to expanding applicability of and increasing the amount of a certain subtraction modification under the Maryland income tax for military retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 177 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – North Laurel Community Center**Ho. Co. 2–07**

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

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

House Bill 178 – Delegate Holmes

AN ACT concerning

**Consumer Protection – Consumer Reporting Agencies – Consumer
Reports – Security Freezes**

FOR the purpose of authorizing a consumer to elect to place a security freeze on all or part of the consumer's consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer's consumer report within a certain number of days after a request is received and to take certain actions within a certain number of business days after placing a security freeze on a consumer's consumer report; providing that while a security freeze is in place, a consumer reporting agency may not provide any information in a consumer's consumer report without certain authorization of the consumer; requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances; establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of days after receiving a request from a consumer; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze; providing a certain exception; requiring a consumer reporting agency to give certain notices to a consumer at certain times; authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties; providing for the application of this Act; defining certain terms; making a conforming change; and generally relating to consumer reporting agencies and security freezes on consumer reports.

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 14–1202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–1202.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 179 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Nonvoting Student Member

FOR the purpose of adding a nonvoting student member to the Frederick County Board of Education; requiring the student member to meet certain qualifications; specifying the term of the student member; requiring that the student member advise the County Board on certain matters; prohibiting the student member from attending an executive session of the Board; and generally relating to the Frederick County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–5B–01
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 180 – Delegates Krysiak, Kirk, Love, and Minnick

AN ACT concerning

Commercial Law – Abandoned Property – Money Orders

FOR the purpose of altering the time period after which there is a presumption that a money order is abandoned under certain circumstances; making stylistic and conforming changes; and generally relating to abandoned property in the State.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–301(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 181 – Delegates Bromwell, Aumann, Boteler, Burns, Cardin, Frank, Impallaria, Jennings, Jones, Kach, Lafferty, Malone, McDonough, Morhaim, Olszewski, Stein, and Weir

AN ACT concerning

Baltimore County – Election Law – Assistant Chief Election Judge

FOR the purpose of creating the position of assistant chief election judge in Baltimore County; specifying the amount of the compensation for assistant chief election judges; altering the compensation for chief election judges and other election judges in Baltimore County; and generally relating to election judges in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–203 and 10–205(b)(3)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 182 – Delegates Frank and N. King

AN ACT concerning

Income Tax – Credit for Long–Term Care Insurance

FOR the purpose of altering certain limits on the State income tax credit for employer–provided long–term care insurance; providing for the application of this Act; and generally relating to State income tax credits for employer–provided long–term care insurance.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–710(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–710(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 183 – Delegates McConkey, Beidle, Cane, and Weir

AN ACT concerning

**Real Property – Maryland Homeowners Association Act – Enforcement Authority
of Division of Consumer Protection**

FOR the purpose of providing that violation of any provision of the Maryland Homeowners Association Act is within the scope of the enforcement duties and powers of the Division of Consumer Protection of the Office of the Attorney General; authorizing a county or municipal corporation to adopt a law, ordinance, or regulation for a certain purpose in a certain manner; requiring a county or municipal corporation to forward a copy of a certain law, ordinance, or regulation to a certain depository; defining a certain term; and generally relating to the authority of the Division of Consumer Protection to enforce the Maryland Homeowners Association Act.

BY renumbering
Article – Real Property
Section 11B–115
to be Section 11B–116
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 11B–115
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 184 – Delegates Krysiak, Kirk, and McHale

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; providing for the qualifications of an additional member; making certain stylistic changes; and generally relating to the 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
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 185 – Delegates Costa, Beidle, V. Clagett, Frush, George, Hubbard, J. King, Kipke, Love, McConkey, and Sophocleus

AN ACT concerning

Environment – Grading or Building Permit – Patuxent River Watershed

FOR the purpose of authorizing Anne Arundel County to issue a grading or building permit within the Patuxent River Watershed only under certain circumstances; establishing certain conditions for the approval of certain development plans by the Department of the Environment; prohibiting the construction, relocation, or enlargement of certain State, county, or municipal roads, buildings, or structures within the Patuxent River Watershed until certain plans have been submitted to and approved by the soil conservation district; and generally relating to grading and building permits issued within the Patuxent River Watershed.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–308
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 186 – Delegates Rosenberg and Niemann

AN ACT concerning

Real Property – Assigns, Successors, Heirs, Legatees, and Personal Representatives

FOR the purpose of clarifying that a certain statute providing that an obligation imposed on or right granted to a person binds or inures to the benefit of certain other persons applies only to statutory obligations and rights in the Real Property Article; making stylistic changes; and generally relating to certain obligations and rights of assigns, successors, heirs, legatees, and personal representatives under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 1–103
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 187 – Delegate Rosenberg

AN ACT concerning

Estates and Trusts – Conservation Easement – Governing Instrument

FOR the purpose of clarifying that certain persons may donate a conservation easement on real property if certain governing instruments authorize the donation; providing for the application of this Act; and generally relating to donation of conservation easements on real property.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(dd), 14–111(b), and 15–102(aa)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 188 – Delegate Rosenberg

AN ACT concerning

Estates, Trusts, and Real Property – Rule Against Perpetuities

FOR the purpose of establishing that the common-law rule against perpetuities as now recognized in this State does not apply to certain options, rights to acquire land, or nondonative property interests; establishing the effective date of certain nondonative property interests; establishing that certain nondonative property interests shall be void unless the interests have become effective, been exercised, or become vested within certain periods of time under certain circumstances; providing that certain executory interests and powers of appointment are subject to the common-law rule against perpetuities as modified by this Act; defining certain terms; and generally relating to the common-law rule against perpetuities.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 11–102
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Estates and Trusts
Section 11–102.1
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 2–116(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 189 – Delegate Rosenberg

AN ACT concerning

**State Employee Health and Welfare Benefits Program – Judges’ Retirement System
– Eligibility – Surviving Spouse or Dependent Child**

FOR the purpose of authorizing surviving spouses or dependent children of certain members or retirees of the Judges’ Retirement System to enroll and participate in certain health insurance benefits under the State Employee and Retiree Health and Welfare Benefits Program; providing that certain surviving spouses or dependent children are eligible for certain State subsidies; and generally relating to the State

Employee Health and Welfare Benefits Program, the Judges' Retirement System, and the enrollment and benefit eligibility of surviving spouses and dependent children.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–507 and 2–508(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 190 – Delegate Beitzel

AN ACT concerning

Creation of a State Debt – Garrett County – Garrett Performing Arts 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 Garrett Performing 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 Appropriations.

House Bill 191 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Parks and Recreation – Appointment of Members

FOR the purpose of altering the manner of appointment of the members of the Board of Parks and Recreation for Cecil County; and generally relating to the appointment of the members of the Board of Parks and Recreation for Cecil County.

BY repealing and reenacting, without amendments,
The Public Local Laws of Cecil County
Section 57–1
Article 8 – Public Local Laws of Maryland
(1989 Edition and January 2006 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Cecil County
Section 57-2 A.
Article 8 – Public Local Laws of Maryland
(1989 Edition and January 2006 Supplement, as amended)

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

House Bill 192 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Underage Consumption

FOR the purpose of making it a Code violation in Frederick County for an individual under the age of 21 years to consume alcohol and show certain effects of its consumption; and generally relating to the underage consumption of alcoholic beverages in Frederick County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10-114
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 193 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – Way Station

FOR the purpose of authorizing the creation of a State Debt not to exceed \$550,000, the proceeds to be used as a grant to the Board of Directors of Way Station, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 194 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – Agriculture and Education Complex

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 Supervisors of the Frederick Soil Conservation District and the Board of Supervisors of the Catoctin Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantees provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 195 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Special License

FOR the purpose of authorizing a certain organization in Frederick County to obtain certain special licenses for the sale of certain alcoholic beverages; specifying the use of the net proceeds from the sale of certain alcoholic beverages; and generally relating to special alcoholic beverages licenses in Frederick County.

BY renumbering

Article 2B – Alcoholic Beverages

Section 8–211(i)

to be Section 8–211(j)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8–211(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–211(i)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 196 – Frederick County Delegation

AN ACT concerning

Frederick County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than \$120,000,000 in order to finance the cost of certain public facilities in Frederick County, as herein defined, to finance the payment of any unfunded liability of the County to the State Retirement and Pension System of Maryland, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; 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; providing that such borrowing may be undertaken by Frederick County in the form of installment purchase obligations executed and delivered by Frederick County for the purpose of acquiring agricultural land and woodland preservation easements; providing that such borrowing may be undertaken by Frederick County to finance the payment of any unfunded liability of Frederick County to the State Retirement and Pension System of Maryland for certain public purposes; and generally relating to the issuance and sale of the bonds by Frederick County.

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

House Bill 197 – Delegate Elmore

AN ACT concerning

Somerset County – Sale of Property – Whittington Elementary School

FOR the purpose of authorizing the County Commissioners of Somerset County to sell certain property known as Whittington Elementary School to Shore Up Inc., under terms the County Commissioners consider appropriate; exempting the sale of certain property from certain general requirements for the sale of surplus property; and generally relating to the sale of county property in Somerset County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 11A(a) and (b)(1) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 198 – Howard County Delegation

AN ACT concerning

Howard County – Annual Financial Report – Filing Date**Ho. Co. 7-07**

FOR the purpose of altering the date by which Howard County must file its annual financial report for the fiscal year with the Department of Legislative Services.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 37
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 199 – Frederick County Delegation

AN ACT concerning

**Frederick County – Board of County Commissioners – Prohibition of
Discriminatory Housing Practices**

FOR the purpose of authorizing the Frederick County Board of County Commissioners to adopt an ordinance to make discriminatory housing practices unlawful; authorizing the Board to make provisions for the filing, submitting, processing, investigating, conciliating, and certifying of complaints alleging discriminatory housing practices; allowing the Board to authorize the Human Relations Commission to issue subpoenas and order discovery to aid in the investigation and hearing of complaints alleging discriminatory housing practices; allowing the Board to authorize civil actions on a complaint alleging a discriminatory housing practice under certain circumstances; authorizing the adoption of administrative procedures by the Commission and the Human Relations Department with certain provisions; authorizing the Commission to initiate a civil action or to intervene in a civil action alleging a discriminatory housing practice under certain circumstances; allowing the Board to authorize intervention in a civil action initiated by the Commission under certain circumstances; authorizing the Commission to adopt regulations to implement any ordinance adopted by the Board under this Act; allowing the Board to authorize the Commission and the Department to enter into a cooperative agreement with the State Commission on Human Relations; allowing the Board to authorize the Commission to grant appropriate relief for housing complaints under certain circumstances; specifying the relief that may be granted by the court in civil actions; making stylistic changes; defining a certain term; and generally relating to discriminatory housing practices in Frederick County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2-2-68
Article 11 – Public Local Laws of Maryland
(2004 Edition and June 2006 Supplement, as amended)

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

House Bill 200 – Frederick County Delegation

AN ACT concerning

Frederick County – Road Projects – Repeal of State Match Requirement

FOR the purpose of repealing a prohibition that prevents the Frederick County Commissioners from expending certain funds for a road project on a State highway unless the State matches at least the same amount of funds for the same

project; and generally relating to funding for road projects in Frederick County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2-7-131(D)
Article 11 – Public Local Laws of Maryland
(2004 Edition and June 2006 Supplement, as amended)

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

House Bill 201 – The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, and Ross

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Authority to Establish Early Voting

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow voters to vote at certain polling places in certain locations and on certain days prior to certain election dates; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article I – Elective Franchise
Section 1 and 3

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

House Bill 202 – Delegates Hubbard, Montgomery, Oaks, and Pena–Melnik

AN ACT concerning

Maryland Medical Assistance Program – Eligibility Expansion

FOR the purpose of requiring the Maryland Medical Assistance Program to provide, subject to certain conditions, certain medical care and other health care services to certain parents with certain income and to certain adults with certain income; requiring the Department of Health and Mental Hygiene to seek approval of a certain waiver to use certain federal matching funds for a certain purpose; prohibiting the Department from implementing Medicaid eligibility for certain adults, if the Department is denied the waiver; providing for the effective date of

certain provisions of this Act; making certain provisions of this Act null and void, under certain circumstances; requiring the Department to forward a copy of a certain notice to the Department of Legislative Services; and generally relating to the Maryland Medical Assistance Program eligibility of certain parents and certain adults at or below a certain income level.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 203 – Delegates Smigiel, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, McConkey, and Simmons

AN ACT concerning

Workers' Compensation – Appeals – Admissibility of Medical Records

FOR the purpose of providing for the admissibility of certain records for appeals of an order of the Workers' Compensation Commission; providing for the application of this Act; and generally relating to an appeal of an order of the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–104(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–104(c), (d), (e), (f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–409, 9–737, 9–745, and 9–750
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 204 – Delegates Rice, Ali, Barkley, Barnes, Bronrott, Cardin, Dumais, Feldman, Gutierrez, Hixson, Hucker, Ivey, N. King, Kipke, Kramer, Lawton, Manno, Mizeur, Olszewski, Pena–Melnyk, Ross, Schuler, Stukes, Tarrant, Taylor, Valderrama, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Tax Credit – Student Textbooks

FOR the purpose of allowing certain individuals to claim a credit against the State income tax up to a certain amount for textbooks purchased for use at institutions of higher education; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit for a taxable year may not be carried over to any other taxable year; defining certain terms; providing for application of this Act; and generally relating to a credit against the State income tax credit for certain textbooks.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 205 – Delegates Smigiel, Dwyer, Elmore, George, Haddaway, Jennings, J. King, Montgomery, Shank, Sossi, and Stifler

AN ACT concerning

Transportation – Pedestrian Right–of–Way – Parking Lots

FOR the purpose of requiring a driver of a vehicle to yield the right–of–way to a pedestrian in a parking lot.

BY adding to

Article – Transportation

Section 21–512

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 206 – Delegates Smigiel, Aumann, Bartlett, Boteler, Costa, Dwyer, Elmore, George, Jennings, Kach, J. King, Kipke, Lawton, McComas, McDonough, Myers, Nathan–Pulliam, Simmons, Sossi, Taylor, and Weldon

AN ACT concerning

Higher Education – Scholarship Program – Eagle Scout and Girl Scout Gold Award Recipients

FOR the purpose of establishing the Eagle Scout and Girl Scout Gold Award Recipient Scholarship Program; providing for the qualifications of the recipients of a scholarship under this Act; providing for the amount and duration of a scholarship award; requiring the Office of Student Financial Assistance to approve a certain number of scholarships to certain individuals on a certain basis each year; requiring the Governor to include a certain appropriation in the annual budget beginning in a certain fiscal year; providing for the application of this Act; and generally relating to the establishment of the Eagle Scout and Girl Scout Gold Award Recipient Scholarship Program.

BY adding to

Article – Education

Section 18–2801 to be under the new subtitle “Subtitle 28. The Eagle Scout and Girl Scout Gold Award Recipient Scholarship Program”

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 207 – Delegates Smigiel, Dwyer, George, Jennings, Jones, McComas, McDonough, Myers, Riley, Shank, and Sossi

AN ACT concerning

Criminal Procedure – Cameras in the Courtroom – Criminal Sentencing Hearings

FOR the purpose of repealing a prohibition against recording or broadcasting a criminal sentencing hearing; establishing certain requirements for a media organization’s request to provide media coverage of a criminal sentencing hearing; requiring the clerk of the court to provide notice to certain parties on receipt of a request to provide media coverage; providing certain factors that a presiding judge may consider in deciding to grant or deny the request to provide media coverage;

authorizing the presiding judge to grant a certain request to provide media coverage; authorizing the presiding judge to make a certain order; authorizing the presiding judge to limit certain media coverage, after making a certain finding of fact on the record; prohibiting a presiding judge from granting certain requests for media coverage; providing that a person who violates this Act may be held in contempt of court; defining certain terms; and generally relating to media coverage of criminal proceedings.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–201
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 208 – Delegates Howard, Ali, Aumann, Benson, Cane, Harrison, Haynes, Healey, Holmes, Kaiser, Kirk, Kullen, Lee, Pendergrass, Rice, Ross, Sossi, F. Turner, and Vaughn

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring a certain business, when destroying a customer's records that contain certain personal information of the customer, to take certain steps to protect against unauthorized access to or use of the personal information under certain circumstances; requiring a certain business that owns or licenses certain personal information of an individual residing in the State to implement and maintain certain security procedures and practices under certain circumstances; requiring certain businesses that own, license, or maintain computerized data that includes certain personal information of an individual residing in the State to conduct a certain investigation and notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a business to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; providing that certain businesses and affiliates shall be deemed to be in compliance with the requirements of this Act under certain circumstances; providing that a violation of

this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; providing for a delayed effective date; and generally relating to the protection of personal information contained in the records of businesses, owned or licensed by businesses, or included in computerized data owned, licensed, or maintained by businesses.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3508 to be under the new subtitle “Subtitle 35.
Maryland Personal Information Protection Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 209 – Delegates Howard, Benson, Braveboy, Holmes, Niemann, Ross, and Vaughn

AN ACT concerning

Ethics – Complaints – Copy to Legislator

FOR the purpose of requiring the Joint Ethics Committee to provide a copy of a certain complaint to the legislator who is the subject of the complaint; requiring the Joint Ethics Committee to redact the name of the complainant and other identifying information from a certain complaint; and generally relating to complaints filed with the Joint Ethics Committee.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–515

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 210 – Delegates Howard, Benson, Braveboy, Healey, Holmes, Niemann, F. Turner, and Vaughn

AN ACT concerning

Consumer Protection – Sale or Distribution of Personal Information – Limitations

FOR the purpose of prohibiting certain businesses from disclosing to a third party, for compensation, certain personal information obtained in a certain manner; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal, State, or local law; establishing a private right of action for an individual affected by a violation of certain provisions of this Act; prohibiting units of State government from selling or distributing certain mailing lists under certain circumstances; providing certain exceptions; defining certain terms; and generally relating to the sale or distribution of personal information obtained or prepared by businesses or units of State government.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3504 to be under the new subtitle “Subtitle 35.
Disclosure of Personal Information Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–624(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 211 – Delegates Howard, Benson, Braveboy, Healey, Holmes, Niemann, and Vaughn

AN ACT concerning

Consumer Protection – Unsolicited Transmissions to a Facsimile Device – Private Actions

FOR the purpose of authorizing a person that receives an electronic or telephonic transmission made to the person’s facsimile device in violation of certain provisions of law to bring a certain action against a person that commits the violation; authorizing the recovery of reasonable attorney’s fees and damages in a certain amount; making a stylistic change; and generally relating to unsolicited electronic or telephonic transmissions to a facsimile device.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1313
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 212 – Delegates Doory, Braveboy, DeBoy, Dumais, Feldman, Guzzone, Hecht, Hubbard, Jameson, Kirk, Krysiak, Kullen, Levi, Love, Malone, Mathias, Minnick, Pendergrass, Taylor, and Vaughn

AN ACT concerning

Labor and Employment – Leave with Pay – Illness of Employee’s Immediate Family

FOR the purpose of authorizing employees of certain employers to use leave with pay for the illness of the employee’s immediate family; providing that an employee may only use leave with pay that has been earned; providing that an employee who earns more than one type of leave with pay may elect the type and amount of leave with pay to be used; requiring an employee who uses leave with pay under this Act to comply with the terms of a collective bargaining agreement or employment policy with a certain exception; providing that the terms of a collective bargaining agreement or employment policy shall prevail under certain circumstances; prohibiting an employer from eliminating or threatening to eliminate an existing leave with pay benefit; prohibiting an employer from taking certain actions against an employee who exercises certain rights, files a complaint, testifies against, or assists in a certain action; providing that this Act does not affect leave granted under the federal Family and Medical Leave Act; defining certain terms; and generally relating to leave with pay and illness of an employee’s immediate family.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–801 and 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO

From: Michael E. Busch, Speaker

Re: Reassignment of Bill(s)

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

<u>Bill No.</u>	<u>Reassignment</u>
HB 53	HGO and APP

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 29)

ADJOURNMENT

At 11:19 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 29, 2007.

**Annapolis, Maryland
Monday, January 29, 2007**

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Maggie McIntosh of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 31)

The Journal of January 26, 2007 was read and approved.

EXCUSES:

Del. Bobo – illness

Del. Davis – illness

Del. Kelly – personal

Del. F. Turner – illness

Del. V. Turner – medical

Del. Walkup – husband ill

INTRODUCTION OF BILLS

House Bill 213 – Delegates Hecht, Barnes, Bobo, G. Clagett, Dumais, James, Jones, Kirk, Lawton, Lee, Montgomery, Pendergrass, Riley, Shank, and Waldstreicher

AN ACT concerning

Child Sexual Abuse and Crimes of Violence

FOR the purpose of adding the crime of sexual abuse of a minor under a certain age by an adult and the crime of a continuing course of conduct with a child to the list of crimes of violence for which certain enhanced penalties are applied to certain offenders; and generally relating to crimes of violence.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 14–101
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 214 – Delegates Morhaim and Frush

AN ACT concerning

Health Care Decisions Act – “Patient’s Plan of Care” Form – Renaming

FOR the purpose of renaming the “Patient’s Plan of Care” form under the Health Care Decisions Act to be the “Instructions on Current Life–Sustaining Treatment Options” form; and generally relating to the renaming of the “Patient’s Plan of Care” form.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–602(f), 5–608.1, and 19–344(f)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–619(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 223 of the Acts of the General Assembly of 2006)

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

House Bill 215 – Delegates Morhaim and Feldman

AN ACT concerning

**Corporate Income Tax – Tax Credit for Location in a Higher
Education–Affiliated Research Park**

FOR the purpose of providing a tax credit against the State income tax for certain eligible expenses of corporations that locate to a higher education–affiliated research park; requiring the Department of Business and Economic Development to administer the tax credit; requiring a business entity to submit a certain application within a

certain time period and to locate to a higher education–affiliated research park and provide certain notice to the Department within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; requiring the Department to approve certain applications within a certain time period and in a certain manner; providing that if certain notice is not provided within a certain time period, the Department is required to rescind certain tax credit certificates; 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; providing for a carryforward of certain tax credits and providing that certain tax credits may be transferred under certain circumstances; allowing certain transferred tax credits to be claimed against the State income tax and authorizing certain business entities to rely on certain information; requiring the Department to submit a certain report by a certain date each year; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain eligible expenses of corporations that locate to a higher education–affiliated research park.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 216 – Delegates Morhaim, Anderson, Aumann, Beitzel, Benson, Bohanan, Bromwell, Burns, Cane, Cardin, Costa, DeBoy, Donoghue, Elliott, Frank, Hammen, Healey, Jennings, Jones, Kach, Kelly, Kipke, Kullen, Lafferty, Lawton, Malone, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Riley, Stein, Stull, Tarrant, Weir, and Weldon

AN ACT concerning

HIV Testing – Prohibited Exposure – Victims

FOR the purpose of including a forensic scientist who works under the direction of a law enforcement agency within the list of possible victims of prohibited exposure to HIV; including a forensic scientist who works under the direction of a law enforcement agency within the definition of a public safety worker required to test for HIV in the event of a certain exposure; and generally relating to victims of prohibited HIV exposure.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–107

Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.3(a)(8)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 217 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Alcoholic Beverages – Maximum Fine for Sales Violations

FOR the purpose of altering the maximum fine that the Alcohol Beverage Board of St. Mary’s County may impose for a violation of the laws as to licensing the sale of alcoholic beverages; making certain stylistic and technical corrections; and generally relating to alcoholic beverages sales in St. Mary’s County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–507(t)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 218 – Delegates G. Clagett, Anderson, Aumann, Barkley, Bartlett, Barve, Beidle, Bohanan, Boteler, Bromwell, Bronrott, Cane, V. Clagett, Conway, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elliott, Elmore, Frank, Glassman, Haddaway, Harrison, Haynes, Healey, Hecht, Howard, Hucker, Impallaria, James, Jennings, Jones, Kelly, Kipke, Krebs, Levy, Love, Manno, Mathias, McComas, McConkey, McDonough, McHale, Miller, Minnick, Proctor, Rosenberg, Rudolph, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stull, F. Turner, Weldon, and Wood

AN ACT concerning

Military Service Credit – Eligibility

FOR the purpose of repealing certain limitations and certain exceptions for members of the State Retirement and Pension System receiving credit for certain military

service credit; and generally relating to members of the State Retirement and Pension System receiving military service credit.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 219 – Delegates Dumais, Ali, Barkley, Bronrott, Elmore, Feldman, Gilchrist, Gutierrez, Hucker, Kaiser, Kramer, Lawton, Lee, Manno, Mizeur, Montgomery, O’Donnell, Rice, Rosenberg, Sophocleus, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Alcohol– or Drug–Related Crimes – Prohibitions Against Causing Serious Physical Injury

FOR the purpose of changing certain alcohol– or drug–related crimes from certain prohibitions against causing a life–threatening injury to another person to certain prohibitions against causing serious physical injury to another person; providing for certain penalties; making conforming changes; making stylistic changes; and generally relating to establishing certain criminal prohibitions against causing a serious physical injury to another person under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–201(a) and (d)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–211(c), (d), (e), and (f) and 3–212
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(c)(1) and 16–402(a)(32)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 220 – Delegates Beidle, Ali, Aumann, Barnes, Bobo, Boteler, Cane, V. Clagett, Costa, Dwyer, Elmore, Frush, George, Glassman, Healey, Hecht, Holmes, Hucker, James, Jameson, Jennings, J. King, Kipke, Kullen, Lafferty, Lawton, Levy, Love, Malone, Mathias, McConkey, McIntosh, O'Donnell, Pena–Melnik, Riley, Schuh, Shewell, Sophocleus, Sossi, and Weir

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

FOR the purpose of altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture; repealing the termination date for certain provisions related to the design of and the renewal fees for the Chesapeake Bay Commemorative License Plate; and generally relating to special and commemorative registration plates for motor vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–618 and 13–619.2(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the First Special Session of 1992, as amended by Chapter 91 of the Acts of the General Assembly of 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts of the General Assembly of 2000, Chapter 34 of the Acts of the General Assembly of 2002, and Chapter 398 of the Acts of the General Assembly of 2003

Section 3

BY repealing and reenacting, with amendments,

Chapter 251 of the Acts of the General Assembly of 2000, as amended by Chapter 398 of the Acts of the General Assembly of 2003

Section 3

BY repealing and reenacting, with amendments,

Chapter 398 of the Acts of the General Assembly of 2003

Section 3

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

House Bill 221 – St. Mary’s County Delegation

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Hospice House

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of St. Mary’s Hospital of St. Mary’s County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 222 – Delegate Beitzel

AN ACT concerning

Garrett 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 Garrett County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Garrett County or its employees; and generally relating to the inclusion of a certain nonprofit entity in Garrett 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)

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

House Bill 223 – Delegates Hixson, Bartlett, Bohanan, Cardin, Doory, George, Howard, Ivey, Jennings, Kaiser, N. King, Krebs, Murphy, Olszewski, Rice, Ross, Stukes, and Walker

AN ACT concerning

Income Tax – Earned Income Credit – Refundable Amount

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a refundable credit under the Maryland earned income credit under certain circumstances; altering the calculation of a refundable county earned income credit if a county provides a refundable county earned income credit; repealing certain obsolete provisions of law; providing for the application of this Act; and generally relating to the earned income credit allowed under the State income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 224 – Delegates Gutierrez, Barkley, Lawton, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Circle Manor

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 Mayor and Town Council of the Town of Kensington for certain 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 225 – Delegates Rosenberg, Ali, Anderson, Benson, Bobo, Burns, Cane, Carter, Conaway, Dumais, Gaines, Gilchrist, Glenn, Goldwater, Gutierrez, Harrison, Haynes, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, Kirk, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Proctor, Robinson, Stukes, Tarrant, Taylor, and Vaughn

AN ACT concerning

Criminal Law – Death Penalty – Repeal

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that certain inmates who have been sentenced to death may not be executed and shall be considered as having received a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that in certain cases in which the State has filed a notice to seek a sentence of death the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible persons for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; 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

(1999 Volume and 2006 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108 and 11–404

Annotated Code of Maryland

(2001 Volume and 2006 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

(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 3–105(b), 3–106(a), 3–107(a), 5–101(c), 7–101, 7–103(b), and 7–107(b)
Annotated Code of Maryland
(2001 Volume and 2006 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 2006 Supplement)

BY repealing
Article – Criminal Law
Section 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 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–505(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 226 – Delegates Hixson, Doory, Howard, Ivey, Kaiser, Krebs, Krysiak, McKee, Murphy, Myers, Robinson, and Stukes

AN ACT concerning

Libraries – Funding – State Library Resource Center

FOR the purpose of altering the minimum allocations per resident that the State Library Resource Center shall receive for operating and capital expenses in certain fiscal years; and generally relating to funding for the State Library Resource Center.

BY repealing and reenacting, without amendments,
Article – Education
Section 23–201
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 23–205(d)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 227 – Delegates Hixson, Barve, Doory, Elmore, Gilchrist, Howard, Ivey, Kaiser, N. King, Olszewski, Rice, Stukes, and Walker

AN ACT concerning

Maryland Transportation Authority – Public–Private Partnerships

FOR the purpose of requiring that the Maryland Transportation Authority provide certain notice and information to certain committees of the General Assembly and the Department of Legislative Services prior to issuing a public notice of procurement related to certain public–private partnership arrangements or entering into certain public–private partnership arrangements; prohibiting the Authority from entering into certain public–private partnership arrangements in which the total amount of certain payments exceeds a certain amount without certain approval from the General Assembly; defining certain terms; and generally relating to the Maryland Transportation Authority and certain public–private partnership arrangements.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–205(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 228 – Delegates Riley, James, Bates, Boteler, Bromwell, DeBoy, Dwyer, Glassman, Impallaria, Jennings, Kach, Kelly, Krebs, Kullen, McComas, McDonough, Myers, Stifler, and Wood

AN ACT concerning

Handguns – Wearing, Carrying, or Transporting – Permits

FOR the purpose of repealing the requirement that a person have a good and substantial reason for wearing, carrying, or transporting a handgun before receiving a permit

to wear, carry, or transport a handgun; requiring the Secretary of State Police to charge for a certain purpose a certain fee payable when an application is filed for a handgun; requiring the Governor to appropriate certain funds to programs to combat criminal gang violence; and generally relating to permits for wearing, carrying, or transporting handguns.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(d) and (e)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–304 and 5–306(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 229 – Delegates Bohanan, O’Donnell, and Wood

AN ACT concerning

Sales and Use Tax – Taxable Price – Remanufactured Automotive Parts

FOR the purpose of altering the definition of “taxable price” under the sales and use tax law to exclude the value of a used component or part (core value) received from a purchaser of any remanufactured automotive part.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(1)(3)(ii)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 230 – Delegates Bohanan, O’Donnell, and Wood

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s College Amphitheater

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 St. Mary's College of Maryland Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 231 – St. Mary's County Delegation

AN ACT concerning

Recordation Tax – Exemption for Transfers from a Government or Public Agency

FOR the purpose of exempting from recordation tax certain instruments of writing if the transferor is the United States, the State, an agency of the State, or a political subdivision of the State.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–108(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 232 – St. Mary's County Delegation

AN ACT concerning

Creation of a State Debt – St. Mary's County – Tudor Hall

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 St. Mary's County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 233 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Metropolitan Commission – Terms of Voting Members

FOR the purpose of altering the term of the voting members of the Metropolitan Commission in St. Mary’s County; providing that the terms of certain voting members of the Metropolitan Commission serving on a certain date will expire after a certain number of years; and generally relating to the terms of the voting members of the Metropolitan Commission in St. Mary’s County.

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary’s County

Section 113–1 A.

Article 19 – Public Local Laws of Maryland

(2002 Edition, as amended)

(As enacted by Chapter 394 of the Acts of the General Assembly of 2004)

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

House Bill 234 – St. Mary’s County Delegation

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Clement’s Island Lighthouse

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Board of Directors of St. Clement’s Hundred, 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 235 – Delegate Stukes

AN ACT concerning

Department of Housing and Community Development – Rental Allowance Program Fund

FOR the purpose of repealing a certain provision of law limiting the time period in which the Secretary of Housing and Community Development may provide rental allowances to recipients under the Rental Allowance Program; expanding eligibility for participation in the Rental Allowance Program to households in which a member of the household has a disability; establishing the Rental Allowance Program Fund as a special, nonlapsing fund in the Department of Housing and Community Development; requiring the Secretary of Housing and Community Development to administer the Fund; requiring that the Fund be used for certain purposes; requiring the Treasurer to hold the Fund separately and invest the money of the Fund in a certain manner; requiring that certain revenue, money, and earnings be paid into the Fund; requiring the Comptroller to account for the Fund; establishing a certain special transfer tax payable for certain instruments of writing; requiring that the revenue from the special transfer tax be distributed to the Rental Allowance Program Fund; defining certain terms; making certain conforming changes; and generally relating to the Rental Allowance Program Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–1405 and 4–1406
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–1409
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 13–201, 13–202, 13–203(a), and 13–209(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 236 – Delegates Nathan–Pulliam, Benson, Eckardt, Hubbard, Morhaim, and Oaks

AN ACT concerning

Health Occupations – Registered Nurses – Dispensing Methadone

FOR the purpose of authorizing certain nurses to dispense methadone in a certain clinic licensed by the Department of Health and Mental Hygiene in accordance with certain regulations developed and adopted by the State Board of Nursing and the State Board of Pharmacy; and generally relating to nurses dispensing methadone.

BY adding to

Article – Health Occupations

Section 8–511

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 237 – Delegates Nathan–Pulliam, Benson, Burns, Haynes, and Oaks

AN ACT concerning

State Government – Administrative Procedure Act – Scope of Judicial Review

FOR the purpose of expanding the circumstances under which a court may reverse or modify a final decision in a contested case under the Administrative Procedure Act; and generally relating to judicial review of an administrative decision.

BY repealing and reenacting, without amendments,

Article – State Government

Section 10–222(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–222(h)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 238 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$135,000, the proceeds to be used as a grant to the Board of Directors of the Young Men's Christian Association of Frederick County, Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 239 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegate Kach

AN ACT concerning

Creation of a State Debt – Baltimore County – Agricultural Resource Center and Farm Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 240 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Impallaria, Jennings, and McDonough

AN ACT concerning

Creation of a State Debt – Baltimore County – Eastern Regional Greenway

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 Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance

or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 241 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Minnick, Olszewski, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Heritage Trail and Saint Helena Park

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 County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 242 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Burns, Jones, and Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore County – High School Stadium Seating

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 Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 243 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Aumann, Cardin, DeBoy, Frank, Lafferty, Minnick, Morhaim, Olszewski, Schuler, Stein, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Athletic Turf Fields

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,800,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 244 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Boteler, Impallaria, Jennings, McDonough, and Schuler

AN ACT concerning

Creation of a State Debt – Baltimore County – Gough Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 245 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Aumann, DeBoy, Frank, Lafferty, Malone, Minnick, Olszewski, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Athletic Lighting Renovations

FOR the purpose of authorizing the creation of a State Debt not to exceed \$825,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and

sale of bonds evidencing the loan.

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

House Bill 246 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Minnick, Olszewski, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Eastern Boulevard

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 County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 247 – Delegate Bromwell (By Request – Baltimore County Administration) and Delegates Boteler and Schuler

AN ACT concerning

Creation of a State Debt – Baltimore County – Northeast Skate Park

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 County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 248 – Delegates Bromwell, Benson, Costa, Donoghue, Hubbard, and Kach

AN ACT concerning

Life Insurance – Investment Accounts

FOR the purpose of expanding the scope of certain provisions of law that authorize a life insurer to allocate to one or more separate investment accounts certain amounts paid to the life insurer by repealing the requirement that the accounts must be established or operated for the funding of certain qualified plans; expanding the authority of a separate investment account or a segregated asset account to make investments for the account by repealing a requirement that the plan of operation in which the investments must be specified must be issued to a qualified plan; repealing a certain definition; clarifying language; making technical and conforming changes; and generally relating to investments of life insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–512
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 16–113(d)(3) and 16–602(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 249 – Delegates Dumais, Ali, Barkley, Barve, Bronrott, Elmore, Feldman, Gilchrist, Gutierrez, Heller, Hixson, Hucker, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, Levi, Manno, Mizeur, Montgomery, Rice, Rosenberg, Simmons, Smigiel, Sophocleus, Taylor, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

**Correctional and Juvenile Facilities – Contact with Inmates and
Juveniles – Penalties**

FOR the purpose of prohibiting correctional employees and certain correctional staff members from engaging in certain intimate contact with certain inmates; prohibiting certain staff members, employees, and licensees of the Department of Juvenile Services from engaging in certain intimate contact with an individual confined in a certain juvenile facility; providing certain penalties for a violation of this Act; defining certain terms; and generally relating to prohibitions against certain contact with inmates and confined juveniles.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–314
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 250 – Delegates Pena–Melnyk, Barnes, Beidle, V. Claggett, Dwyer, Frush, J. King, Kipke, McConkey, and Schuh

AN ACT concerning

Anne Arundel County – Highways – Solicitation of Money or Donations from Occupants of Vehicles – Prohibition

FOR the purpose of prohibiting a person from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; repealing the authority of the Anne Arundel County Council to enact, by ordinance, a certain licensing program for individuals who are of a certain age or older and certain organizations that wish to solicit money or donations from the occupants of vehicles by standing in a roadway, median divider, or intersection in Anne Arundel County; repealing the authorization for the Anne Arundel County Council to prohibit, by ordinance, a person under a certain age from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; and generally relating to restrictions on the use of highways in Anne Arundel County for solicitation.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 251 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, Rosenberg, Stukes, and Tarrant

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings

FOR the purpose of altering the termination date applicable to certain provisions authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the local property tax imposed on certain newly constructed dwellings under certain circumstances; and generally relating to property tax credits for newly constructed dwellings in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 252 – Frederick County Delegation

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

FOR the purpose of authorizing the representatives of certain full-time correctional officers in the Frederick County Sheriff's Office to collectively bargain with the Sheriff of Frederick County concerning wages and benefits; authorizing certain correctional officers to take certain actions or refrain from taking certain actions in connection with certain labor organizations and collective bargaining activities; requiring that any additional funding required as a result of a negotiated agreement be subject to the approval of the County Commissioners of Frederick County; providing for the procedures for certifying a labor organization as an exclusive representative and for collective bargaining negotiations; requiring a collective bargaining agreement to contain certain matters; and generally relating to collective bargaining with the Sheriff of Frederick County.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(1)(6)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 253 – Delegates N. King, Ali, Bronrott, Cardin, Dumais, Feldman, Hixson, Ivey, Kramer, Krebs, Lawton, Montgomery, Murphy, Rice, and Waldstreicher

AN ACT concerning

Solar Energy Grant Program

FOR the purpose of altering the amounts of certain grants awarded under the Solar Energy Grant Program in the Maryland Energy Administration; repealing certain provisions relating to the Geothermal Heat Pump Grant Program; and generally relating to the Solar Energy Grant Program.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – State Government
Section 9–2008
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 254 – Delegate Elmore

AN ACT concerning

Somerset County – Sale of Property to City of Crisfield

FOR the purpose of authorizing the County Commissioners of Somerset County to sell certain property to the City of Crisfield under terms the County Commissioners consider appropriate; exempting the sale of certain property from certain general requirements for the sale of surplus property; and generally relating to the sale of county property in Somerset County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 11A(a) and (b)(1) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 255 – Howard County Delegation

AN ACT concerning

**Creation of a State Debt – Howard County – Historic Main Street Ellicott City
Parking Garage**

Ho. Co. 4–07

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 Howard County Revenue Authority for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 256 – Delegates Impallaria, Boteler, and McDonough

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Harford County – Eminent Domain – Limitation on Condemnation Authority

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property in Harford County under certain circumstances; defining a certain term; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department
Section 40, 40A, and 61

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

House Bill 257 – Delegates Impallaria, McDonough, Boteler, Kach, Glassman, Costa, Dwyer, J. King, Kipke, McComas, Miller, Riley, Schuh, Shank, Shewell, and Stifler

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Property Protection Act of 2007

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property under certain circumstances; defining a certain term; making stylistic changes; generally relating to the laws authorizing private property to be taken for public use after payment of just compensation; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40, 40A, and 61

BY proposing an amendment to the Maryland Constitution
Article XI–B – City of Baltimore – Land Development and Redevelopment
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–C – Off–Street Parking
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–D – Port Development
Section 1

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

House Bill 258 – Delegates Impallaria, McDonough, Boteler, and Kach

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County – Eminent Domain – Limitation on Condemnation Authority

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property in Baltimore County under certain circumstances; defining a certain term; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40, 40A, and 61

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

House Bill 259 – Delegates Impallaria, Boteler, Costa, Glassman, Kach, McDonough, Miller, Minnick, Riley, Smigiel, and Weir

AN ACT concerning

Motor Fuel Tax – Refunds – Motor Fuel Used to Operate Vessels

FOR the purpose of allowing a refund of motor fuel tax paid on motor fuel that is used to operate a vessel; and generally relating to refunds of motor fuel tax paid on motor fuel that is used to operate a vessel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–901(f)(1)(ii)1. and 3.
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 260 – Delegates Impallaria and McDonough

AN ACT concerning

Maryland Gaming Commission Act of 2007

FOR the purpose of establishing the Maryland Gaming Commission; reorganizing the State Lottery Agency by making it a division of the Maryland Gaming Commission; transferring certain duties, responsibilities, authorities, functions, and units of the State Lottery Agency to the Maryland Gaming Commission; providing that the Maryland Gaming Commission consists of a certain number of members appointed by the Governor with the advice and consent of the Senate; requiring the Attorney General to conduct a certain investigation of each nominee;

requiring that a criminal background report be provided to the Attorney General by each nominee; establishing the qualifications and terms for Commission members; requiring the Governor to appoint the Chair of the Commission with the advice and consent of the Senate; establishing rules governing quorums, meetings, and compensation; requiring the Commission to appoint an Executive Director; establishing duties, responsibilities, and eligibility requirements for the Executive Director; providing staff for the Commission; requiring that a criminal background report be provided to the Commission by the Executive Director and each staff member under certain circumstances; establishing a legislative oversight committee; requiring the Legislative Auditor to audit the Commission on an annual basis; specifying powers and duties for the Commission; authorizing the Commission to issue certain types of gaming licenses; requiring the Commission to deny an application for an initial or renewed license or suspend or revoke a license under certain circumstances; establishing procedures for hearings and appeals; authorizing the Commission to issue cease and desist orders under certain circumstances; establishing a Division of Gaming Enforcement in the Office of the Attorney General; requiring that the Division be under the immediate supervision of a Director who is an assistant Attorney General and is appointed by the Attorney General; providing staff for the Division; requiring that a criminal background report be provided to the Attorney General or the Director by each staff member under certain circumstances; providing that the Director is legal adviser to the Commission; specifying powers and duties of the Division; authorizing certain audits of gaming establishments; establishing a Maryland Gaming Commission Fund; specifying that this Fund is a special continuing, nonlapsing fund; specifying certain uses for the Fund; prohibiting certain actions; establishing certain penalties; defining certain terms; providing that certain persons and entities are not subject to the licensing requirements of this Act until a certain date; establishing certain provisions relating to conversion of certain positions and terms of employment and the continuation of certain policies and actions; providing for certain technical corrections that may be necessitated by this Act; and generally relating to the regulation of gaming activities.

BY transferring

Article – State Government

Section 9–101 through 9–103, 9–107 through 9–120, 9–120.1, and 9–121 through 9–125, respectively, and the subtitle “Subtitle 1. State Lottery Agency”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

to be

Article 41 – Governor – Executive and Administrative Departments

Section 23–101 through 23–123, respectively, and the title “Title 23. State Lottery Agency”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article – State Government
Section 9–104, 9–105, and 9–106
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article 41 – Governor – Executive and Administrative Departments
Section 22–101 through 22–701 to be under the new title “Title 22. Maryland
Gaming Commission – General Provisions and Charitable Gaming”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments
Section 23–101(b) and (c), 23–103, 23–104, 23–105, and 23–117(b) to be under
the amended title “Title 23. Maryland Control Gaming
Commission – Lottery Agency Division”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

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

House Bill 261 – Delegates Kullen, Ali, Bohanan, Bronrott, Cardin, Feldman, Gaines, Gilchrist, Haynes, Jameson, Kach, Lawton, Levy, McConkey, McHale, Montgomery, Proctor, Rice, Rosenberg, Ross, and Stukes

AN ACT concerning

Motor Vehicles – All-Terrain Vehicles – Protective Headgear

FOR the purpose of prohibiting an individual under a certain age from operating or riding on an all-terrain vehicle unless the individual is wearing protective headgear that meets certain standards; defining a certain term; and generally relating to required equipment for individuals operating or riding on all-terrain vehicles.

BY adding to

Article – Transportation
Section 21–1207.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 262 – Delegate Rudolph

AN ACT concerning

Health Insurance – Small Group Market – Wellness Activities – Discount

FOR the purpose of authorizing a health insurance carrier in the small group market to offer a discounted premium rate for wellness activities; defining a certain term; and generally relating to discounted rates for wellness activities in the small group health insurance market.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1201(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–1201(r)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 263 – Delegates Dumais, Anderson, Kelly, McComas, and Vallario

AN ACT concerning

Child Support Enforcement – Child Support Payment Incentive Program

FOR the purpose of requiring the Child Support Enforcement Administration, by a certain date, to develop a statewide Child Support Payment Incentive Program to encourage payment of child support in certain cases; establishing certain criteria for participation in the Program; requiring the Administration to consider certain factors in determining whether to authorize a child support obligor to participate in

the Program; establishing a certain presumption; requiring the Administration to reduce certain child support arrearages under certain circumstances; requiring that certain child support enforcement actions be suspended except under certain circumstances; requiring the Administration to take certain actions; establishing that a Program agreement is effective without the necessity of judicial approval; requiring that a Program agreement be terminated under certain circumstances; prohibiting a certain obligor from future participation in the Program under certain circumstances; establishing certain appeal procedures; requiring the Administration and local support enforcement offices to jointly develop a certain public awareness campaign; authorizing the Secretary of Human Resources to adopt certain regulations; requiring the Administration to report to the General Assembly on or before a certain date; defining a certain term; and generally relating to the Child Support Payment Incentive Program.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 10–112
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Family Law
Section 10–112.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 264 – Delegate Dumais

AN ACT concerning

Family Law – Child Support – Deviation from Child Support Guidelines

FOR the purpose of establishing certain additional factors that a court is authorized to consider when determining whether the application of the child support guidelines would be unjust or inappropriate in a particular case; and generally relating to the child support guidelines.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 12–202(a)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 265– Delegate Dumais

AN ACT concerning

Family Law – Child Support – Health Insurance

FOR the purpose of requiring that, in determining a child support obligation, any actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible be added to the basic child support obligation and divided by the parents in proportion to their adjusted actual incomes; adding health insurance expenses to the list of items that must be added together in determining each parent's child support obligation, under certain circumstances; making certain conforming changes; altering a certain definition; and generally relating to child support.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 12–201(a), (b), (d), (e), and (f) and 12–204(a) and (g)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 12–201(c) and 12–204(h), (l), and (m)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 266 – Delegate Dumais

AN ACT concerning

Family Law – Child Support – Actual Income

FOR the purpose of authorizing a court, in determining a child support obligation, to consider voluntary contributions by an employee to a deferred compensation plan or to any other form of pension plan, retirement plan, or income deferral plan as actual income under certain circumstances; and generally relating to child support.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 12–201(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 267 – Delegates Stifler, Anderson, Bates, Eckardt, Elliott, Frank, George, Glassman, Kelly, Krebs, Lee, McComas, O’Donnell, Shank, Smigiel, Sossi, and Valderrama

AN ACT concerning

Public Safety – Offender Registry – Frequency of Photograph

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

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–707(a), 11–708(b)(1) and (c), and 11–709(a)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 268 – Delegate Frush

AN ACT concerning

Sales and Use Tax – Exemptions – Construction of Wells

FOR the purpose of exempting from the sales and use tax the sale of certain equipment, machinery, or other tangible personal property that is used to dig or construct certain wells; and generally relating to a sales and use tax exemption for the sale of certain equipment, machinery, or other tangible personal property used to dig or construct certain wells.

BY adding to
Article – Tax – General
Section 11–230

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

MESSAGE TO THE SENATE

January 29, 2007

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 Wednesday, January 31, 2007, 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 Howard and Myers 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 McHale, Benson and Kach.

We further propose the appointment of a joint committee of four, two on the part of the Senate and two on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates Griffith and O'Donnell.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

January 29, 2007

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 Wednesday, January 31, 2007, at 12:00 Noon, and proposing 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 McFadden, Kasemeyer and Brinkley 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 Hogan and Kittleman to escort the Lt. Governor to the House Chamber.

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

Read and ordered journalized.

PETITIONS, MEMORIALS AND OTHER PAPERS

LEGISLATIVE EVALUATION COMMITTEE REPORT - HOUSE HEALTH AND
GOVERNMENT OPERATIONS COMMITTEE REPORT ON MARYLAND HEALTH
SERVICES COST REVIEW COMMISSION AND THE MARYLAND HEALTH
CARE COMMISSION

(See Exhibit B of Appendix II)

Read and ordered journalized.

QUORUM CALL

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

(See Roll Call No. 32)

ADJOURNMENT

At 8:38 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 30, 2007.

Annapolis, Maryland
Tuesday, January 30, 2007

The House met at 10:12 A.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

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

(See Roll Call No. 34)

The Journal of January 29, 2007 was read and approved.

EXCUSES:

Del. J. King – court

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 269 – Delegates Rosenberg and N. King

AN ACT concerning

Public Service Summer Internship Scholarship Program

FOR the purpose of establishing the Public Service Summer Internship Scholarship Program at the Shriver Center at the University of Maryland, Baltimore County; establishing the purpose of the Program; requiring the Shriver Center to administer the Program; establishing a process for eligible students to participate in the Program; establishing certain priorities for participation in the Program; requiring the Shriver Center to award certain scholarships of a certain amount; limiting the number of scholarships that may be awarded in certain years; requiring the Shriver Center to adopt certain policies; providing for the funding of the Program; requiring certain reports; and generally relating to the creation of the Public Service Summer Internship Scholarship Program.

BY adding to

Article – Education

Section 18–1701 through 18–1705 to be under the new subtitle “Subtitle 17.

Public Service Summer Internship Scholarship Program”

Annotated Code of Maryland

(2006 Replacement Volume)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 35)

ADJOURNMENT

At 10:32 A.M. on motion of Delegate Barve the House adjourned until 11:45 A.M. on Wednesday, January 31, 2007.

**Annapolis, Maryland
Wednesday, January 31, 2007**

The House met at 11:54 A.M. and pledged Allegiance to the Flag.

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

QUORUM CALL

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

(See Roll Call No. 36)

The Journal of January 30, 2007 was read and approved.

EXCUSES:

Del. Rosenberg – personal

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 270 – Delegates Stukes, Haynes, and Kirk

AN ACT concerning

Creation of a State Debt – Baltimore City – Dorothy M. Higgins 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 Board of Directors of the New Christian 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 271 – Delegates Stifler, George, Glassman, Shewell, and Taylor

AN ACT concerning

Workers' Compensation – Unpaid Work–Based Learning Experiences – Coverage

FOR the purpose of altering the definition of an unpaid work–based learning experience for the purpose of requiring workers' compensation coverage for students placed in unpaid work–based learning experiences by certain private noncollegiate institutions; requiring a participating employer to reimburse a private noncollegiate institution for the cost of the workers' compensation coverage; allowing the participating employer to satisfy a certain obligation if a private noncollegiate institution secures certain workers' compensation; authorizing the private noncollegiate institution that places the student to obtain workers' compensation insurance for the student; providing that certain children with a disability placed by a private noncollegiate institution in an unpaid work assignment are covered employees; altering an employer's options for securing workers' compensation for covered employees of the employer; defining a certain term; making certain stylistic changes; and generally relating to workers' compensation coverage for students placed by certain private noncollegiate institutions in unpaid work–based learning experiences.

BY repealing and reenacting, with amendments,

Article – Education
Section 7–114 and 8–402
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education
Section 8–401(a)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 9–228(a) and (c) and 9–402(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 272 – Delegates Dumais, Feldman, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Poolesville Town Hall

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 Commissioners of the Town of Poolesville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 273 – Delegates Braveboy, Ali, Anderson, Barnes, Benson, Burns, Cane, Carter, Davis, Doory, Frush, Gaines, Griffith, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Kirk, Lawton, Manno, Mizeur, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, Ramirez, Robinson, Ross, Stukes, Tarrant, Taylor, Valderrama, and Vaughn

AN ACT concerning

Voting Rights Restoration – Ex–Offenders

FOR the purpose of altering certain qualifications for voter registration; providing that an individual is not qualified to register to vote if the individual has been convicted of a felony and is awaiting or actually serving a sentence of imprisonment; repealing certain conditions relating to the eligibility of certain felons convicted of certain crimes to register to vote; modifying a certain penalty; and generally relating to voter registration eligibility requirements for individuals convicted of certain crimes.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102 and 16–202
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 274 – Delegates Kaiser, Barkley, Bohanan, Cane, Donoghue, Feldman, George, Gutierrez, Heller, Howard, Hubbard, N. King, Kipke, Krebs, Kullen, Lawton, Manno, Mizeur, Montgomery, Olszewski, Pena–Melnik, Proctor, Riley, Shewell, and Waldstreicher

AN ACT concerning

Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers

FOR the purpose of establishing a Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers; providing for the membership of the Study Commission; requiring the Governor to designate the chair of the Study Commission; requiring the State Department of Education to provide staff for the Study Commission; providing that a member of the Study Commission may not receive compensation but is entitled to certain reimbursement; requiring the Study Commission to assess the rigor of national certification for certain occupations and determine how these national certifications compare to national teacher certification and make certain recommendations; requiring the Study Commission to report certain findings and recommendations to the Governor and to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the expanded application of State stipends for national certification of teachers.

BY repealing and reenacting, without amendments,

Article – Education

Section 6–306(a) and (b)(2)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 275 – Delegates Kaiser, Barkley, Bohanan, Cane, Donoghue, Feldman, George, Gutierrez, Heller, Howard, Hubbard, N. King, Kipke, Krebs, Kullen, Lawton, Manno, Mizeur, Montgomery, Olszewski, Pena–Melnik, Proctor, Riley, Ross, Shewell, and Waldstreicher

AN ACT concerning

Education – Teachers – State and Local Aid Program for Certification by the National Board for Professional Teaching Standards

FOR the purpose of including the renewal of certain certification by the National Board for Professional Teaching Standards as part of a certain State and local aid program; altering the maximum number of teachers who may be selected to participate in a certain program; authorizing the State Board of Education to provide certain aid to certain participants for certain retakes of the National Board for Professional Teaching Standards assessment; extending a certain termination

date; requiring the State Department of Education to request a certain amount of money needed to provide at least all eligible teachers with certain funds in a certain budget request; and generally relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–112

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 179 of the Acts of the General Assembly of 1997, as amended by Chapter 536 of the Acts of the General Assembly of 1999, Chapter 61 of the Acts of the General Assembly of 2000, and Chapter 240 of the Acts of the General Assembly of 2004

Section 3

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

House Bill 276 – Anne Arundel County Delegation

AN ACT concerning

Roadside Solicitation of Money or Donations from Occupants of Vehicles in Anne Arundel County – Prohibition

FOR the purpose of prohibiting a person from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; repealing the authority of the Anne Arundel County Council to enact, by ordinance, a certain licensing program for individuals who are of a certain age or older and certain organizations that wish to solicit money or donations from the occupants of vehicles by standing in a roadway, median divider, or intersection in Anne Arundel County; repealing the authority for the Anne Arundel County Council to prohibit, by ordinance, a person under a certain age from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; and generally relating to restrictions on the use of highways in Anne Arundel County for solicitation.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–507

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 277 – Delegate Rosenberg

AN ACT concerning

Workers' Compensation – Covered Employee – Domestic Worker

FOR the purpose of altering the earnings level above which a domestic worker in a private home is a covered employee; and generally relating to the earnings threshold for a domestic worker under workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–209
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 278 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Expungement – Civil Offenses or Infractions

FOR the purpose of providing for expungement of court, police, and other governmental records concerning certain civil offenses or infractions under certain circumstances; providing for the application of this Act; and generally relating to expungement of court, police, and other governmental records concerning certain civil offenses or infractions under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–101(c)(1) and (h) and 10–105(a)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 279 – Delegates Kaiser, Barkley, Cane, Donoghue, George, Gutierrez, Howard, Hubbard, Hucker, Kipke, Krebs, Kullen, Manno, Mizeur, Pena–Melnik, Proctor, Riley, Ross, and Shewell

AN ACT concerning

Higher Education – Workforce Shortage Student Assistance Grants – Eligibility

FOR the purpose of specifying that a grant recipient under the Workforce Shortage Student Assistance grant program may be enrolled at an eligible institution during a fall, spring, or summer term; defining certain terms; and generally relating to the Workforce Shortage Student Assistance grant program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–708(a) and (h)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–708(b)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 280 – Delegate Dumais

AN ACT concerning

Vehicle Laws – Administrative Hearings – Rights of a Victim’s Representative

FOR the purpose of authorizing a victim’s representative to make an oral statement or submit a written statement at an administrative hearing concerning a moving violation committed by another that resulted in the death of a victim; requiring a law enforcement officer, during the investigation of a moving violation that results in death, to inform the victim’s representative of the right to file a certain request; requiring the Motor Vehicle Administration to give a victim’s representative notice a certain number of days before certain administrative hearings if the victim’s representative has filed a certain request; establishing the contents of the notice; requiring a victim’s representative who intends to make an oral statement at the hearing to notify the Administration in a certain time period; requiring a victim’s representative who intends to submit a written statement for the hearing

to submit the statement to the Administration in a certain time period; authorizing a victim's representative to make an oral statement before the issuance of a decision or order if a certain notice is provided; defining certain terms; and generally relating to the rights of a victim's representative with respect to administrative hearings of the Motor Vehicle Administration.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–136.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 12–206.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 281 – Delegates Hubbard and Rosenberg

AN ACT concerning

Mental Health – Incarcerated Individuals with Mental Illness

FOR the purpose of requiring the Mental Hygiene Administration to reimburse certain mental health providers for certain services; requiring the Department of Public Safety and Correctional Services to provide certain access to a certain amount of medication to certain individuals under certain circumstances; requiring the Governor to provide a certain appropriation in a certain fiscal year for hiring and training certain individuals for certain purposes; requiring the Department of Human Resources and the Department of Public Safety and Correctional Services to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Mental Hygiene Administration to develop an implementation plan to require each core service agency in the State to develop a certain forensic alternative services team; requiring the Mental Hygiene Administration to develop an implementation plan requiring each core service agency in the State to enter into memoranda of understanding with local detention centers to establish a certain data sharing initiative; requiring the Mental Hygiene Administration to submit certain reports to certain committees of the General Assembly and to a certain workgroup on or before a certain date; requiring the Department of Public Safety and Correctional Services, in collaboration with the Motor Vehicle Administration, to develop a plan to provide departing inmates

with a certain identification card; requiring the Department of Public Safety and Correctional Services to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to mental health treatment for incarcerated individuals.

BY adding to

Article – Correctional Services

Section 9–612

Annotated Code of Maryland

(1999 Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 10–814 and 15–104.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 282 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physicians 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; repealing a provision of law requiring the Board to elect a secretary–treasurer; authorizing the Board’s executive director or other duly authorized agent or investigator of the Board to enter certain premises under certain circumstances; requiring applicants for licensure by the Board to submit to a certain criminal history records check; prohibiting a certain applicant who has a certain disciplinary order in another state from qualifying for a license under certain circumstances; requiring certain applicants to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward certain information to the Board and to certain applicants; providing that certain information is confidential and may be used only for certain purposes; authorizing certain subjects to contest certain contents of certain printed statements; requiring certain

applicants for licensure to submit certain evidence to the Board; prohibiting the Board from issuing certain licenses if certain criminal history record information has not been received; authorizing the Board to impose a certain civil penalty for a licensee's failure to obtain the required continuing medical education credits under certain circumstances; requiring the Board to develop a pilot program for continuing competency for licensed physicians that addresses a physician's ability to practice medicine; authorizing a certain pilot program to be implemented in a certain teaching hospital; authorizing the Board to provide technical assistance and financial support to a certain teaching hospital for a continuing competency pilot program; requiring the Board to issue a certain report on or before a certain date including certain information; repealing a provision requiring the Physician Rehabilitation Committee to report certain noncompliance by a physician to the Board; requiring the Board to provide services for physician rehabilitation or contract with an entity or entities for physician rehabilitation; altering certain requirements that the Board contract with an entity or entities for further investigation and physician peer review; repealing provisions of law requiring the Board to assess certain applicants a fee for physician rehabilitation and peer review activities; authorizing the Board to disclose certain licensee information to the National Practitioner Data Bank under certain circumstances; modifying the criteria for the reporting of medical malpractice claims and settlement information on the individual licensee profiles; requiring proceedings of the Board or the hearing officer to be open to the public under certain circumstances; authorizing the Board or hearing officer to close proceedings under certain circumstances; requiring the Board to adopt certain regulations; requiring the Administrative Office of the Courts and the Chief Judge of the District Court, in collaboration with the Board, to develop a certain procedure for required reporting; altering certain confidentiality requirements so as to require that certain records and other information relating to the records of a proceeding or transaction before an entity or entities that contract with the Board are confidential; authorizing the Board to impose a certain civil penalty for failure to file certain reports with the Board; prohibiting certain entities from employing certain individuals without a certificate; authorizing the Board to impose a certain civil penalty for employing certain uncertified individuals; requiring the Comptroller to distribute certain funds for certain programs administered by the Maryland Higher Education Commission under certain circumstances; repealing provisions of law requiring the Comptroller to distribute certain fees received from the Board to the General Fund; providing that the Insurance Commissioner, instead of certain regulatory boards, determines if certain payments were provided as a result of a prohibited referral; extending to a certain date the termination provision relating to the statutory and regulatory authority of the Polysomnography Professional Standards Committee; altering certain definitions; defining a certain term; making technical changes; repealing certain provisions requiring the Board to establish or designate a training program for certain physicians on or before a certain date; repealing certain provisions requiring the Board to inform physicians about the availability

of certain training and experience; requiring the Board to make certain regulatory changes on or before a certain date; requiring the Secretary of Health and Mental Hygiene to standardize investigator job classifications within the Board on or before a certain date; exempting the Board from certain provisions of law requiring a certain preliminary evaluation; and generally relating to the State Board of Physicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–101, 14–203(a), 14–206(d)(1), 14–207, 14–307(a) and (f), 14–309(a), 14–313, 14–316(d), 14–401, 14–402, 14–405, 14–411(b) and (c), 14–411.1(b)(4), 14–413(b), 14–414(b), 14–506, 14–5B–08, 14–5C–25, 14–702, and 15–206

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–316(e), 14–411(a), 14–411.1(b)(3), 14–5A–18(a), 14–5B–15(a), and 14–5C–18(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 14–307.1, 14–322, 14–411.2, 14–5A–18(g), 14–5B–15(g), and 14–5C–18(g)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–110

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(49) and (53)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 220 of the Acts of the General Assembly of 2003

Section 1

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

House Bill 283 – Delegates Gutierrez, Anderson, Barnes, Bobo, Bronrott, Carter, Feldman, Frush, Heller, Hubbard, Hucker, Kaiser, Lawton, Lee, Manno, Nathan–Pulliam, Niemann, Ramirez, Rice, Ross, and Vaughn

AN ACT concerning

Higher Education – State Student Financial Assistance – Eligibility

FOR the purpose of authorizing the Office of Student Financial Assistance in the Maryland Higher Education Commission to request that an applicant for State student financial assistance complete and file an application for federal student aid subject to certain exceptions; prohibiting the Office from refusing to consider certain applicants for State financial assistance under certain circumstances; requiring the Office to implement certain processes to determine and verify the reasons that a student’s application for federal student aid is denied, to compare certain students, and to ensure that the Office considers certain applicants for State student financial assistance; and generally relating to the State student financial assistance requirements.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–101(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 18–114
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 284 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County –
Pyramid Atlantic**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Directors of Pyramid Atlantic, Inc. may present evidence to the Board of Public Works that a matching fund will be provided; and expanding the authorized uses of the loan proceeds and matching fund.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (AY)

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

House Bill 285 – Delegates Stifler, Bates, Bromwell, Eckardt, Elliott, Frank, George, Glassman, Kelly, Krebs, McComas, O’Donnell, Olszewski, Schuler, Shank, Shewell, Smigiel, Sossi, and Valderrama

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalty

FOR the purpose of altering the age of an individual relating to the offense of knowingly possessing a film, videotape, photograph, or other visual representation showing a certain depiction of an individual under a certain age; altering the penalty for the offense of knowingly possessing a film, videotape, photograph, or other visual representation showing a certain depiction of an individual under a certain age; and generally relating to child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–208
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 286 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$53,110,000 to finance the construction, improvement, or development of certain public facilities in Calvert

County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

House Bill 287 – Frederick County Delegation

AN ACT concerning

**Creation of a State Debt – Frederick County – C&O Canal National Historic
Catoctin Aqueduct**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Catoctin Aqueduct Restoration Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 288 – Delegates Hixson, Hubbard, Nathan–Pulliam, Ali, Anderson, Barnes, Benson, Bobo, Bronrott, Burns, Cane, Carter, G. Clagett, V. Clagett, Conaway, Dumais, Feldman, Frush, Gaines, Glenn, Goldwater, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hucker, Ivey, Jones, N. King, Kirk, Krysiak, Lafferty, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Oaks, Pena–Melnyk, Pendergrass, Ramirez, Rice, Robinson, Rosenberg, Simmons, Stein, Stukes, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Healthy Maryland Initiative

FOR the purpose of requiring the Governor to include in the annual State budget bill for certain fiscal years certain appropriations for certain activities aimed at reducing tobacco use in the State; expanding eligibility under the Maryland Medical Assistance Program to certain parents having incomes at or below certain levels, subject to certain limitations; requiring the Secretary of Health and Mental Hygiene to develop and implement a certain education and outreach campaign; requiring that certain funds from a certain special fund be used to subsidize a certain specialty care network; establishing the Healthy Maryland Initiative Fund; establishing the source of money in the Fund; providing that the investment of earnings in the Fund shall be retained to the Fund; specifying the purposes for which the Fund shall be used; requiring certain appropriations from the Fund for certain purposes; requiring that certain moneys from the Fund supplement certain programs; prohibiting certain moneys from supplanting certain programs; altering the distribution of tobacco tax revenues; providing for the distribution of certain tobacco tax revenues to the Healthy Maryland Initiative Fund for certain purposes; altering the tobacco tax rate imposed on cigarettes; altering the tobacco tax rate imposed on certain tobacco products other than cigarettes; establishing a Small Business Health Care Incentive Program in the Department of Business and Economic Development; requiring the Department to administer the Program; establishing certain eligibility requirements for the Program; providing for certain grants to be awarded under the Program; establishing a certain priority for the award of certain grants under the Program; requiring the Secretary of the Department to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date; providing for the termination of the Program after a certain date; extending the termination provisions relating to the Joint Legislative Task Force on Universal Access to Quality and Affordable Health Care; requiring the Task Force to conduct a certain study; authorizing the Task Force to contract for the completion of the study; requiring the Governor, in a certain fiscal year, to include a certain appropriation for a certain purpose; delaying the due date for the Task Force report; requiring the Department of Health and Mental Hygiene to notify the Centers for Medicare and Medicaid Services for an amendment to the Maryland Medical Assistance Program to expand eligibility for the Maryland Medical Assistance Program; authorizing certain funds to be appropriated and transferred by budget amendment from the Fund in a certain fiscal year; requiring the Department of Health and Mental Hygiene to report to the Governor and certain committees of the General Assembly on or before a certain date; defining certain terms; making certain stylistic changes; providing for the application of this Act; and generally relating to the tobacco tax, the Healthy Maryland Initiative, and the extension and modifications of the Joint Legislative Task Force on Universal Access to Quality and Affordable Health Care.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1015, 15–103(a), and 19–2111
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 15–144; and 20–1301 to be under the new subtitle “Subtitle 13. Healthy
Maryland Initiative Fund”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 2–1601 and 2–1602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1603 and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 2–1604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–2001 through 5–2007 to be under the new subtitle “Subtitle 20. Small
Business Health Care Incentive Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2005, as amended by Chapter
21 of the Acts of the General Assembly of 2006
Section 5 and 14

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

House Bill 289 – Delegates Conway, Mathias, Cane, and Elmore

AN ACT concerning

Creation of a State Debt – Wicomico County – Wicomico Youth and Civic Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,500,000, the proceeds to be used as a grant to the County Executive and County Council of Wicomico County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 290 – Delegates Cardin, Barve, James, Niemann, and Shewell

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Election Law – Circuit Court Judges – Retention Elections

FOR the purpose of proposing amendments to the Maryland Constitution relating to the election and tenure of judges of the circuit courts; establishing the Judicial Recommendation Committee and providing for the appointment of its members; providing for retention elections of certain circuit court judges at certain intervals; making interim provisions for certain incumbent judges; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing a repeal of the Maryland Constitution

Article IV – Judiciary Department

Section 3 and 5

BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 11 and 21

BY proposing an addition to the Maryland Constitution

Article XVIII – Provisions of Limited Duration
Section 6

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

House Bill 291 – Delegates Simmons, Bronrott, Dumais, James, Malone, and Riley

AN ACT concerning

Criminal Law – Manslaughter by Vehicle or Vessel – Criminal Negligence

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

BY adding to

Article – Criminal Law

Section 2–210

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 292 – Delegates Sossi, Bartlett, Bates, Dwyer, Eckardt, Elmore, Frank, George, Jennings, Kach, Krebs, McComas, McConkey, O'Donnell, Shewell, Smigiel, Stocksdale, Stull, Walkup, and Weldon

AN ACT concerning

Motor Vehicle Excise Tax – Adjustment for Trade-In

FOR the purpose of altering a definition under the motor vehicle excise tax to reduce the total purchase price on which the tax is calculated by an allowance for certain trade-in considerations; providing that the definition modified by this Act does not apply to the calculation of the vehicle excise tax until certain bonds are no longer outstanding and unpaid; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–809(a)(3)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 361 of the Acts of the General Assembly of 2001)

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

House Bill 293 – Delegates Niemann, Barnes, Dumais, Goldwater, Holmes, Pena–Melnyk, Ross, Simmons, and Vaughn

AN ACT concerning

Criminal Law – Mail Theft – Penalty

FOR the purpose of prohibiting a person from knowingly and willfully removing, taking, possessing, obtaining, or receiving mail under certain circumstances without the permission of the United States Postal Service or the intended recipient; providing penalties for a violation of this Act; repealing a prohibition against opening a letter without permission; providing that a person who violates this Act is subject to a certain statute of limitations; defining certain terms; and generally relating to the theft of mail.

BY repealing

Article – Criminal Law

Section 3–905

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law

Section 7–106.1

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 294 – Delegates Sossi, Bartlett, Cane, Dwyer, Eckardt, Elmore, Frank, Haddaway, Jennings, Kach, Krebs, Mathias, McConkey, Shewell, Smigiel, Stocksdale, Stull, and Walkup

AN ACT concerning

Environment – Bonding Requirement – Local Authority

FOR the purpose of authorizing a county or municipal corporation to require an applicant for a permit to build a rubble landfill facility to file a surety bond, with certain requirements, with the local governing body in addition to any State bonding requirements; and generally relating to bond requirements for rubble landfill facilities.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–210(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 9–211.2
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 295 – Delegate Dumais

AN ACT concerning

Landlord and Tenant – Warrant of Restitution – Time Limits

FOR the purpose of requiring a court that enters a judgment for possession of the premises in favor of a landlord for failure of the tenant to pay rent to issue a warrant of restitution within a certain time after the judgment is entered; requiring the official to whom the warrant is directed to execute the warrant within a certain time after receipt of the warrant; and generally relating to issuance and execution of warrants of restitution in certain landlord and tenant cases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401(d)(1)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 296 – Harford County Delegation

AN ACT concerning

Harford County – Liquor Control Board – Salaries

FOR the purpose of altering the annual salaries of the Chairman and regular members of the Harford County Liquor Control Board; providing that this Act does not apply to the salary or compensation of the incumbent Chairman or regular members of the Board; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(h)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 297 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages Licensees – Age of Employees

FOR the purpose of prohibiting an alcoholic beverages licensee in Harford County from employing a person under a certain age to act as a bartender or to serve alcoholic beverages at a permanent full–service bar; authorizing a licensee to employ a person of a certain age to serve alcoholic beverages while acting as a waiter or waitress; authorizing a licensee to employ a person of a certain age to act as a bartender’s assistant who may perform certain tasks; making certain stylistic changes; and generally relating to alcoholic beverages licensees in Harford County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–213(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 298 – Delegate Glassman

AN ACT concerning

Sales and Use Tax – Thoroughbred Race Horses – Maryland–Bred Race Fund

FOR the purpose of requiring the Comptroller to distribute the sales and use tax revenue collected on certain sales of thoroughbred race horses to a certain special fund; and generally relating to the sales and use tax revenue collected on certain sales of thoroughbred race horses.

BY adding to

Article – Tax – General

Section 2–1302.2

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1303

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 299 – Harford County Delegation

AN ACT concerning

Harford County – Alcoholic Beverages – Repeal of Obsolete and Unused Provisions

FOR the purpose of repealing certain alcoholic beverage provisions for Harford County that are obsolete or no longer used; repealing certain provisions regarding a Class B–4 (seafood restaurant) license, the distance required between a school and a premises licensed for alcoholic beverages, the use of a neighborhood by the Liquor Control Board as a factor in deciding whether to issue a license, possession of alcoholic beverages brought on the premises of a racetrack in the county, a certain requirement regarding alcoholic beverages inspectors, licenses for racquet clubs and box lacrosse clubs, and the borrowing power of the Board for the benefit of dispensaries; and generally relating to alcoholic beverages in Harford County.

BY repealing

Article 2B – Alcoholic Beverages

Section 5–201(n)(6), 9–213(b)(4) and (7) and (g), 11–513(b)(2), and 12–213(d)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(n)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(n)(6), 10–202(a)(2), 15–112(n), and 15–202(b)(2) and (c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 300 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

**Courts – Violation of Condition of Probation or Suspension of
Sentence – Notice or Warrant**

FOR the purpose of repealing a requirement that the District Court issue a warrant or give notice of a hearing on a violation of a condition of probation or suspension of sentence during the period of probation; stating certain powers of a circuit court to end probation at any time, to issue a warrant or notice concerning a violation of a condition of probation or suspension of sentence, to remand or release a probationer or defendant, and to revoke probation or suspension of sentence and impose a certain sentence under certain circumstances; requiring the State to proceed with reasonable promptness and diligence to prosecute a violation of a condition of probation or suspension of sentence under certain circumstances; requiring that a certain hearing date be timely; clarifying language; making stylistic changes; and generally relating to a proceeding in the District Court or circuit courts for a violation of a condition of probation or suspension of sentence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–223
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 301 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Takoma Park Community Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$3,000,000, the proceeds to be used as a grant to the Mayor and City Council of Takoma Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 302 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

FOR the purpose of altering certain provisions of law relating to jury selection and service, including provisions relating to limits on frequency of service, the contents of the juror qualification form, and postponement and other rescheduling of jury service; providing for the application of this Act; and generally relating to jury selection and service.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 8–215(4), 8–216, 8–302(a), 8–304(b)(2), 8–305(2), 8–310(c)(2), 8–314(a),
and 8–402(a)

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 303 – Delegates Cane, Conway, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Tri-County Council for the Lower Eastern Shore of Maryland – Membership – Immunity

FOR the purpose of altering the membership of the Tri-County Council for the Lower Eastern Shore of Maryland; and providing that the Tri-County Council for the Lower Eastern Shore of Maryland is immune from being sued.

BY repealing and reenacting, with amendments,
Article 20B – Tri-County Council for the Lower Eastern Shore of Maryland
Section 2-101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 20B – Tri-County Council for the Lower Eastern Shore of Maryland
Section 2-102
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5-506.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 304 – Frederick County Delegation

AN ACT concerning

Creation of a State Debt – Frederick County – Harry Grove Stadium Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 305 – Delegates Frush and Hubbard

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

FOR the purpose of establishing a Task Force to Study the Boating Industry in Maryland; establishing the membership and staffing of the Task Force; requiring the President of the Senate and the Speaker of the House to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a preliminary report and a final report to the Governor and General Assembly and its committees regarding its recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force to Study the Boating Industry in Maryland.

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

House Bill 306 – Delegates Sossi, Eckardt, Haddaway, Smigiel, and Walkup

AN ACT concerning

Creation of a State Debt – Caroline County – Caroline Hospice

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 Caroline Hospice Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 307 – Delegates Rosenberg, Carter, Jones, Morhaim, and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Chimes School

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 Chimes, Inc. for certain development or improvement purposes; providing for disbursement of the

loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 308 – Delegates Haddaway and Eckardt

AN ACT concerning

Creation of a State Debt – Talbot County – Talbot Agricultural Service 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 Supervisors of the Talbot Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 309 – Delegates Rosenberg, Bronrott, Haynes, Ivey, Rice, Ross, and F. Turner

AN ACT concerning

Voter's Rights Protection Act of 2007

FOR the purpose of requiring the State Board of Elections to include certain standards in certain guidelines for the administration of provisional ballot voting by local boards of elections; altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring certain election officials to provide certain written information to an individual who casts a provisional ballot; requiring the State Board to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to file a petition with the circuit court of the county to extend the hours that a polling place shall be open under certain circumstances; requiring the State Board to produce certain information for posting at the polling place regarding the circumstances under which a voter may be requested or required to present photo identification to an election judge before being allowed to vote; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal

law; requiring a local board to document for further investigation any malfunction of the voting system during the course of an election; specifying that an item of campaign material may not contain certain fraudulent representations or implications; authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; and generally relating to voting procedures and requirements under the State election law.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–402
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–403 through 9–405, 10–206, 10–301, 10–306, 10–310, 10–314, and
16–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 13–401.1
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 310 – Delegates Feldman, Dumais, and Rice

AN ACT concerning

**Creation of a State Debt – Montgomery County – Warren Historical Site – Loving
Charity Hall**

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 Heritage Tourism Alliance of Montgomery 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the proceeds of the loan or the matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds

evidencing the loan.

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

House Bill 311 – Delegate Niemann

AN ACT concerning

Employees' 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 Employees' Pension System in a certain manner; requiring that certain members of the Employees' Pension System who transfer certain service credit from the State Contributory Employees' 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 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 Appropriations.

House Bill 312 – Delegates Conway, Cane, Elmore, and Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Salisbury Zoo Animal Health Facility

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

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

House Bill 313 – Delegates Nathan–Pulliam, Benson, Costa, Eckardt, Frush, Haynes, Hubbard, Kach, Kullen, Lee, Montgomery, Oaks, Pena–Melnyk, Robinson, Stukes, Tarrant, and Weldon

AN ACT concerning

Maryland Cancer Treatment Program

FOR the purpose of establishing the Maryland Cancer Treatment Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to use certain resources from the Maryland Medical Assistance Program; requiring the Program to reimburse providers at a certain rate; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the Maryland Cancer Treatment Program.

BY adding to

Article – Health – General

Section 15–701 through 15–705 to be under the new subtitle “Subtitle 7. Maryland Cancer Treatment Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 314 – Delegates Rosenberg, Benson, Doory, Montgomery, Nathan–Pulliam, and Oaks

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

FOR the purpose of altering various provisions of the Maryland Human Relations Commission law; providing that an administrative law judge oversees certain proceedings before the Commission; providing that a complaint of discrimination and certain documents shall be certified to the general counsel of the Commission rather than the Commission chairman; requiring that the Executive Director of the Commission, rather than the Commission chairman, cause a certain notice to be issued and served; providing a process for electing to file a civil action rather than an administrative hearing concerning certain acts of discrimination; providing a process for the filing of a civil action by the Commission; expanding the relief available for acts of discrimination to include an award of certain compensatory damages, punitive damages, and attorney fees and expert witness fees under certain circumstances; establishing that certain limitations on compensatory and punitive damages shall increase by a certain amount each year; providing a process for a certain person or the Commission to intervene in a civil action brought by the Commission; authorizing the court to award certain relief to an intervening person; making stylistic changes; repealing certain obsolete provisions; providing for the construction of this Act; providing for the application

of this Act; and generally relating to hearings and relief under the Maryland Human Relations Commission law.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 11
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 11A through 11D
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 315 – Delegates Goldwater, Benson, Eckardt, Lee, Montgomery, Nathan–Pulliam, and Pendergrass

AN ACT concerning

State Board of Nursing – Licensing, Certification, and Reinstatement Requirements

FOR the purpose of repealing certain authorization for certain unlicensed individuals to perform certain acts of registered nursing and licensed practical nursing; requiring the State Board of Nursing to begin a process of requiring certain criminal history records checks as a condition of certain licensure reinstatement and certain certificate reinstatement; altering certain grounds for revoking certain temporary licenses or temporary certificates if a criminal history records check reveals certain information; authorizing the Board to reinstate certain licenses or certain certificates if the licensee or certificate holder meets certain requirements for reinstatement and submits to a certain criminal history records check; providing that a certain subtitle does not apply to certain individuals who perform certain nursing assistant tasks while enrolled in certain nursing assistant training programs and practicing under certain supervision; requiring certain certified medicine aides and certain certified medication technicians who are renewing certain certificates to provide certain evidence of completion of a certain amount of practice within a certain time period; and generally relating to licensing, certification, and reinstatement requirements for nurses, nursing assistants, medicine aides, and medication technicians.

BY repealing and reenacting, with amendments,
Article – Health Occupations

Section 8–102, 8–312(g), 8–315(e), 8–319, 8–6A–02, 8–6A–10(e), and 8–705
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 8–313
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6A–08
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 390 of the Acts of the General Assembly of 2006)

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

House Bill 316 – Delegates Cardin, Anderson, Aumann, Boteler, Bromwell, Frank, Jennings, Kach, Lafferty, Minnick, Morhaim, Nathan–Pulliam, Schuler, Stein, and Weir

AN ACT concerning

Creation of a State Debt – Baltimore County – Irvine Nature 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 Trustees of the Irvine Natural Science Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 317 – Delegates Cardin, Anderson, Aumann, Bronrott, Burns, Dumais, Elliott, Feldman, Frush, Heller, Holmes, Hubbard, Krysiak, Lee, Morhaim, Nathan–Pulliam, Stein, and Taylor

AN ACT concerning

Student Health and Fitness Act of 2007

FOR the purpose of requiring that public school students in kindergarten through a certain grade be provided certain minimum levels of a program of physical education each week; requiring increasing minimum levels of a program of physical education over a certain period of time; requiring that the program of physical education for a certain category of student be consistent with a certain plan for the student; and generally relating to student health and fitness.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 318 – Delegates McHale and Hammen

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 a certain student who is a son, daughter, or surviving spouse of a State or local public safety employee killed in the line of duty to specify that the student may be a resident of any state; 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 eligibility for the Edward T. Conroy Memorial Scholarship Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–601(a)(1) and (4), (b), and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–601(d)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–601(d)

Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 418 of the Acts of the General Assembly of 2004)

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

House Bill 319 – Garrett County Delegation and Allegany County Delegation

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Allegany County and
Garrett County – Coal Rights**

FOR the purpose of prohibiting regulations and procedures adopted by the Maryland Agricultural Land Preservation Foundation for the establishment and monitoring of agricultural districts from requiring, in Allegany County and Garrett County, a coal rights owner or lessee to subordinate its interest to the Foundation's interest under certain circumstances; requiring that a certain report be submitted by a certain date; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–509(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 320 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Tables and Chairs at Wineries

FOR the purpose of allowing in Frederick County a holder of a limited winery license to provide tables and chairs on the premises of the licensed facility for the sale, by the glass, of wine and pomace brandy made at the facility to a person who participates in a guided tour of the facility; and generally relating to alcoholic beverages in Frederick County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–211(a)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–211(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 321 – Delegates Conway, Cane, Elmore, and Mathias

AN ACT concerning

**Creation of a State Debt – Worcester County – Delmarva Discovery Center on the
Pocomoke River**

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 Pocomoke Marketing Partnership, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 322 – Delegates Conway, Cane, Elmore, and Mathias

AN ACT concerning

**Tri–County Council for the Lower Eastern Shore – Wicomico County –
Membership**

FOR the purpose of altering the Wicomico County membership on the Tri–County Council for the Lower Eastern Shore of Maryland.

BY repealing and reenacting, with amendments,
Article 20B – Tri–County Council for the Lower Eastern Shore of Maryland
Section 2–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 20B – Tri-County Council for the Lower Eastern Shore of Maryland
Section 2-102
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 323 – Delegates Mathias, Cane, and Conway

AN ACT concerning

Worcester County – Sheriff’s Office – Personnel Policies

FOR the purpose of establishing a certain minimum annual salary for the Sheriff of Worcester County; authorizing the Sheriff to appoint certain employees; requiring the County Commissioners of Worcester County to pay certain expenses of the Sheriff’s Office; providing that the chief deputy sheriff serves at the pleasure of the Sheriff; requiring that a certain person who serves as chief deputy sheriff revert to a certain status upon removal; providing that certain personnel rules and regulations of Worcester County apply to certain employees of the Sheriff’s Office, authorizing the Sheriff to adopt certain rules for employees of the Sheriff’s Office; providing that certain employees of the Sheriff’s Office may be disciplined or terminated for cause only in accordance with certain policies; requiring that certain employees of the Sheriff’s Office be reappointed at certain times; authorizing the County Commissioners to provide certain support to the Sheriff relating to personnel matters; granting the Sheriff control over the employees of the Sheriff’s Office, subject to certain limitations; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Worcester County; and generally relating to the personnel policies of the Sheriff’s Office of Worcester County.

BY repealing
Article – Courts and Judicial Proceedings
Section 2-309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 2-309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 324 – Delegates Rosenberg, Ali, Anderson, Aumann, Barnes, Bronrott, Cardin, Dumais, Feldman, Lee, Levy, Manno, Montgomery, Ramirez, Shank, Stein, and Waldstreicher

AN ACT concerning

Removal of Religious Barriers to Remarriage

FOR the purpose of requiring a party who files or does not contest a complaint or countercomplaint for an absolute divorce or annulment to file, under certain circumstances, an affidavit stating that the affiant has taken all steps solely within the affiant's control to remove all religious barriers to remarriage by the other party to the marriage; prohibiting a court, under certain circumstances, from entering a decree for an absolute divorce or annulment until a certain affidavit is filed or if the court determines that the affidavit was filed with the knowledge of the affiant that it was false; providing for the construction and application of this Act; and generally relating to absolute divorce and annulment and the removal of religious barriers to remarriage.

BY adding to

Article – Family Law

Section 7–104.1

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 325 – Delegates Hubbard, Costa, Gaines, Kullen, and Taylor

AN ACT concerning

State Residential Centers – Money Follows the Individual Act

FOR the purpose of prohibiting the Department of Health and Mental Hygiene from denying an individual home– and community–based waiver services when the individual resides in a State residential center and certain criteria are met; providing that nothing in this Act is intended to result in a certain reduction of federal funds; requiring the Department to notify certain residents of State residential centers about certain opportunities to participate in a certain waiver; requiring the Department to submit a certain annual report; defining a certain term; and generally relating to individuals living in State residential centers and access to home– and community–based waivers.

BY adding to

Article – Health – General

Section 15–135.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 326 – Delegate Hubbard

AN ACT concerning

Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists Act – Revision

FOR the purpose of specifying that certain provisions of law apply to certain individuals who practice audiology, hearing aid dispensing, or speech–language pathology, or assist in the practice of speech–language pathology; specifying that certain provisions of law do not authorize certain licensees to practice medicine, perform surgery, or prescribe pharmaceutical agents; requiring certain members of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to currently practice in the State; requiring a Board member to be a consumer of services provided by an individual licensed by the Board; repealing the requirement that certain notice and a certain balloting process be given by mail; altering certain qualifications for certain members of the Board; providing that a majority of members currently serving on the Board is a quorum; requiring the Board to appoint an executive director; authorizing the Board to regulate the practice of telehealth communications by audiologists, hearing aid dispensers, and speech–language pathologists; repealing the authority of the Board to inspect facilities used by licensed hearing aid dispensers; requiring the Board to adopt and publish a code of ethics for the assistance of the practice of speech–language pathology; authorizing the Board to require that certain licensed speech–language pathology assistants submit to an examination by a certain health care provider during certain investigations; requiring an individual to be licensed by the Board before assisting in the practice of speech–language pathology; requiring that on or before a certain date, certain individuals hired to practice speech–language pathology or assist in the practice of speech–language pathology by certain schools and educational institutions be licensed; exempting certain individuals employed by certain schools or educational institutions continuously since on or before a certain date from certain licensing requirements; repealing a certain licensure exemption for individuals who fit hearing aids; altering and adding speech–language pathology assistants to the requirements for the authorization to practice without a license for certain audiologists, hearing aid

dispensers, and speech–language pathologists who are licensed in another state; requiring that certain applicants demonstrate oral competency; requiring that applicants for a license to practice audiology have certain degrees before or after a certain date; altering certain requirements to qualify for a license to practice hearing aid dispensing after a certain date; repealing the option of an applicant to have the equivalent of a master’s degree to qualify for a license to practice speech–language pathology; requiring certain applicants to meet certain requirements to qualify for a license to assist in the practice of speech–language pathology; establishing the requirements for a license to assist in the practice of speech–language pathology; altering certain requirements for certain licensure examinations; altering the Board’s authority to waive certain requirements for applicants for licenses to practice audiology and speech–language pathology and establishing that the Board may waive certain requirements for applicants for licenses to assist in the practice of speech–language pathology; repealing a certain continuing education requirement for certain individuals who are licensed to practice hearing aid dispensing in a state that does not have certain continuing education requirements; authorizing the Board to grant a waiver for an examination if an applicant holds certain national certification and meets certain practice requirements; repealing a provision that prohibits the Board from imposing a licensing requirement for the practice of hearing aid dispensing that is not required of any other applicant on an individual applying for a waiver of examination; requiring certain licensees to identify themselves by a certain profession and degree earned; repealing the requirement that the Board not require applicants to practice hearing aid dispensing who hold a certain license from another state to satisfy any licensing requirement that is not required for other applicants for the practice of hearing aid dispensing; altering the period of time that the Board has before a license expires to contact a licensee; requiring that the Board contact certain licensees at the last known address provided by a licensee and advise the licensee of certain renewal requirements; altering certain renewal requirements for certain licensees; requiring certain licensees who fail to renew a license within a certain period of time to pay certain fees; authorizing the Board to reinstate a license to assist in the practice of speech–language pathology under certain circumstances; prohibiting the Board from reinstating a speech–language pathology license if the licensee does not apply within a certain period of time unless certain requirements are met; altering certain requirements for issuing a limited license to practice audiology; establishing the terms and renewal requirements for limited licenses to practice audiology, hearing aid dispensing, and speech–language pathology; establishing a limited license to assist in the practice of speech–language pathology; establishing the requirements for a limited license to assist in the practice of speech–language pathology; establishing the term and renewal requirements for a limited license to assist in the practice of speech–language pathology; altering the requirement that the Board keep a record of certain business addresses prohibiting a speech–language pathology assistant from surrendering a license under certain circumstances; authorizing the Board to

set conditions on certain agreements with a speech–language pathology assistant who is under investigation or while charges are pending; authorizing the Board to impose certain penalties on speech–language pathology assistants under certain circumstances; altering certain grounds for penalties; repealing a certain exemption that allows a person to sell hearing aids by door–to–door solicitation under certain circumstances; requiring audiologists and hearing aid dispensers who sell hearing aids to provide certain refund information; altering certain monetary penalties; authorizing the Board to issue subpoenas and administer oaths under certain circumstances with the signature of an officer or administrator of the Board; requiring licensees found in violation of certain provisions to pay certain costs; establishing that a certain order of the Board may not be stayed pending review; establishing one rehabilitation committee for audiologists, hearing aid dispensers, speech–language pathologists, and speech–language pathology assistants; requiring the Board to adopt regulations establishing qualifications, scope of practice, and supervision requirements for speech–language pathology assistants; altering terms and practices that certain unlicensed individuals may not use to represent to the public that they are authorized to practice audiology or speech–language pathology, or assists in the practice of speech–language pathology; prohibiting unlicensed individuals from representing to the public that they are authorized to assist in the practice of speech–language pathology; altering the definitions of certain terms; defining certain terms; and generally relating to revisions of the Maryland Audiologist, Hearing Aid Dispensers, and Speech–Language Pathologist Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 2–101, 2–102, 2–202, 2–204 through 2–205.1, 2–207, 2–301 through 2–302.2, 2–304, 2–305, 2–307.1, 2–308 through 2–310.2, 2–311, 2–313 through 2–318, 2–319 through 2–402.2, 2–408, and 2–501

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 2–201, 2–203, 2–206, 2–303, 2–306, 2–307, 2–307.2, 2–312, 2–403 through 2–406, and 2–502

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 2–302.3, 2–307.3, 2–307.4, 2–310.3, and 2–402.3

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health Occupations
Section 2–318.1 and 2–318.2
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 327 – Delegates Feldman, Ali, Barkley, Bronrott, Dumais, Gilchrist, Haddaway, Hecht, Jameson, N. King, Kramer, Lawton, Lee, Levi, Manno, Mathias, Miller, Morhaim, Myers, Rice, Taylor, Vaughn, and Walkup

AN ACT concerning

Property Tax – Exemption for Property Used as a Publicly Sponsored Business Incubator

FOR the purpose of exempting from the State and local property tax certain property that is used as a business incubator; defining a certain term; providing for the application of this Act; and generally relating to a State and local property tax exemption for certain property that is used as a business incubator.

BY adding to

Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 328 – Delegates Doory and Feldman

AN ACT concerning

Solar Energy Grant Fund

FOR the purpose of establishing a Solar Energy Grant Fund to be administered by the Maryland Energy Administration, subject to oversight by the Public Service Commission; requiring the State Treasurer and the State Comptroller to perform certain functions related to the Solar Energy Grant Fund; providing that the Solar Energy Grant Fund consists of certain fees, investment earnings, and other money appropriated to the Fund or accepted for the Fund from any other source; authorizing the Solar Energy Grant Fund to be used for grants to eligible projects;

limiting the amount of funds that may be used for certain administrative expenses; providing that certain money expended from the Solar Energy Grant Fund is supplemental to funding that otherwise would be appropriated for the Solar Energy Grant Program; requiring that a certain percentage of certain compliance fees be paid into the Maryland Renewable Energy Fund and a certain percentage of certain compliance fees be paid into the Solar Energy Grant Fund; and generally relating to the Solar Energy Grant Fund.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–705
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–2007.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 329 – Delegate Pendergrass

AN ACT concerning

Maryland Medical Assistance Program – Medical Day Care – Reimbursement Rates

FOR the purpose of requiring that the reimbursement rates for medical day care be adjusted by a certain index annually; prohibiting certain adjustments to a certain reimbursement rate from exceeding a certain percentage on a certain basis; providing for the application of this Act; and generally relating to reimbursement rates for medical day care services through the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–111

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 330 – Delegate Donoghue

AN ACT concerning

Health Maintenance Organizations – Reimbursement Rates of Noncontracting Providers

FOR the purpose of altering the rate at which a health maintenance organization must reimburse certain health care providers not under written contract with the health maintenance organization for certain services rendered by the health care providers; repealing certain provisions of law requiring a health maintenance organization to disclose certain reimbursement notes on the request of a certain health care provider; and generally relating to reimbursement rates for health care providers not under written contract with health maintenance organizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–710.1(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 331 – Chair, Appropriations Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

FOR the purpose of authorizing the Administrative Office of the Courts, in collaboration with the other members of the oversight committee of the Circuit Court Real Property Records Improvement Fund, to establish a pilot program for electronic filing of certain instruments relating to real property; requiring that the pilot program be governed by the Maryland Rules; authorizing the pilot program to waive certain requirements for recording or indexing; requiring costs of the pilot program to be paid from the Circuit Court Real Property Records Improvement Fund; providing for the validity and effectiveness of certain instruments filed in accordance with the pilot program; providing for the termination of certain

provisions of this Act; and generally relating to land records.

BY adding to

Article – Real Property

Section 3–502

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 332 – Delegates Hubbard and Bronrott

AN ACT concerning

Higher Education – Maryland Teacher Scholarships – Terms and Conditions

FOR the purpose of altering the amounts awarded under the Maryland Teacher Scholarships Program to certain students who pursue certain courses of study at certain institutions of higher education; altering the service obligation for a Maryland Teacher Scholarship recipient; altering the uses of a Maryland Teacher Scholarship; altering a certain definition; requiring the State Department of Education to submit a certain report to the Governor and the General Assembly; providing for the termination of this Act; and generally relating to Maryland Teacher Scholarships.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–2201, 18–2204, 18–2205, and 18–2207

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–2202 and 18–2203

Annotated Code of Maryland

(2006 Replacement Volume)

BY adding to

Article – Education

Section 18–2211

Annotated Code of Maryland

(2006 Replacement Volume)

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

APPOINTMENTS

January 31, 2007

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

JOINT STATUTORY COMMITTEE ON ACCESS TO MENTAL HEALTH SERVICES:

Hon. Joanne C. Benson (House Chairman)
Hon. Adelaide C. Eckardt
Hon. Brian J. Feldman
Hon. Sue Kullen
Hon. Samuel I. Rosenberg

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

MESSAGE TO THE SENATE

January 31, 2007

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 AM on February, 1, 2007 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 Kirk and Walkup 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 Branch and Goldwater.

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 Elmore and Bobo.

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 McHale and McKee.

By Order, Mary Monahan, Chief Clerk

Read and adopted.

MESSAGE TO THE HOUSE OF DELEGATES

January 31, 2007

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 1, 2007, 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 Forehand and Kramer as members of the joint committee to escort the Treasurer-Elect.

We have also appointed as members of the joint committee, Senators Muse and Haines to escort the Lt. Governor to the House Chamber.

We have further appointed Senators Kasemeyer and Brinkley 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 ordered journalized.

JOINT SESSION

Delegates Howard and Myers escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

SENATE QUORUM CALL

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

(See Senate Roll Call No. 89-A)

Speaker Busch called for the House roll.

HOUSE QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 37)

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

Senators Hogan and Kittleman and Delegates Griffith and O'Donnell escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators McFadden, Kasemeyer and Brinkley and Delegates McHale, Benson and Kach escorted the Chief Executive to the Speaker's Rostrum.

Speaker Busch presented the Chief Executive of Maryland, Governor Martin O'Malley.

The Chief Executive addressed the General Assembly.

STATE OF THE STATE ADDRESS Remarks of Governor Martin O'Malley

To my wife Katie and our children... To my mom Barbara O'Malley... and to Joe Curran, one of the great public servants in our state's history, thank you for all your support.

Mr. President, Mr. Speaker, Chief Judge, Mr. Attorney General, Mr. Comptroller, Madame Treasurer, my colleagues in government of the Maryland General Assembly, my colleagues in county and municipal government, my fellow citizens and friends.

Today, we assess our strengths and weaknesses and set out an agenda for making progress towards our shared goals.

Because of the values that we share as Marylanders, I think you will agree that there are certain timeless goals that together we choose to pursue as a State:

- To strengthen and grow our middle class, our family owned businesses and family farms.
- To improve public safety and public education in every part of our state.
- To expand opportunity – the opportunities for learning, for earning, and for enjoying the health of the people, the land, and the water we love – to more people rather than fewer.

A Strong State

Fourteen days into the four years the people have given us to do their business, I am glad to report that thanks to the hard work of citizens in decades past – and despite the drift of recent years – the state of our state, today, is strong.

Maryland is the 2nd wealthiest state in the union. Our institutions of scientific and healing discovery – known throughout the world – are among the largest recipients of research grants in the nation. And we are blessed with a variety of natural beauty of land and water unrivaled in any state our size.

But in many ways, for all our achievements and blessings, we are also a state of extremes:

- A strong state with a huge looming structural deficit.
- A strong state with a violent crime rate that is one of the highest in the nation.
- A strong state where the number of uninsured citizens has reached nearly 800,000, as increasing numbers of small businesses find it financially impossible to cover their employees healthcare costs.
- A strong state where more and more hard-working families are finding the dream of college education slipping out of reach.

Yes, we are a strong state, today. But not as strong as we should be – or as strong as our country needs us to be.

E.B. White once wrote that we are torn by two powerful drives: The desire to enjoy the world and the urge to set it straight. And so it is with Maryland. We know that to sustain those things which we so love about our state – our Bay, our neighborhoods, our places of higher thought, our quality of life – we must set things straight... or they will be irreparably harmed, perhaps forever lost.

We have consensus around the goals we share. Now, we must forge consensus around the obligations we must meet to sustain our progress toward those shared goals.

Strengthen and Grow Our Middle Class

To strengthen and grow our middle class – especially as we face our budget challenges – it is time to apply our strengths to solving the problems of our day. Time to apply our strengths to addressing our weaknesses.

Time to improve public education at all levels... to simultaneously improve public safety and homeland security... to extend health care coverage... to conserve, protect and improve the environmental health of the Chesapeake Bay watershed... to strengthen women and minority owned businesses in our state ... to advance and realize a statewide vision for transportation that includes mass transit, as well as roads... and time to stand up again to powerful wealthy special interests whenever they try to profiteer on the backs of the working people of our State.

Making Our Government Work Again

Since all of these endeavors will require a working government, let us first resolve to make our government work again.

Facing structural deficits amounting to more than \$4 billion in the years to come, I ask you to approve a rate of growth in this year's budget that is just 2.5% – lower than the rate of inflation, lower than last year's 12% growth in government spending, and lower than 9 of the last 10 state budgets.

I also ask for your support in confirming the best leaders we can find to run the very costly and complex departments of our government. Lieutenant Governor Brown and I are grateful for your patience, President Miller, as we assemble a professional cabinet with the ability, the expertise, and the professionalism to work with each member of this Assembly – regardless of party affiliation.

In order to make our government work with greater efficiency and effectiveness, we will be implementing StateStat – a system of open and transparent administration that sets goals and measures progress towards achieving those goals, with relentless follow-up.

In order to make our government work more effectively, I ask for your cooperation in creating a new sub-cabinet on Base Realignment and Closure (BRAC) chaired by the Lieutenant Governor. To help put the challenge we face in perspective, BRAC will result in our state absorbing a city the size of Bowie – more than 25,000 households – in just a few short years.

Maryland has been called upon to play a bigger, more important role in the defense of our nation. And so we must bring greater coordination and cooperation to this effort. Our State government must work more effectively with our county governments – to defend our quality of life in Harford, Anne Arundel, Frederick, Montgomery and other counties – while answering America’s urgent security needs.

In order to make our government work, I will also be asking for your cooperation in elevating the importance of information technology in the management of state government. This will mean better coordinating IT functions and creating, for the first time, a cabinet level Department of Information Technology.

In order to make our government work for working families, we must also restore the regulatory framework of our state government. To protect consumers and restore stability and predictability for businesses, we now have an opportunity to put professional regulators back on the job at the Public Service Commission.

And by making our government work, we will also start making regular, measurable strides toward increasing the participation of minority and women-owned businesses in the economy of our State. With a government that works, we will build from our competitive economic strengths in science, technology, security and renewable energy to expand earning opportunities for our citizens.

Improving Public Education and Public Safety

But beyond the means of a working government are the goals of improved public education and improved public safety – the very foundations of strong neighborhoods, strong counties, and a stronger and growing middle class.

To improve public education in every part of our State:

- I ask for your support for the final year of Thornton school funding – the largest single year increase in Maryland history for education, with an additional \$580 million in funding for local school systems;

- I ask that you pass legislation codifying our State's commitment to phase in funding of the Geographic Cost of Education Index, beginning next year;
- I ask that, together, we start to get our children out of the temporary learning shacks that have been popping up behind every school in our state – and approve the record \$400 million in school construction dollars proposed in this year's budget; and
- I ask for your support, in this year's budget, to increase our investment in our institutions of higher learning by \$192 million – including an 18% increase for Community Colleges.

Along with those investments, I ask for your support of SB 108 and HB 134 to freeze any further increase in tuition this year for in-state students. This will give families some relief while Lieutenant Governor Brown works with the Hogan Commission on a long-term solution to keep higher education affordable. Working families must be able to send their children to Maryland colleges.

When it comes to improving Public Safety and Homeland Security in our State, we have our work cut out for us.

Our Department of Corrections, Parole and Probation, and Juvenile Services are deeply troubled. All are in urgent need of reform and have been for some time – little wonder that Maryland is the 5th most violent state in the union.

Compounding our challenge is the fact that our nation's capital is now – and for the foreseeable future will remain – a prime target in a new type of global warfare.

Among other things, I ask for your support for an additional \$7 million in this year's budget to fund 155 additional correctional officers. I ask for your support for \$2 million additional dollars to protect Maryland families from sexual predators, with advanced Global Positioning Systems that tracks offenders.

I ask for your support for an additional \$500,000 to allow the Maryland State Police to knock out the huge backlog of violent offenders from whom DNA "fingerprints" have yet to be taken. Finally, I ask for your support for an additional \$5 million to expand drug treatment through the increased use of recently approved buprenorphine therapies.

And I look forward to working with leaders of both houses as, together, we find new ways to attack our common enemies of gang violence and violent crime.

In order to make Maryland a leader in improving Homeland Security, we will:

- Constitute a new Maryland Security Council to bring all relevant agencies and departments into the prevention, preparedness and recovery regimen on a quarterly basis.

And we will quickly secure a professional and expert assessment of Maryland's true level of homeland security and emergency preparedness, so we can begin to produce the security deliverables that our people's safety demands;

- We will pursue the cooperation of our neighbors in the District of Columbia and Virginia – and our respective congressional delegations – to secure an expanded federal definition of the National Capital Region for homeland security purposes; and
- I have directed our Transportation Secretary to formulate a plan of action that will lead to the Port of Baltimore becoming the best inspected and most secure port in the United States.

Expanding Opportunity

Today, we compete economically as never before on a global and faster track. In a very real way, our economic security and competitiveness as a State depends on our ability to expand greater opportunities to greater numbers of our citizens.

Having already touched on our agenda for greater learning and earning opportunities, let us turn to the agenda we share for progress on healthcare and our environment.

Health Care

In order to begin to turn around the alarming healthcare trend of rising costs and a rising number of uninsured Marylanders every year, I ask that you pass the Maryland Healthcare Act. Among other things the act will:

- Create a Health Insurance Exchange to help small businesses find more affordable coverage for their employees – on a pre-tax basis.
- It will require insurance companies to allow younger adults up to age 25 to be covered under their parents' policies.
- And it will also provide healthcare coverage to more children in our state.

I also ask for your support for several other initiatives in this year's proposed budget:

- \$25 million for Stem Cell research – a 66% increase over last year's appropriation.
- The restoration of Medicaid healthcare benefits to legal immigrant families, including 3,000 children.
- And over \$100 million to strengthen our provider systems by increasing reimbursement rates for doctors participating in our State's Medicaid Program.

When physicians and other providers do not receive adequate compensation for the services they provide, it threatens the quality and effectiveness of our healthcare system. Therefore, as part of our legislative agenda, I ask for your support of the task force on Health Care Access and Physician Reimbursement.

I also ask for your support to create a Life Science Advisory Board – as a potential precursor to a true Life Sciences Authority – so that we can more effectively grow an industry that already employs 57,000 people in and around places like NIH, Johns Hopkins, the University of Maryland and the Food and Drug Administration, to name just a few.

And finally on healthcare, I ask for your support of a Universal Vaccine Purchasing Task Force, so we can better understand how to protect Marylanders against the flu and other foreseeable diseases.

Because healthcare is a battle of a thousand partial victories, I look forward to working with Chairman Hammen, Chairman Middleton and others in the weeks ahead, as we roll up our sleeves to craft ways to improve healthcare coverage and our healthcare outcomes.

Our Environment

When it comes to the urgent work of protecting and improving the health of our Chesapeake Bay watershed for the benefit of generations to come, there is no time to waste. Nor is there a better time to begin looking toward the next generation of technologies – to protect our environment and build our economy.

Because smart sustainable growth is absolutely central to preserving our quality of life in this sensitive Bay watershed, I have directed our Secretary of Planning to reestablish the Office of Smart Growth within his agency – to help coordinate growth across agencies lines.

As we move forward with the development of BayStat – to apply performance measured management to all of our Bay restoration efforts – please know that the following items are all contained in the proposed budget before you:

- Every dollar of Open Space funding this year – an estimated \$289 million – will be spent on open space.
- An additional \$138 million, with your support, will go to improve local water and wastewater systems for the benefit of the health of the Bay.

- And with your support, this budget will also provide record funding for cover crops and will triple Maryland's investment in the development of agriculture and resource-based industries through MARBIDCO.

By making sustainable farming in Maryland more profitable, we preserve open space and improve the health of the Bay.

Speaker Busch has been a tremendous champion of another bill I am asking you to support. The Oyster Restoration Act will, for the first time, allow our Department of Natural Resources to lease parcels of land on the floor of the Bay for oyster restoration projects. We need to restore this natural aquatic filter to the Chesapeake if we hope to turn it around.

As we accept our responsibility in the fight against global warming, I ask you to support the Clean Cars Act, adopting stricter pollution emission standards for cars sold in Maryland. By taking action, we can help children suffering with asthma. We can remove pollutants from the air and the Bay. And we can join 11 other states in getting this done, this year.

We will also be revamping the Maryland Energy Administration to spearhead our state's effort advancing the development of clean and renewable energy, including the next generation of biofuels – like cellulosic ethanol – which our academic institutions and private companies are already pursuing. And government should lead the way by increasing the percentage of clean fuels we purchase each year and by investing in green building technologies. Maryland can and should lead on energy independence.

Transportation

Because the decisions we make about transportation determine – in a very real way – the future character of our State, this year's budget also fully protects the integrity of the Transportation Trust Fund. I ask for your support for the over \$1 billion dollars in highway and roads projects across our state, and the \$300 million in mass transit projects.

And I look forward to working with all of you in the months ahead as we bring greater balance to our efforts in transportation – solutions that foster smarter and more sustainable patterns of growth for our future. But all of us must recognize that however efficiently and effectively we stretch our State's current investment in transportation solutions, we will never be able to multiply "bread and fishes" to cover the multitude of needs without new dollars.

Conclusion

My friends there are many other initiatives that will strengthen and grow our middle class – the agency fee legislation that allows state workers the right to organize and have their

collective voice heard; and an end to the cruel and antiquated practice of using ground rents to evict families from their homes.

In the days of this first session, I hope that we will be able to spend the vast majority of our time solving problems and coming together around the solutions about which there is so much consensus – and for which, I might add, there is considerable pent-up demand. The people of our State desperately want us to get things done again.

If we must have potentially polarizing debates this session – on issues like taxes, slots and the future of Maryland's 18,000 racing jobs, and Maryland's ineffective death penalty law – let us do so recognizing that there are good and decent people on both sides of these debates.

We cannot resolve every unsettled issue in just 90 days; nor can we heal in 90 days divisions that were four years in the making. But we must do all that we can to maximize the effectiveness of this session – and these four years – for the people of our State. For success breeds success. Mutual respect builds mutual trust. And important things done well make even greater things possible.

This year, together, we are choosing to make progress on the priorities of the people who elected us. Implicit, however, in the choices we make this year is the faith that we have the courage to face up to the fiscal reality before us in the year ahead.

If not, we risk going back to a time that we were not particularly proud of – making life less affordable for middle class families... Cutting funds to local government... Stealing from our children's future by taking money away from open space, and shifting transportation dollars away from reducing traffic. I don't believe that is the sort of future we would choose.

With all humility, I promise you I will not squander the year ahead. To the contrary, I will do everything in my power to bring spending under control with professional management. I will do everything in my power to squeeze savings out of your government with performance measurement and accountability. And I know you will do your tough jobs, as well.

So, let's get to work... for a better and stronger future... for the people of our One Maryland. So, let's get to work.

Senators McFadden, Kasemeyer and Brinkley and Delegates McHale, Benson and Kach escorted the Chief Executive from the Chamber.

Senators Hogan and Kittleman and Delegates Griffith and O'Donnell escorted the Lieutenant Governor from the Chamber.

Delegate Barve moved the Chief Executive's remarks be journalized.

The motion was adopted.

Senator Kasemeyer moved the Chief Executive's remarks be journalized.

The motion was adopted.

Senator Kasemeyer moved the Senate be adjourned.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 139 Members present.

(See Roll Call No. 38)

ADJOURNMENT

At 1:04 P.M. on motion of Delegate Barve the House adjourned until 10:45 A.M. on Thursday, February 1, 2007.

**Annapolis, Maryland
Thursday, February 1, 2007**

The House met at 10:49 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna M. Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 39)

The Journal of January 31, 2007 was read and approved.

EXCUSES:

Del. Holmes – business
Del. J. King – court
Del. Proctor - funeral
Del. Rosenberg – personal
Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 333 – Delegate Krysiak

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers –
Definition of Dealer**

FOR the purpose of altering the definition of dealer to mean an individual who arranges for the sale or delivery of a secondhand precious metal object on behalf of a person who does not hold a license to do business as a dealer; and generally relating to the regulation of secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, without amendments,

Article – Business Regulation
Section 12–101(a), (e), and (i) and 12–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 334 – Delegates Weir, Myers, Aumann, Beitzel, Boteler, G. Clagett, DeBoy, Donoghue, Eckardt, Frank, Impallaria, Jennings, Kach, Kelly, Lafferty, Levy, McDonough, Minnick, Nathan–Pulliam, O’Donnell, Olszewski, Shank, and Stull

AN ACT concerning

Complimentary Chesapeake Bay Sport Fishing License – POWs and Disabled Veterans

FOR the purpose of authorizing the Department of Natural Resources to issue a lifetime complimentary Chesapeake Bay sport fishing license to certain veterans; providing that there is no fee for the complimentary license; establishing that the complimentary license is not transferable; providing for certain procedures for the issuance of the complimentary license; and generally relating to the lifetime complimentary Chesapeake Bay sport fishing license.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–745(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 4–745(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 335 – Delegates Minnick, Olszewski, and Weir

AN ACT concerning

Baltimore County – Todd’s Inheritance Loan of 2000

FOR the purpose of extending the deadline by which the County Council and County Executive of Baltimore County must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, without amendments,
Chapter 409 of the Acts of the General Assembly of 2000
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 409 of the Acts of the General Assembly of 2000
Section 1(5)

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

House Bill 336 – Delegates Nathan–Pulliam, Ali, Benson, Bobo, Bronrott, Gaines, Gutierrez, Hucker, Kirk, Lee, McIntosh, Mizeur, Montgomery, Oaks, Stukes, Taylor, and Vaughn

AN ACT concerning

Maryland Medical Assistance Program and Maryland Children’s Health Program – Eligibility

FOR the purpose of requiring the Maryland Medical Assistance Program to provide comprehensive medical care and other health care services to certain parents, subject to certain limitations; requiring the Maryland Medical Assistance Program and the Maryland Children’s Health Program to provide guaranteed eligibility to certain enrollees for a certain time period; extending the time period within which the Maryland Medical Assistance Program and the Maryland Children’s Health Program may provide guaranteed eligibility for enrollees; and generally relating to eligibility for the Maryland Medical Assistance Program and the Maryland Children’s Health Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a) and (b)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 337 – Cecil County Delegation

AN ACT concerning

Cecil County – Pretrial Release – Use of Technology to Facilitate Pretrial Release Process

FOR the purpose of allowing the use of video conferencing technology to facilitate the pretrial release process if authorized by the County Administrative Judge or the District Administrative Judge; requiring certain documents to be delivered to the appropriate court immediately after a certain proceeding; and generally relating to the pretrial release process.

BY adding to
Article – Criminal Procedure
Section 5–214
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 338 – Delegates Morhaim and Shank

AN ACT concerning

Task Force on Administrative Compensation for Birth–Related Neurological Injury

FOR the purpose of establishing a Task Force on Administrative Compensation for Birth–Related Neurological Injury; establishing the membership of the Task Force; providing staff support for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to be reimbursed for certain expenses; providing for the duties of the Task Force; requiring the members of the Task Force to be appointed by a certain date; requiring the Task Force to issue an interim report and a final report of its findings and recommendations by certain dates; providing for the termination of the Task Force; and generally relating to the Task Force on Administrative

Compensation for Birth-Related Neurological Injury.

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

House Bill 339 – Delegates Costa, Boteler, Bromwell, Impallaria, Kach, Kaiser, J. King, Kipke, McDonough, Oaks, Pena-Melnyk, and Weldon

AN ACT concerning

Health Insurance – Small Group Market – Health Benefit Plans – Rates

FOR the purpose of altering the factors a carrier may use to adjust the community rate for certain health benefit plans offered in the small group market; altering a certain limit on the rate a carrier may charge based on adjustments to the community rate; authorizing a carrier to offer a discounted rate to a small employer for eligible employees of the small employer who are nonsmokers or participate in a certain wellness program; defining a certain term; providing for the application of this Act; and generally relating to rates for health benefit plans offered in the small group market.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1201(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–1201(r)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 340 – Delegates Nathan-Pulliam, Benson, Burns, Kipke, Kullen, Montgomery, Morhaim, and Tarrant

AN ACT concerning

Drug–Exposed Infants – Methamphetamine

FOR the purpose of expanding the definition of a drug–exposed infant to include exposure to methamphetamine; and generally relating to drug–exposed infants.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–818
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–323(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–323(d)(3)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 341 – Allegany County Delegation

AN ACT concerning

Allegany County – School Funding Repayment – Release of Debt

FOR the purpose of releasing a debt owed by Allegany County to the State of Maryland for the sale of two certain public schools and outstanding bond debt; and generally relating to repayment of the County’s outstanding debt for two public schools.

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

House Bill 342 – Delegates Minnick, Elmore, Feldman, Haddaway, Harrison, Impallaria, Jameson, Kirk, Krebs, Krysiak, Rudolph, Smigiel, Vaughn, and Weir

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

FOR the purpose of providing that certain retention proceeds may not exceed a certain percentage of certain contracts or certain payments under certain circumstances; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain owners reasonably determine that the performance of certain contractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain contractors reasonably determine that the performance of certain subcontractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain subcontractors reasonably determine that the performance of certain other subcontractors provides reasonable grounds for withholding certain amounts; defining a certain term; providing for the construction and application of this Act; and generally relating to construction contracts and retention proceeds.

BY renumbering

Article – Real Property

Section 9–304

to be Section 9–305

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)

BY adding to

Article – Real Property

Section 9–304

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 343 – Delegate Pendergrass

AN ACT concerning

Department of Health and Mental Hygiene – Laboratories – Letter of Exception

FOR the purpose of altering a certain definition that relates to the circumstances under which the Secretary of Health and Mental Hygiene is required to issue a letter of exception from certain State licensing requirements for laboratories; and generally relating to exceptions from State licensing requirements for laboratories.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 17–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 344 – Delegate Pendergrass

AN ACT concerning

Public Health Laboratories – Mutual Aid Agreements

FOR the purpose of authorizing a public health laboratory in the State to enter into a mutual aid agreement with a public health laboratory operated by another state; requiring a public health laboratory operated by another state to provide certain documentation under certain circumstances; requiring a mutual aid agreement to include certain liability provisions; authorizing certain employees to travel to and provide services at certain public health laboratories under certain circumstances; providing for the applicability of certain laws; providing that certain expenditures may be charged in a certain manner; providing for the construction of this Act; defining certain terms; and generally relating to public health laboratories and mutual aid agreements.

BY adding to

Article – Health – General
Section 17–104
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 345 – Delegate Feldman

AN ACT concerning

**Workers' Compensation Commission – Governmental Self-Insurance Groups –
Investment**

FOR the purpose of requiring the Workers' Compensation Commission to adopt regulations that establish certain guidelines to authorize a certain type of investment of surplus funds by governmental self-insurance groups; providing certain conditions for the investment of surplus funds by governmental self-insurance groups; and generally relating to regulations by the Workers'

Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–404(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–404(b), (c), (i), (j), and (k)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 95 – Treasurer
Section 22(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 346 – Delegate Costa

AN ACT concerning

**Environment – Unlined Rubble Landfills – Bond Release and Access for
Groundwater Testing**

FOR the purpose of extending the duration of the term of certain bonds for certain unlined rubble landfills; requiring the Department of the Environment, the local health official, or the local health official's designee to have certain access to certain land for a certain period of time for certain purposes; requiring a certain owner to keep access to certain wells and testing points open and operational for a certain period of time; requiring new owners of certain land to provide access to land, wells, and testing points for a certain period of time for certain purposes; defining certain terms; and generally relating to rubble landfills.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–211 and 9–215
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 347 – Queen Anne’s County Delegation

AN ACT concerning

Tax Credit for Cost of Employee Child Care Expenses

FOR the purpose of allowing a credit against the State income tax for certain costs incurred by an employer for certain child care expenses of certain employees; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit for a taxable year may not be carried over to any other taxable year; defining certain terms; providing for the application of this Act; and generally relating to a tax credit against the State income tax for certain employer costs incurred for certain child care expenses of employees.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 348 – Delegates N. King, Hixson, Cardin, Doory, Elmore, Howard, Kaiser, and F. Turner

AN ACT concerning

Horse Racing – Purse and Bred Fund Supplements

FOR the purpose of requiring that certain lottery revenues for a certain fiscal year be distributed to a special fund to be used only for certain purposes; requiring that horse racing purses and bred funds be increased according to a certain formula; requiring that all funds for purses and bred funds under this Act be in addition to and not supplant certain other funds; establishing certain conditions on the distribution of certain funds; providing for the termination of this Act; and generally relating to purse and bred fund supplements for horse racing in the State.

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

House Bill 349 – Delegates Barkley, Ali, Barve, Dumais, Feldman, Gilchrist, N. King, Rice, and Simmons

AN ACT concerning

Creation of a State Debt – Adventist HealthCare

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of Adventist HealthCare, Inc. d/b/a Shady Grove Adventist Hospital for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 350 – Delegate Barkley

AN ACT concerning

Election Law – Responsible Officers of Political Committees

FOR the purpose of specifying that a candidate is a responsible officer of the candidate's authorized political committee; clarifying that certain current or former responsible officers are subject to certain penalties and restrictions under certain circumstances; providing for a delayed effective date; and generally relating to responsible officers under the Election Law.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–101(mm), 13–332, and 13–333
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–331(d)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 351 – Delegate George

AN ACT concerning

City of Annapolis – Housing Authority – Approval of Commissioners by City Council

FOR the purpose of requiring that the Commissioners of the Housing Authority of the City of Annapolis who are appointed by the Mayor of Annapolis be approved by the Annapolis City Council; and generally relating to the Housing Authority of the City of Annapolis.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 13–104(a)
Annotated Code of Maryland
(2006 Volume)

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

House Bill 352 – Washington County Delegation

AN ACT concerning

Washington County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Washington County, from time to time, to borrow not more than \$80,000,000 in order to finance the costs of the construction, improvement, or development of certain public facilities in Washington 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; 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, woodland preservation easements, and transferable development rights; and relating generally to the issuance and sale of such bonds.

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

House Bill 353 – Allegany County Delegation

AN ACT concerning

**Creation of a State Debt – Allegany County – Human Resources Development
Commission Senior 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 Allegany County Human Resources Development Commission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 354 – Allegany County Delegation

AN ACT concerning

Income Tax Checkoff – Maryland Military Family Relief Fund

FOR the purpose of establishing the Maryland Military Family Relief Fund within the Department of Veterans Affairs to be distributed as grants to certain organizations to provide certain programs and services to certain military families; requiring the Secretary of Veterans Affairs to submit a certain report each year to the General Assembly on the administration of the 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; allowing individuals to deduct a certain contribution from a certain refund or add the contribution to certain income tax to be paid; requiring the Comptroller to collect certain contributions and distribute them in a certain manner; defining certain terms; providing for the application of this Act; and generally relating to the Maryland Military Family Relief Fund and an income tax checkoff for contributions to the Fund.

BY adding to

Article – State Government

Section 9–913

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 2–113 and 10–804(i)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 355 – Allegany County Delegation

AN ACT concerning

Creation of a State Debt – Allegany County – Greenway Avenue Stadium

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 Allegany County Public Schools Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 356 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages Licenses – Administrative Proceedings

FOR the purpose of adding Washington County to the list of counties in which the granting of probation before judgment to an alcoholic beverages licensee for selling or furnishing alcoholic beverages to an underage individual does not bar the board of license commissioners from proceeding administratively against the licensee for the violation; and generally relating to alcoholic beverages licensees in Washington County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 12–108(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–108(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 357 – Delegate Hubbard

AN ACT concerning

Maryland Fetal and Infant Mortality Review

FOR the purpose of establishing a Fetal and Infant Mortality Review Program in the Department of Health and Mental Hygiene; providing for the membership, staffing, purpose, and powers and duties of the State Fetal and Infant Mortality Review Team and local fetal and infant mortality review teams; requiring the members of the State team or of a local team to serve without compensation as a member of the team but authorizing reimbursement for certain expenses in accordance with the Standard State Travel Regulations as provided in the State budget; requiring certain local teams to submit a certain report to the State team on or before a certain date each year; providing that the State team or a local team or its staff shall have access to certain information and records regarding fetal and infant mortality; providing that certain meetings of the State team and certain local teams are closed to the public; providing that certain information and records acquired by the State team or certain local teams or staff are confidential and exempt from disclosure under certain provisions of law; providing for the disclosure of certain information or records; requiring certain statistical compilations to be public records; requiring certain discussions and records of the State team and certain local teams to be confidential; establishing a certain civil and criminal penalty for certain violations; exempting certain individuals, information, records, and documents from being part of certain civil or criminal proceedings; exempting certain health care providers or certain health facilities from certain liability or certain criminal or disciplinary actions; authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring the Secretary to submit a certain report containing certain information to the Governor and the General Assembly on or before a certain date each year; defining certain terms; and generally relating to the Fetal and Infant Mortality Review Program.

BY adding to

Article – Health – General

Section 13–2501 through 13–2512 to be under the new subtitle “Subtitle 25. Fetal

and Infant Mortality Review Program”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 358 – Delegate Donoghue

AN ACT concerning

Certified Social Workers–Clinical – Practice – Definition

FOR the purpose of altering the definition of “practice social work” so as to authorize a licensed certified social worker–clinical to practice social work by evaluating, diagnosing, and treating certain mental and emotional conditions and impairments in addition to certain other conditions and disorders; and generally relating to defining the practice of social work for certified social workers–clinical.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

JOINT SESSION

Delegates Kirk and Walkup escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

SENATE QUORUM CALL

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

(See Senate Roll Call No. 93-A)

Speaker Busch called for the House roll.

HOUSE QUORUM CALL

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

(See Roll Call No. 40)

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

The House Reading Clerk read the Report of the Committee on the Selection of the Treasurer:

PETITIONS, MEMORIALS AND OTHER PAPERS

REPORT OF THE SPECIAL JOINT LEGISLATIVE COMMITTEE TO SELECT THE STATE TREASURER

FEBRUARY 1, 2007

JOINT SESSION OF THE GENERAL ASSEMBLY

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY:

THE STATE CONSTITUTION REQUESTS THE GENERAL ASSEMBLY TO ELECT A STATE TREASURER AT THE BEGINNING OF EACH SESSION FOLLOWING A GUBERNATORIAL ELECTION. AT A HEARING OF THE SPECIAL COMMITTEE ON TUESDAY, JANUARY 30, 2007 TO CONSIDER THE CANDIDATES FOR STATE TREASURER, THE SPECIAL COMMITTEE INTERVIEWED SEVEN (7) OF ELEVEN (11) APPLICANTS. TWO (2) APPLICANTS WITHDREW BEFORE THE HEARING AND TWO (2) APPLICANTS DID NOT APPEAR. AT THE CONCLUSION OF THE HEARING, THE SPECIAL COMMITTEE VOTED BY SECRET BALLOT AS REQUIRED BY STATUTE TO NOMINATE A CANDIDATE TO THE GENERAL ASSEMBLY.

THE STATUTE ALSO REQUIRES THAT THE BALLOT CARRY THE NAME OF EACH PERSON WHO APPLIES AND INCLUDE A PLACE FOR A WRITE-IN CANDIDATE. THEREFORE, THE BALLOT YOU RECEIVE WILL CONTAIN SEVEN (7) NAMES.

WHILE A FEW OF THE CANDIDATES APPEARED TO BE QUALIFIED, NO OTHER CANDIDATE DEMONSTRATED KNOWLEDGE OF THE UNIQUE BLEND OF FINANCIAL AND POLITICAL SKILLS REQUIRED OF THE STATE TREASURER, ONE OF THREE MEMBERS OF THE BOARD OF PUBLIC WORKS

AND THE REPRESENTATIVE OF THE INTERESTS THE GENERAL ASSEMBLY ON THE BOARD OF PUBIC WORKS, THAN DID STATE TREASURER NANCY K. KOPP.

THE COMMITTEE MEMBERS FELT THAT NANCY K. KOPP, ESPECIALLY HAVING SPENT NEARLY FIVE (5) YEARS EXERCISING THE DUTIES OF STATE TREASURER, WAS THE MOST QUALIFIED CANDIDATE.

THAT CANDIDATE, THE CURRENT STATE TREASURER, NANCY K. KOPP, RECEIVED AN OVERWHELMING MAJORITY OF THE VOTES OF THE MEMBERS OF THE SPECIAL COMMITTEE.

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY, ON BEHALF OF THE SPECIAL COMMITTEE, WE ARE PROUD TO RECOMMEND STATE TREASURER NANCY KOPP TO THE MEMBERS OF THE GENERAL ASSEMBLY TO BE THE STATE TREASURER OF MARYLAND AND TO CONTINUE THE FINE WORK THAT SHE HAS ALREADY DEMONSTRATED.

THOMAS M. MIDDLETON
SENATE CHAIR

ADRIENNE A. JONES
HOUSE CHAIR

Read and ordered journalized.

Staff members of the Secretary of the Senate's Office and the Chief Clerk of the House of Delegates' Office distributed the following ballots to the Members of the Senate and House of Delegates present on the Floor and returned any extra ballots to the Desk.

MARK HERE	List of Candidates
	Michael Burton, Jr.
	Edward B. Clarkson
	Tahira Farooq
	Donald A. Gabriel
	Delshell Y. Hines
	Paul V. Konka
	Nancy K. Kopp
	Larry Lupinek
	William J. Wright

	Write-in
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A total of 183 ballots were distributed.

Said ballots were then collected by the same staff members and placed in the Ballot Box on the Clerk's Desk at the Lower Rostrum.

The Majority and Minority Leaders of both Houses came to the Rostrum to observe the opening of the Ballots.

The Secretary of the Senate removed and opened each ballot individually and handed it to the Chief Clerk of the House of Delegates who announced openly the name selected.

The Assistant Chief Clerk of the House of Delegates and the Journal Clerk of the House of Delegates recorded a tally of each vote announced.

When the Clerk announced the 93rd vote cast for Nancy K. Kopp, a majority of members present, the Clerk declared a result had been established.

Note: After adjournment from the Joint Session the Secretary of the Senate and the Chief Clerk of the House of Delegates, with the Assistant Chief Clerk and House Journal Clerk, completed the opening and tallying of the remaining ballots. The Senate Journal Clerk observed the opening of the ballots.

The Results were as follows:

Candidates

Donald A. Gabriel - 1
 Delshell Y. Hines - 1
 Nancy K. Kopp - 165

Write-In Candidates

Rushern Baker - 4
 Larry Barnes - 3
 Joe Bryce - 3
 Jon Cardin - 1
 Paul Carlson - 1
 Gary Gensler - 1
 William Donald Schaefer - 2

No Vote - 1

FINAL TALLY

183

The Speaker announced the State Treasurer-Elect to be Nancy K. Kopp.

Senators Muse and Haines and Delegates Elmore and Bobo escorted the Lieutenant Governor Anthony G. Brown to the Speaker's Rostrum.

Senators Kasemeyer and Brinkley and Delegates McHale and McKee escorted the Chief Executive to the Speaker's Rostrum to witness the administering of the Oaths of Office to the Treasurer-Elect.

Senators Forehand and Kramer and Delegates Branch and Goldwater escorted the Treasurer-Elect Nancy K. Kopp to the Speaker's Rostrum.

Speaker Busch administered the oath of office, as required by Article I, Section 9 of the Maryland Constitution, to the Treasurer-Elect.

President Miller administered the fidelity oath, as required by Section 5-101.1 of the Maryland Code – State Government, to the Treasurer-Elect.

Treasurer Kopp addressed the General Assembly.

Senator Kasemeyer moved the Senate be adjourned.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 41)

ADJOURNMENT

At 12:06 P.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 2, 2007.

Annapolis, Maryland
Friday, February 2, 2007

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

QUORUM CALL

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

(See Roll Call No. 42)

The Journal of February 1, 2007 was read and approved.

EXCUSES:

Del. McConkey – illness

Del. Mizeur – Democratic National Committee Meeting

Del. O'Donnell - medical

Del. Rosenberg – personal

Del. V. Turner – medical

Del. Walkup – medical

INTRODUCTION OF BILLS

House Bill 359 – Delegates Frush, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Braveboy, Bronrott, Cane, Cardin, Carter, V. Clagett, Doory, Dumais, Elmore, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, N. King, Krebs, Kullen, Lafferty, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pena–Melnik, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Simmons, Stein, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Clean Indoor Air Act of 2007

FOR the purpose of prohibiting a person from smoking tobacco products except under certain circumstances; authorizing certain counties to regulate smoking under certain circumstances; repealing certain provisions of law concerning tobacco smoking in retail stores; declaring the intent of the General Assembly; stating the purpose of certain provisions of this Act; prohibiting a person from smoking in indoor areas open to the public except under certain circumstances; requiring the posting of certain signs; requiring the Department of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to report to the General Assembly regarding certain provisions of this Act; establishing certain penalties for certain violations of this Act; prohibiting smoking in certain places of employment; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly regarding the enforcement efforts and the effect of the efforts by the Department of Labor, Licensing, and Regulation; establishing certain penalties for certain violations in certain places of employment; defining certain terms; declaring that nothing in this Act shall be construed to preempt a certain entity from enacting and enforcing certain measures; making a stylistic change and generally relating to the prohibition of smoking in indoor areas open to the public and indoor places of employment.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(jj) and 236B
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Business Regulation
Section 2–105(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health – General
Section 24–501 through 24–505, inclusive, and the subtitle “Subtitle 5. Tobacco Smoking in Retail Stores”
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 24–501 through 24–509, inclusive, to be under the new subtitle “Subtitle
5. Clean Indoor Air Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Labor and Employment

Section 2–106(c) and 5–314(c)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 5–101(a), (c), (d), and (g)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 5–608

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY renumbering

Article – Labor and Employment

Section 2–106(d) and (e), respectively

to be Section 2–106(c) and (d), respectively

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

House Bill 360 – Delegates Schuler, Boteler, Bromwell, Cardin, DeBoy, Lafferty, and Olszewski

AN ACT concerning

**Creation of a State Debt – Baltimore County – Storyville Children’s Learning
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 Foundation for Baltimore County Public Library, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 361 – Delegates Goldwater, Bronrott, Donoghue, Kullen, Lee, Nathan–Pulliam, and Riley

AN ACT concerning

State Board of Physicians – Subpoenas – Medical Records for Mental Health Services

FOR the purpose of requiring certain health care providers, in accordance with a subpoena, to disclose certain medical records for mental health services to the State Board of Physicians for certain investigations into complaints made by a certain person under certain circumstances; authorizing the Board to issue certain subpoenas for medical records for mental health services for certain investigations if on a certain date the Board notifies the patient by certified mail that the subpoena has been issued and that the patient may assert certain rights within a certain period of time; authorizing the Board to require the disclosure of certain medical records if certain rights are not asserted within a certain period of time; and generally relating to the issuance of subpoenas for medical records for mental health services by the State Board of Physicians.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–307(k)(1)(v)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–401(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 362 – Delegate Cardin

AN ACT concerning

Elections – Campaign Finance – Candidate and Slate Relations

FOR the purpose of requiring a candidate to establish an authorized political committee before filing a declaration of intent; requiring the State Board of Elections to assume certain duties of local boards of elections; prohibiting a political committee from engaging in campaign finance activity without filling certain offices of the political committee; requiring a candidate or officer of a slate to file a certain written notice with the State Board before a candidate may receive funds or transfer funds from the slate; requiring the State Board to remove a candidate from a slate after receiving written notice from the candidate or an officer of the slate; specifying that a candidate shall remain a member of a slate until certain written notice is received; requiring a designated campaign account to make campaign funds available at all times; requiring that a designated campaign account not impose a penalty in certain situations; requiring that only the treasurer of the political committee may have signatory authority over the campaign account; specifying that the treasurer of the campaign finance entity shall make certain reimbursements; repealing certain exemptions; clarifying that a campaign finance entity may not directly or indirectly use campaign funds for the personal use of the candidate or certain officers of the campaign finance entity; clarifying which expenditures a treasurer of a campaign finance entity may authorize; requiring a certain campaign finance report to be made under oath and to the State Board; requiring a campaign finance entity that receives certain contributions or makes certain expenditures to notify the State Board within a certain time; requiring a campaign finance entity to notify the State Board within a certain time after its participation in an election under certain circumstances; specifying a certain penalty for violation of certain participation and notification requirements; repealing a redundant section; repealing a requirement that all campaign finance reports be filed in duplicate; clarifying when certain notice requirements of failure to file a campaign finance report are satisfied; making certain stylistic changes; and generally relating to provisions of the election law governing campaign finance requirements for a candidate or a slate.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(mm), 13–202(b), 13–207, 13–209, 13–220, 13–245, 13–304,
13–305(b), 13–309, 13–322, 13–328, 13–331, and 13–335

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing

Article – Election Law
Section 13–316 and 13–317
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 363 – Queen Anne’s County Delegation

AN ACT concerning

Environment – Landfills – Termination Date

FOR the purpose of expanding a certain prohibition against issuing a certain permit to construct or operate a landfill within a certain distance of certain areas; repealing the termination date of certain provisions of law relating to landfills in the State; and generally relating to landfills.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–204(m)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 228 of the Acts of the General Assembly of 2006
Section 2

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

House Bill 364 – Delegate Simmons

AN ACT concerning

**Controlled Dangerous Substance Offenses – Subsequent Offender Penalties –
Incarceration in Another Jurisdiction**

FOR the purpose of providing that the enhanced penalties for a third time offender who has committed certain controlled dangerous substance offenses apply if the person serves a term of confinement of a certain number of days in a correctional institution as a result of a conviction of a crime under the laws of another state or the United States that would be a crime under certain provisions if committed in this State; and generally relating to subsequent offender penalties.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–608 and 5–609
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 365 – Delegates F. Turner, Anderson, Bates, Bobo, Cane, Dumais, Guzzone, Haynes, Healey, Heller, Howard, Hubbard, Jones, Lee, Manno, Miller, Pendergrass, Rice, and Taylor

AN ACT concerning

Election Law – Absentee Ballots – Timely Receipt

FOR the purpose of establishing criteria to be used to evaluate and determine whether an absentee ballot is deemed to be timely received; repealing the authority of the State Board of Elections to establish certain regulations and guidelines relating to the timely receipt of absentee ballots; defining a certain term; and generally relating to the timely receipt of absentee ballots.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 11–302
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 366 – Delegate Bohanan

AN ACT concerning

Election Administration and the Recruitment and Retention of Election Judges

FOR the purpose of requiring that each public institution of higher education in the State be closed for normal academic activities on general election day; requiring certain institutions of higher education to be open to accommodate voting on certain election days; requiring the governing body of each public institution of higher education to consider certain matters and policies to assist in the administration of elections; requiring a local board of elections to establish a polling place at each public or private institution of higher education in its county; providing that a local board may appoint an election judge to serve for all or part of a day at a polling

place on the day of an election; requiring a local board to apportion the compensation of certain election judges in a certain manner; and generally relating to election administration and the recruitment and retention of election judges.

BY repealing and reenacting, without amendments,
Article 1 – Rules of Interpretation
Section 27(a)(15) and (16)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–303, 10–203, and 10–205
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 367 – Delegates Nathan–Pulliam, Benson, Bromwell, Costa, Donoghue, Dwyer, Hubbard, Morhaim, and Oaks

AN ACT concerning

**Maryland Medical Assistance Program – Primary Adult Care
Program – Selection of Managed Care Organization**

FOR the purpose of requiring certain enrollees in the Primary Adult Care Program who become eligible for the HealthChoice Program to be enrolled automatically in a certain managed care organization under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt certain regulations relating to the selection of a managed care organization in the Primary Adult Care Program; making certain technical corrections; and generally relating to managed care organizations and the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–103(b)(1)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(b)(23) and 15–140
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 368 – Delegates Simmons and Dumais

AN ACT concerning

Crimes – Committing Crime of Violence in Presence of Minor – Penalties

FOR the purpose of prohibiting a person from committing a certain crime of violence while knowingly in the presence of a minor under a certain age who witnesses the crime; establishing certain penalties for a violation of this Act; establishing that a sentence under this Act is separate from and consecutive to a sentence for a crime based on the act establishing a violation of this Act; providing that a person who violates this Act is guilty of the abuse of a child under 18 for certain purposes; requiring a court to grant a certain motion for a separate trial under certain circumstances; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 9–106(a)
Annotated Code of Maryland
(2002 Replacement Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (c)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 369 – Delegates Braveboy, Griffith, Davis, and Vaughn

AN ACT concerning

Real Property – Homeowners Associations – Transition of Association Control

FOR the purpose of entitling the lot owners of a homeowners association to elect the governing body of the homeowners association when a certain percentage of lots are purchased under certain circumstances; requiring a developer to schedule, provide notice of, and hold a certain meeting of lot owners under certain circumstances; requiring a developer to deliver certain items to the governing body under certain circumstances; requiring the governing body to make certain documents available for inspection to lot owners under certain circumstances; prohibiting the governing body from entering into certain contracts; establishing a certain grievance procedure for lot owners; defining certain terms; making stylistic changes; and generally relating to the transition of control in a homeowners association.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11B–101 and 11B–102(e)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 11B–106.1

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 370 – Delegates Howard, Benson, Braveboy, Holmes, Ross, and Vaughn

AN ACT concerning

Distribution of Lottery Proceeds – Public Schools

FOR the purpose of requiring the State Lottery Agency to distribute certain lottery proceeds to all the public school systems in the State rather than into the General Fund of the State; requiring that public school systems use the money that is distributed for a certain purpose; specifying that the money distributed under this

Act is intended to provide additional revenue for public school systems and may not supplant any other appropriation to public school systems; defining a certain term; and generally relating to the distribution of lottery proceeds to public school systems in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 371 – Delegates Howard, Benson, Braveboy, Holmes, Ross, and Vaughn

AN ACT concerning

State Lottery – Unanticipated Revenues

FOR the purpose of requiring the Comptroller to distribute certain unanticipated lottery revenues to counties and municipal corporations on a certain pro rata basis; defining a certain term; requiring the funds distributed under this Act to be appropriated in a certain manner by the recipients for public education and public safety purposes; and generally relating to the distribution of State lottery revenues.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 372 – Delegates Beitzel and Hammen

AN ACT concerning

Medical Malpractice Liability Insurance – Garrett County Memorial Hospital – Subsidy for Family Practitioners Who Also Perform Obstetrical Services

FOR the purpose of requiring a certain subsidy for certain calendar years for medical professional liability insurance policies issued to family practitioners who have staff privileges at Garrett County Memorial Hospital and who also provide obstetrical services at the Hospital; requiring certain amounts to remain in the Rate Stabilization Account to pay for certain subsidies; requiring medical professional liability insurers to include, if applicable, a certain subsidy in the information required to be submitted to the Maryland Insurance Commissioner to receive money from the Rate Stabilization Account; providing a certain exception to the requirement that a certain disbursement from the Rate Stabilization Account be reduced by a certain amount and the prohibition on a disbursement from the Account to a certain entity under certain circumstances; providing for the termination of this Act; and generally relating to a subsidy for medical professional liability insurance policies issued to family practitioners in Garrett County who also provide obstetrical services in Garrett County.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 19–801(a) and (b), 19–802(a), (b), and (g), and 19–803

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–804 and 19–805

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 373 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Protest Against License Renewal

FOR the purpose of requiring that in Charles County a protest against the renewal of an alcoholic beverages license must specify the basis on which the protest is made; requiring that the protest be filed under oath; authorizing the Board of License Commissioners to approve the renewal of the license without a hearing if the Board makes a finding that the basis of the protest lacks substance; and generally relating to the renewal of alcoholic beverages licenses in Charles County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 10–301(a)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–301(a)(1)(iii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 374 – Delegates Feldman, Miller, Aumann, Bates, Haddaway, Harrison, Impallaria, Jameson, Kirk, Krebs, Krysiak, Love, Manno, Minnick, Taylor, F. Turner, Vaughn, and Walkup

AN ACT concerning

Credit Regulation – Debt Management Services

FOR the purpose of authorizing a person that is not a nonprofit organization to provide debt management services in the State; requiring a person that is licensed to provide debt management services to make certain determinations before providing debt management services for a consumer; altering certain definitions; repealing a certain defined term; making conforming changes; and generally relating to debt management services.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–901, 12–905(a), 12–908(b)(11), and 12–916(a)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 12–908(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 375 – Delegates Pena–Melnyk, Barnes, Frush, and Ross

AN ACT concerning

**Creation of a State Debt – Prince George’s County – College Park Aviation
Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 376 – Delegates Beitzel, Bartlett, Bates, Costa, Eckardt, Elmore, Kach, Kelly, McKee, Myers, O’Donnell, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stull, and Weldon

AN ACT concerning

Environment – Bay Restoration Fund – Users

FOR the purpose of altering the definition of a certain term to exempt certain users of onsite sewage disposal systems and sewage holding tanks located in certain areas from provisions of law relating to the Bay Restoration Fund; and generally relating to onsite sewage disposal systems and the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1601(ff)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 377 – Delegate Simmons

AN ACT concerning

Landlord and Tenant – Summary Ejectment Proceedings – Recovery of Attorney’s Fees

FOR the purpose of authorizing the court in a summary ejectment proceeding in the case of a nonresidential tenancy to award reasonable attorney’s fees to the landlord under certain circumstances; and generally relating to summary ejectment proceedings.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401(c)(2)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 378 – Delegate Simmons

AN ACT concerning

Election Law – Loans to Candidates

FOR the purpose of altering the period after which certain campaign loans that remain unpaid are considered contributions; and generally relating to loans made to a candidate’s campaign.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–230
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 379 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Drinking on Public Property and in Other Areas

FOR the purpose of repealing the exemption for Charles County from a certain prohibition against drinking alcoholic beverages without authorization on public property and certain other areas; making certain stylistic changes; and generally relating to drinking alcoholic beverages in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 19–201, 19–202, 19–203, and 19–204
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 380 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Mattawoman Creek Art Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$15,000, the proceeds to be used as a grant to the Board of Directors of the Mattawoman Creek Art 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 381 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages – Sales to Underage Persons

FOR the purpose of altering the maximum fine that the Board of License Commissioners of Charles County may impose on an employee of an alcoholic beverages licensee for the sale of alcoholic beverages to an underage person; and generally relating to alcoholic beverages sales in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–507(j)(2)(ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 382 – Charles County Delegation

AN ACT concerning

Charles County – Alcoholic Beverages Licenses – Penalty for Late Renewal

FOR the purpose of establishing in Charles County a certain date that an application for the renewal of an alcoholic beverages license is due; establishing a certain daily penalty for filing an application after a certain date; specifying the maximum amount that a person may be penalized under this Act; and generally relating to alcoholic beverages licenses in Charles County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–301(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 383 – Delegates N. King, Hixson, Kaiser, Rice, and Simmons

AN ACT concerning

Education – Safe Schools – Reporting Incidents of Harassment or Intimidation

FOR the purpose of requiring that the information contained in a certain form relating to harassment or intimidation in schools be kept confidential with certain exceptions; providing that certain information is not a part of a student’s permanent educational record; and generally relating to the reporting of incidents of harassment or intimidation in schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–424
Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 384 – Delegate Conaway

AN ACT concerning

Baltimore City Circuit Court – Jury Commissioner – Designation and Supervision

FOR the purpose of providing an exception for Baltimore City to a certain requirement that the jury plan for a circuit court designate a jury commissioner; requiring, in Baltimore City, that the clerk of the circuit court designate a jury commissioner and, under certain circumstances, an acting jury commissioner, for the circuit court; providing that the jury commissioner shall perform certain duties under the control and supervision of the clerk; providing that the jury commissioner is entitled to certain compensation set by law; and generally relating to jury commissioners in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–205
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 8–205.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 385 – Delegate Conaway

AN ACT concerning

Consumer Protection – Contracts for Consumer Goods or Services – Delayed Payment

FOR the purpose of requiring that a certain consumer contract that allows a consumer to delay payment of the purchase price or interest on the purchase price of certain consumer goods or consumer services shall state clearly the date on which interest begins to accrue; providing that a violation of this Act is an unfair or deceptive

trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to delayed payments for consumer goods and consumer services.

BY adding to

Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 386 – Delegate Love

AN ACT concerning

Professional Corporations – Physical Therapists

FOR the purpose of including as a professional service that may be rendered through a professional corporation the services of a physical therapist; altering a certain definition; and generally relating to professional corporations.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations
Section 5–101(a) and (f)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 5–101(g)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 387 – Delegates Smigiel, Anderson, Carter, Dumais, Elmore, Kelly, Lee, Manno, Schuler, and Simmons

AN ACT concerning

Torts – Release of Claim for Damages – Voidable

FOR the purpose of altering the period during which a release of a claim for certain

damages signed by an injured individual is voidable; altering the period during which a certain power of attorney or employment contract signed by an injured individual is voidable; clarifying when a certain time period begins; providing for the application of this Act; and generally relating to certain documents signed by injured individuals.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–401.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 388 – Delegates Smigiel, Anderson, Carter, Dumais, Elmore, Kelly, Lee, Manno, Schuler, and Simmons

AN ACT concerning

Civil Actions – Dismissal or Termination – Limitations

FOR the purpose of authorizing the commencement of a new civil action if a prior action for the same cause was commenced within the applicable period of limitations, and dismissed or terminated in a manner other than by a final judgment on the merits; providing the time period within which a new civil action may be commenced in accordance with this Act; providing for the application of this Act; and generally relating to altering the periods of limitations on commencement of civil actions under certain circumstances.

BY adding to
Article – Courts and Judicial Proceedings
Section 5–118
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 389 – Delegates Howard, Benson, Braveboy, Holmes, Ross, and Vaughn

AN ACT concerning

Education – Maryland Public School Supplemental Fund – Lotteries

FOR the purpose of establishing a Maryland Public School Supplemental Fund in order

to assist the counties in the State to fund the operations of the public schools in the respective counties; establishing a funding mechanism for the Fund; establishing procedures for holding moneys in the Fund; requiring the State Board of Education to administer the Fund; establishing criteria for determining grants from the Fund; specifying certain duties of the State Superintendent of Schools and the State Comptroller under this Act; requiring the State Lottery Agency to deposit into the Fund the proceeds, after certain expenses, of certain lotteries; requiring the State Lottery Agency to conduct a certain number of education lotteries; requiring the State Lottery Agency to meet certain advertising criteria in conducting the education lotteries; making certain stylistic changes; defining a certain term; and generally relating to establishing the Maryland Public School Supplemental Fund.

BY adding to

Article – Education
Section 5–211.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 5–212 and 5–213
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government
Section 9–120.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 390 – Delegates Simmons, Kelly, and Shank

AN ACT concerning

Sexual Offenders – Evaluation Before Sentencing

FOR the purpose of requiring a court, unless there is a certain waiver, before sentencing a certain defendant, to order that the defendant submit to a presentence investigation conducted by the Division of Parole and Probation and a mental health evaluation conducted by a certain individual employed or engaged by the Department of Health and Mental Hygiene; requiring a court to consider the presentence investigation and mental health evaluation when sentencing the defendant; and generally relating to evaluation and sentencing of sexual offenders.

BY adding to

Article – Criminal Procedure

Section 11–727

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

House Bill 391 – Delegates Hixson, Barve, Doory, Gilchrist, Howard, Ivey, Kaiser, N. King, Murphy, Rice, Ross, Stukes, and Walker

AN ACT concerning

Education – Geographic Cost of Education Index – Funding

FOR the purpose of requiring the State to provide certain grants to certain county boards of education to reflect regional differences in the cost of education that are due to factors outside the control of local jurisdictions; providing for the manner of calculation and distribution of certain grants in certain fiscal years; requiring the State Department of Education to update a certain geographic cost of education index (GCEI) at certain times; requiring the Department to submit a certain proposed GCEI adjustment to the Governor and General Assembly and to recommend certain legislation at certain times; and generally relating to the funding of a geographic cost of education index in the Bridge to Excellence in Public Schools Act.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(f)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 392 – Delegates Kaiser and Taylor

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income for
Commissioned Officers**

FOR the purpose of altering a certain subtraction modification under the State income tax for certain military retirement income to include certain individuals; defining certain terms; providing for the application of this Act; and generally relating to the State income tax of certain retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 393 – Delegates Hixson, Gilchrist, N. King, Ross, Stukes, and Walker

AN ACT concerning

Sales and Use Tax – Rates – Mass Transit Funding

FOR the purpose of creating a Mass Transit Account within the Transportation Trust Fund; providing for the distribution of certain sales and use tax revenue to the Mass Transit Account; pledging certain taxes collected to pay the principal and interest on certain bonds; altering the rate of the sales and use tax; limiting the use of the Mass Transit Account to funding certain transit expenses; providing that certain revenues distributed to the Mass Transit Account are in addition to and may not supplant certain other funds for mass transit; stating the intent of the General Assembly that the Washington Metropolitan Area Transit Authority Board of Directors adopt certain financial and planning business practices; making a technical change; and generally relating to the rate of the sales and use tax and the dedication of certain sales and use tax revenues to mass transit funding.

BY repealing

Article – Transportation

The subtitle designation “Subtitle 4. Transportation Revenue Sharing Fund” of
Title 3
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 2–1302.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1303, 11–104(a) and (b), and 11–301
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–215(b) and 3–216(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 3–216(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 3–401 to be under the new subtitle “Subtitle 4. Mass Transit Account”
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 394 – St. Mary’s County Delegation

AN ACT concerning

**St. Mary’s County – Review of County Plans – Water Supply Systems and
Designees**

FOR the purpose of providing that, in St. Mary's County, approval of a new water supply system or the expansion of an existing water supply system requires the adoption, revision, or amendment to a county plan containing the water supply system to be subject to a certain review; authorizing a designee of the County Commissioners to consider certain amendments to a county plan under certain circumstances; expanding certain requirements for approval of county plans to include approval of plans for new water supply systems or the expansion of existing water supply systems; authorizing the Planning Commission to delegate the responsibility for certain public hearings to county staff; and generally relating to the review of county plans in St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–506
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 395 – Delegates McConkey, Costa, Dwyer, and George

AN ACT concerning

Anne Arundel County – School Board – Elected Members

FOR the purpose of requiring that the members of the Anne Arundel County Board of Education be elected; establishing a procedure for the election of members of the Anne Arundel County Board of Education from certain districts; establishing a certain term of office for elected members and staggering the terms of the members; providing for the removal of members under certain circumstances; providing for a voting student member and for the selection of the student member; providing a procedure for filling a vacancy on the County Board; providing for the election of the president and vice president of the County Board; providing for the compensation of the members of the County Board; requiring the County Board to meet at certain intervals; specifying that certain powers and duties of the County Board be exercised by a supermajority of its members; submitting this Act to a referendum of the legally qualified voters of Anne Arundel County; providing for the effective date of certain provisions of this Act; and generally relating to the Anne Arundel County Board of Education.

BY repealing
Article – Education
Section 3–110
Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–114(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 3–2A–01 through 3–2A–05 to be under the new subtitle “Subtitle 2A.
Anne Arundel County”
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 396 – Charles County Delegation

AN ACT concerning

Charles County – Prostitution and Pandering – Seizure and Forfeiture

FOR the purpose of authorizing a law enforcement agency of Charles County, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with violations of certain prostitution laws; establishing that certain property is contraband and presumed to be forfeitable; placing the burden of rebutting a certain presumption on a certain property claimant; authorizing the seizure of certain property with or without a warrant in certain circumstances; authorizing a court to direct a certain defendant to forfeit certain property; establishing a certain forfeiture proceeding; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with violations of the prostitution law in Charles County.

BY adding to
Article – Criminal Procedure
Section 13–401 through 13–408 to be under the new subtitle “Subtitle 4. Charles
County – Violations of Prostitution Law”
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 397 – Delegates Haddaway, Cane, Conway, Eckardt, Elmore, Mathias, Smigiel, Sossi, and Walkup

AN ACT concerning

Eastern Shore Task Force on Foster Care

FOR the purpose of establishing the Eastern Shore Task Force on Foster Care; providing for the membership, chair, and staffing of the Task Force; specifying the duties of the Task Force; requiring the Task Force to submit certain reports to the Governor and the General Assembly on or before certain dates; prohibiting members of the Task Force from receiving certain compensation; authorizing members of the Task Force to receive reimbursement for certain expenses; providing for the termination of this Act; and generally relating to the Eastern Shore Task Force on Foster Care.

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

House Bill 398 – Delegates Barnes, Ali, Pena–Melnyk, Ramirez, Schuler, Simmons, Vallario, and Vaughn

AN ACT concerning

Vehicle Laws – Required Security – Minimum Amounts

FOR the purpose of increasing the minimum amounts of required security for the payment of certain claims for bodily injury or death arising from a motor vehicle accident; and generally relating to the minimum required security for motor vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–103
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 399 – Delegates Hixson and McIntosh

AN ACT concerning

Property Tax – Charter Counties – Limits

FOR the purpose of authorizing the county council of certain charter counties to set a

property tax rate or collect certain property tax revenues under certain conditions, notwithstanding any provision of a county charter that places certain limits on that county's property tax rate or revenues; providing for the application of this Act; and generally relating to county property tax rates and revenues.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 6–202

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 400 – Delegates Montgomery, Ali, Barkley, Benson, Bobo, Cane, V. Claggett, Doory, Frush, Goldwater, Gutierrez, Hecht, Hucker, Kaiser, Lawton, Lee, Manno, McIntosh, Nathan–Pulliam, Oaks, Rice, Taylor, and Waldstreicher

AN ACT concerning

Maryland Universal Health Care Plan

FOR the purpose of establishing the Maryland Universal Health Care Plan; specifying the purposes of the Plan; establishing the State Board of Governors of the Maryland Universal Health Care Plan; specifying the membership of the Board of Governors and the terms, duties, and powers of the members of the Board of Governors; authorizing the Board of Governors to adopt certain regulations; requiring the Board of Governors to appoint an executive director; specifying eligibility requirements for membership in the Plan; requiring the Board of Governors to establish the comprehensive package of benefits to be provided under the Plan; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate benefits covered under the Plan; requiring the Plan to reimburse hospitals and certain health care providers in accordance with certain rates and fee schedules; prohibiting certain health care providers from charging a rate for a covered service that exceeds the rate established by the Board of Governors; providing that this Act does not affect existing or future obligations of employers to provide certain benefits to retirees who no longer reside in the State; establishing the Maryland Universal Health Care Trust Fund; specifying the purposes, contents, and uses of the Fund; defining certain terms; specifying the initial terms of the appointed members of the Board of Governors; 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 Board of Governors to seek certain waivers and the extension of a certain waiver on or before a certain date; requiring the Board of Governors 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; providing for the effective dates of this Act; and generally relating to the Maryland Universal Health Care Plan.

BY adding to

Article – Health – General

Section 25–101 through 25–701 to be under the new title “Title 25. Maryland Universal Health Care Plan”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 401 – Delegates Barnes, Malone, Ali, Conway, Costa, DeBoy, Frush, Glassman, Hubbard, Jennings, Kipke, Levi, Mathias, Morhaim, Niemann, Pena–Melnik, Ross, Stein, Stull, Weir, and Weldon

AN ACT concerning

Public Safety – Carbon Monoxide Alarms

FOR the purpose of requiring the installation of certain carbon monoxide alarms within a certain distance from each sleeping area within certain dwellings or, under certain circumstances, within a certain distance from carbon monoxide–producing fixtures and equipment within certain dwellings; establishing certain standards for the required carbon monoxide alarm; establishing certain duties related to the replacement, repair, and maintenance of carbon monoxide alarms; prohibiting a person from rendering a carbon monoxide alarm inoperable with a certain exception; clarifying that this Act does not prevent a county or municipal corporation from enacting more stringent requirements relating to carbon monoxide alarms; defining certain terms; and generally relating to carbon monoxide alarms.

BY adding to

Article – Public Safety

Section 12–1101 through 12–1106 to be under the new subtitle “Subtitle 11. Carbon Monoxide Alarms”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

House Bill 402 – Delegates Donoghue, Conway, and McKee

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Managers

FOR the purpose of altering the membership of the Correctional Officers' Retirement System; clarifying that certain members of the Correctional Officers' Retirement System are eligible to receive a normal service retirement allowance or a deferred vested retirement allowance; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers' Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Correctional Officers' Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 403 – Allegany County Delegation

AN ACT concerning

Allegany County – Junkyard Ordinance – Appearances at Trial

FOR the purpose of providing that, in Allegany County, during a prosecution for a certain civil infraction related to junkyards, the presence of the State's Attorney is not required if a certain official who issued the citation for the infraction is present on behalf of the county; and generally relating to the enforcement of the junkyard ordinance in Allegany County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 122A
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13C(o)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 404 – Delegates Montgomery, Barkley, Benson, Bronrott, Frush, Kaiser, Kirk, Krysiak, Lawton, Manno, Niemann, Oaks, and Stukes

AN ACT concerning

Continuing Care in a Retirement Community – Appeal Procedure for Subscriber Grievances

FOR the purpose of establishing a procedure for subscribers who are not satisfied with the resolution of grievances by providers to submit complaints to the Secretary of Aging; requiring the Secretary or the Secretary’s designee to conduct a preliminary review of a complaint in a certain manner; requiring the Office of Administrative Hearings to hold a hearing on a complaint under certain circumstances; requiring the Office of Administrative Hearings to issue certain orders under certain circumstances; requiring the Secretary to issue certain orders or to remand the complaint under certain circumstances; requiring the Secretary to adopt certain regulations; and generally relating to an appeal procedure for grievances of subscribers in continuing care retirement communities.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–428
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 10–430
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

QUORUM CALL

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

(See Roll Call No. 43)

ADJOURNMENT

At 11:24 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 5, 2007.

**Annapolis, Maryland
Monday, February 5, 2007**

The House met at 8:06 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseph J. Minnick of Baltimore County.

QUORUM CALL

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

(See Roll Call No. 47)

The Journal of February 2, 2007 was read and approved.

EXCUSES:

Del. Barve – illness

Del. Goldwater – illness

Del. V. Turner – medical

Del. Walkup – medical

INTRODUCTION OF BILLS

House Bill 405 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Creation of a State Debt – Shore Health System

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 Shore Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 406 – Delegates Weir, Boteler, and Minnick

AN ACT concerning

Real Property – Landlord Liability for Injury or Damage – Requirements

FOR the purpose of establishing that a landlord is not liable for injury or damage caused by a certain condition in a residential rental unit unless the landlord knew or had reason to know of the condition that caused the injury or damage and had a reasonable opportunity to correct the condition; defining certain terms; providing that this Act does not apply to certain matters or activities regulated under certain provisions; providing that this Act does not alter certain rights and remedies and does not prohibit a tenant from reporting certain code violations; and generally relating to requirements for landlord liability for injury or damage.

BY adding to

Article – Real Property

Section 8–211.2

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 407 – Delegates Weir, Boteler, and Minnick

AN ACT concerning

Breach of Lease – Tenant Protection from Imminent Danger

FOR the purpose of altering the period of notice that a landlord is required to give to evict a tenant or the person in possession of the premises if the tenant or another person breaches the lease by behaving in a certain manner that constitutes a danger to certain persons or property; and generally relating to the period of notice a landlord is required to give before making a complaint to the District Court to repossess certain leased premises.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–402.1(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 408 – Delegates Proctor and Vallario

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Maryland Crime Victims’
Resource Foundation**

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 Maryland Crime Victims’ Resource Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 409 – Delegates Kaiser, Hubbard, Riley, and Ross

AN ACT concerning

Recordation Tax – Indemnity Mortgages

FOR the purpose of providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan is deemed to be incurred as debt is incurred on the guaranteed loan and the recordation tax applies in a certain manner; and generally relating to the treatment of certain indemnity mortgages under the recordation tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–105(f)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 410 – Delegates Kaiser, Aumann, Barkley, Beidle, Bronrott, Feldman, Gutierrez, Healey, Hubbard, Hucker, Krebs, Lawton, Lee, Manno, McKee, Mizeur, Ramirez, Riley, Ross, Taylor, and Waldstreicher

AN ACT concerning

Income Tax – Deduction for Qualified Tuition and Related Expenses

FOR the purpose of repealing an addition modification under the Maryland income tax for certain tuition and related expenses deducted for federal income tax purposes; providing for the application of this Act; and generally relating to the repeal of an addition modification under the Maryland income tax for certain tuition and related expenses deducted for federal income tax purposes.

BY repealing

Article – Tax – General

Section 10–204(h)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 411 – Delegates Nathan–Pulliam, Benson, Burns, Costa, and Donoghue

AN ACT concerning

Health Insurance – Managed Care Organizations – Service Count Ratio

FOR the purpose of requiring that certain regulations adopted by the Secretary of Health and Mental Hygiene, in consultation with the Maryland Insurance Commissioner, establish a mechanism to include a certain service count ratio as a condition under which a certain adjustment to capitation payments for certain managed care organizations will be waived; and generally relating to capitation payments for managed care organizations.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–605(c)(5)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 193 of the Acts of the General Assembly of 2005

Section 2

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

House Bill 412 – Delegates Elmore, Ali, Aumann, Bartlett, Bates, Beitzel, Boteler, Cane, DeBoy, Eckardt, Frank, George, Glassman, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, N. King, Krebs, Kullen, Levy, Malone, McConkey, McDonough, McKee, Murphy, Myers, Shewell, Smigiel, Stull, Weir, Weldon, and Wood

AN ACT concerning

Natural Resources – Oyster Dredge Devices – Termination Date

FOR the purpose of repealing the termination date for certain provisions of law relating to oyster dredge devices; and generally relating to oyster dredge devices.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–1013(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 166 of the Acts of the General Assembly of 2004
Section 3

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

House Bill 413 – Delegates Love and Krysiak

AN ACT concerning

State Board for Professional Engineers – Repeal of Authority to Issue Limited Licenses

FOR the purpose of repealing the authority of the State Board for Professional Engineers to issue limited licenses to practice engineering on a specific job; and generally relating to the State Board of Professional Engineers and the practice of engineering.

BY repealing
Article – Business Occupations and Professions
Section 14–316
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 414 – Delegates Barnes, Frush, and Pena–Melnyk

AN ACT concerning

Admissions and Amusement Tax – Food and Beverages

FOR the purpose of authorizing a municipal corporation to impose an admissions and amusement tax on the gross receipts derived from the sale of certain food and beverages; altering certain limits and providing certain limits on a county's or municipal corporation's authority to impose an admissions and amusement tax; establishing a maximum tax rate on certain gross receipts that are subject to the admissions and amusement tax; excluding that tax rate from calculation of the maximum total tax rate for gross receipts that are subject to the admissions and amusement tax and the sales and use tax; and generally relating to authorizing a municipal corporation to impose an admissions and amusement tax on the sale of certain food and beverages.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 4–101(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–102(b), 4–103(b), and 4–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 415 – Delegates Dumais, Ali, Barkley, Barve, Beidle, Benson, Bobo, Bronrott, Doory, Eckardt, Elmore, Feldman, Frush, Gaines, Gilchrist, Goldwater, Griffith, Gutierrez, Guzzone, Harrison, Healey, Hecht, Heller, Hixson, Howard, Hucker, Ivey, Jameson, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lawton, Lee, Love, Manno, McIntosh, Mizeur, Montgomery, Pena–Melnyk, Pendergrass, Rice, Taylor, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Family Law – Protective Orders – Burden of Persuasion

FOR the purpose of altering the standard of proof by which a judge in a protective order hearing must find that abuse has occurred before the judge may grant a final

protective order; and generally relating to the standard of proof in a protective order hearing.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(c)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 416 – Delegates Stein, Cane, Cardin, V. Clagett, Lafferty, Morhaim, and Weir

AN ACT concerning

Maryland Agricultural Commission – Biofuel Industry Member

FOR the purpose of altering the membership of the Maryland Agricultural Commission by requiring the Governor to appoint a member from a list of a certain number of nominees representing the biofuel industry; and generally relating to the Maryland Agricultural Commission.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–203(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 350 of the Acts of the General Assembly of 2005)

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

House Bill 417 – Delegates N. King, Ali, Bobo, Bronrott, V. Clagett, Healey, Lawton, and Montgomery

AN ACT concerning

Environment – Golf Course Redevelopment – Environmental Assessment

FOR the purpose of requiring a person who is proposing to redevelop property that was previously used as a commercial golf course to commission a certain comprehensive environmental characterization and assessment of the property before construction; providing for the requirements of the assessment; requiring a certain person to pay for, and ensure the accuracy of, the assessment; requiring the assessment to be conducted by a certain environmental consultant; requiring the

environmental consultant to establish a testing plan; requiring samples to be taken in a certain manner and in accordance with certain criteria; providing for certain minimum sampling standards for certain property proposed for redevelopment; requiring the Department of the Environment to establish a certain independent panel; requiring the independent panel to review and approve the testing plan and to evaluate certain sampling results; requiring the panel to use certain protocols, procedures, and standards in its review of certain sampling results; prohibiting a person who is proposing to redevelop certain property from beginning construction until the independent panel approves the testing plan and finds certain contaminant levels acceptable; requiring the Department to make a certain notice and to provide for a certain public hearing under certain circumstances; requiring remediation under certain circumstances; and generally relating to the redevelopment of golf courses.

BY adding to

Article – Environment

Section 4–105.1

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 418 – Delegates Hucker, Ali, Barkley, Barnes, Beidle, Beitzel, Bobo, Bronrott, Cane, V. Clagett, Costa, Dumais, Frush, George, Gilchrist, Glenn, Gutierrez, Healey, Hixson, Holmes, Kaiser, N. King, Lafferty, Lawton, Lee, Manno, McConkey, Mizeur, Morhaim, Niemann, Pena–Melnik, Rice, Ross, Schuler, Stein, and Taylor

AN ACT concerning

Mercury Switch Removal from Vehicles

FOR the purpose of requiring motor vehicle manufacturers to develop a mercury minimization plan that includes information on mercury switch removal from motor vehicles; requiring certain manufacturers to submit a certain plan to the Department of the Environment within a certain number of days after the enactment date of this Act; establishing certain requirements for a mercury minimization plan; requiring vehicle manufacturers to pay certain costs associated with mercury switch removal; requiring the Department to review the plan and make a determination about the status of the plan within a certain number of days; authorizing the Department to impose certain penalties for violators of a mercury minimization plan; authorizing a scrap recycling facility to accept end-of-life vehicles that contain mercury switches under certain circumstances; defining certain terms; authorizing the Department to adopt rules and regulations to administer the program; requiring an annual report containing certain information

to be submitted to the Department; and generally relating to mercury switch removal from motor vehicles.

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–904
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–905
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 6–905.4 through 6–905.6
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 419 – Delegates Rudolph, James, Riley, Smigiel, Sossi, and Walkup

AN ACT concerning

Creation of a State Debt – Cecil County – 4–H Animal Display Barn

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the Cecil County Fair, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 420 – Delegates Stull, Bartlett, Bates, Beitzel, Cane, G. Clagett, Elliott, Elmore, Glassman, Glenn, Hecht, James, Kach, Kelly, McComas, McKee, Miller, O'Donnell, Riley, Weir, and Weldon

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

FOR the purpose of authorizing the State Highway Administration to issue an exceptional milk hauling permit for a combination of vehicles or a straight truck that carries certain raw liquid milk to a processing plant and has an axle configuration that meets certain requirements; requiring a combination of vehicles or a straight truck operating under the authority of an exceptional milk hauling permit to comply with certain weight limits; requiring a certain combination of vehicles or straight truck, twice each year, to submit to and pass a certain inspection and be allowed only a certain load limit tolerance; prohibiting a person who operates a certain combination of vehicles or straight truck from violating certain highway restrictions, operating the combination of vehicles on an interstate highway system, or operating the vehicle if it exceeds certain ratings or restrictions or fails to comply with the terms and conditions of the permit; requiring a person who operates a certain combination of vehicles or straight truck to have, in the person's possession, a certain permit and certain inspection reports; specifying the penalties for the violation of certain provisions of law, regulations, or the terms and conditions of certain exceptional milk hauling permits; authorizing the revocation of an exceptional milk hauling permit under certain circumstances; authorizing a certain person to appeal the revocation of an exceptional milk hauling permit; requiring certain records to be provided to the State Highway Administrator or the Administrator's designee on request; authorizing the State Highway Administrator to take certain action if certain records are not received; establishing certain fees; providing that an exceptional milk hauling permit is valid for a certain period; requiring the State Highway Administration, in consultation with the Secretary of State Police, to adopt certain regulations; requiring the State Highway Administration and the Department of State Police to submit a certain report on or before a certain date; establishing that the issuance of a permit under this Act is at the discretion of the State Highway Administrator; requiring the State Highway Administrator to report a certain decision to the General Assembly; providing for the termination of this Act; and generally relating to vehicle size, weight, and load limits, and exceptional milk hauling permits.

BY adding to

Article – Transportation

Section 24–113.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 421 – Delegates Sophocleus, Barnes, Beidle, V. Clagett, Costa, Frush, George, J. King, Kipke, Love, McConkey, and Pena–Melnik

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Old Mill High School 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 Directors of the Patriots Boosters Club of Old Mill High School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 422 – Delegates Simmons and Dumais

AN ACT concerning

Alimony and Child Support – Exemption from Execution on a Judgment

FOR the purpose of exempting money paid or payable for alimony or child support obligations from execution on a judgment; and generally relating to alimony and child support.

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

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

House Bill 423 – Delegate McIntosh

AN ACT concerning

Workforce Housing Grant Program – Fund Establishment – Administrative Clarifications

FOR the purpose of creating the Workforce Housing Fund in the Department of Housing and Community Development to provide certain funds for the operation of the Workforce Housing Grant Program; altering the factors that the Department may consider in determining whether a local government has met a certain match

requirement under the Program; clarifying that the Department may redistribute Program funds among qualifying local governments under certain circumstances; altering the maximum amount of funds that a local government may use to develop a workforce housing unit; altering the amount that an original buyer of a homeownership workforce housing unit is required to pay to the Department if the original buyer transfers title to the unit under certain circumstances; clarifying certain disclosure requirements in a contract of sale to an original buyer of a workforce housing unit; repealing a certain requirement that the deed to an initial buyer of a workforce housing unit include certain disclosures and create a certain lien under certain circumstances; requiring amounts owed to the Department when an original buyer transfers title to a homeownership workforce housing unit be secured by a certain recorded lien; defining a certain term; making stylistic changes; and generally relating to the Workforce Housing Grant Program.

BY adding to

Article – Housing and Community Development
Section 4–506
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development
Section 4–1801, 4–1802, 4–1804, 4–1807, 4–1808, 4–1810, and 4–1811
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development
Section 4–1803, 4–1805, 4–1806, 4–1809, 4–1812, and 4–1813
Annotated Code of Maryland
(2006 Volume)

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

House Bill 424 – Delegates Weir, Aumann, Boteler, McConkey, and Stull

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

FOR the purpose of authorizing a person who intends to acquire a property that is considered to be affected under certain lead risk reduction provisions to submit a compliance plan to the Department of the Environment; authorizing a person who has acquired, or will acquire, an affected property to give certain notice and

information at a certain time; establishing a process and a fee for submitting an application for a compliance plan; requiring the Department to approve or deny the plan, or request additional information, within a certain number of days after the plan is submitted; authorizing the Department to deny certain applications under certain circumstances; requiring either certain proof that a certain risk reduction standard has been met or a certain inspection report to be filed with the Department under certain circumstances; providing that a compliance plan is void under certain circumstances; providing certain protections for an owner after a plan is approved; providing that if the owner fails to comply with the compliance plan, the owner shall be considered noncompliant as of a certain date; authorizing the Department to adopt certain regulations; providing for the application of this Act; and generally relating to acquiring property with lead risks.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–820 and 6–823
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–824 and 6–836
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 6–825
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

House Bill 425 – Delegate Simmons

AN ACT concerning

Civil Actions – Liability of Insurer – Failure to Act in Good Faith

FOR the purpose of authorizing the recovery by an insured, in certain civil actions between an insured and an insurer, of actual damages, expenses, litigation costs, and interest; requiring the court to make certain findings before the insured may recover certain damages, expenses, costs, and interest from the insurer; providing that the interest is to be computed at a certain rate and from a certain date;

providing for the application of this Act; and generally relating to a civil cause of action between an insured and an insurer.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1701 to be under the new subtitle “Subtitle 17. Liability of Insurer”

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 426 – Frederick County Delegation

AN ACT concerning

Frederick County – Board of Education – Repeal of Spousal Exclusion

FOR the purpose of repealing a certain prohibition that bars an individual who is married to an administrator or teacher of the Frederick County Board of Education from being elected or serving on the County Board; repealing a certain prohibition that bars an individual who is married to a member of the County Board from being hired as an administrator or teacher by the County Board unless the individual’s spouse first resigns from the County Board; and generally relating to the Frederick County Board of Education.

BY repealing and reenacting, without amendments,

Article – Education

Section 3–5B–01(a)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing

Article – Education

Section 3–5B–02

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 427 – Delegates Dumais, Ali, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Braveboy, Bronrott, V. Clagett, Doory, Eckardt, Elmore, Feldman, Frush, Gaines, Gilchrist, Goldwater, Griffith, Gutierrez, Guzzone, Haddaway, Harrison, Healey, Hecht, Heller, Hixson, Howard, Hucker, Ivey, Jameson, Jones, Kaiser, N. King, Kirk, Krysiak, Kullen, Lawton, Lee, Levi, Love, Manno, McIntosh, Mizeur, Montgomery,

Nathan–Pulliam, Pena–Melnyk, Pendergrass, Rice, Sossi, Taylor, F. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Family Law – Protective Orders – Duration of Final Order

FOR the purpose of altering the maximum duration of a final protective order; and generally relating to the duration of a final protective order.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(g)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 428 – Delegates Gutierrez, Barkley, Lawton, and Waldstreicher

AN ACT concerning

Creation of State Debt – Montgomery County – MacDonald Knolls Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of CHI Centers, Inc., for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 429 – Delegates Malone and DeBoy

AN ACT concerning

Baltimore County – Arbutus Community Center Loan of 2000

FOR the purpose of extending the deadline by which the County Executive and County Council of Baltimore County must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, without amendments,
Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter
168 of the Acts of the General Assembly of 2002 and Chapter 149 of the
Acts of the General Assembly of 2004
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter
168 of the Acts of the General Assembly of 2002 and Chapter 149 of the
Acts of the General Assembly of 2004
Section 1(5)

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

House Bill 430 – Delegates Taylor, Hucker, Ali, Anderson, Barkley, Barnes, Barve, Benson, Bobo, Braveboy, Bronrott, Cane, V. Clagett, Conaway, Dumais, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Harrison, Haynes, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Ivey, Jones, Kaiser, N. King, Kirk, Krysiak, Kullen, Lawton, Lee, Levi, Love, Manno, McIntosh, Mizeur, Montgomery, Niemann, Oaks, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Riley, Ross, Schuler, Simmons, Stukes, F. Turner, Vallario, Vaughn, and Waldstreicher

AN ACT concerning

State Procurement Contracts – Living Wage

FOR the purpose of requiring certain contractors and subcontractors to pay certain employees a certain minimum wage rate under certain State procurement contracts; providing certain exemptions and reductions in a certain wage rate; requiring the Commissioner of Labor and Industry to alter a certain wage rate based on a certain Consumer Price Index and to administer and enforce requirements with regard to certain employers; requiring the Commissioner to publish a certain wage rate under certain circumstances; requiring certain units of State government to adopt regulations and authorizing certain units to grant certain waivers; granting certain employees rights of free speech and association; requiring certain employers to post certain information; authorizing an employee to sue for certain wages under certain circumstances; providing certain remedies and certain procedural requirements; prohibiting an employer from retaliating against an employee based on a certain action; establishing certain penalties; defining certain terms; requiring the Department of Legislative Services to study certain matters and report to the General Assembly on or before a certain date; requiring certain governmental units to cooperate with the Department and provide certain information in a certain manner; providing for the application of this Act; and generally relating to the living wage.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 12–101(c); and 18–101 through 18–110, inclusive, to be under the new
title “Title 18. Living Wage”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 431 – Delegates Hixson, Conway, Dumais, Feldman, Rice, Ali, Barkley, Bronrott, Gilchrist, Hucker, Kaiser, N. King, Lawton, Manno, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – Woodstock Equestrian Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Montgomery County Parks Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historic Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 432 – Delegate James

AN ACT concerning

Law Enforcement Officers’ Pension System – Department of Public Safety and Correctional Services Internal Investigative Unit Investigators

FOR the purpose of authorizing certain members of the Department of Public Safety and Correctional Services Internal Investigative Unit to become members of the Law Enforcement Officers’ Pension System; requiring the Board of Trustees for the

State Retirement and Pension System to transfer certain funds to the Law Enforcement Officers' Pension System Accumulation Fund; requiring certain members of the Department of Public Safety and Correctional Services Internal Investigative Unit to deposit certain amounts in the Annuity Savings Fund of the Law Enforcement Officers' Pension System; exempting certain transfers of service credit from the provisions of Title 37 of the State Personnel and Pensions Article; and generally relating to the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–201(a), 26–202, 26–203.1, and 37–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 26–203.3
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 433 – Delegates Barkley, Ali, Bronrott, Dumais, Feldman, N. King, and Rice

AN ACT concerning

**Creation of a State Debt – Montgomery County – Germantown Boys & Girls Club
Gymnasium**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$700,000, the proceeds to be used as a grant to the Board of Directors of the Boys & Girls Clubs 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 434 – Delegates Barkley, Ali, Aumann, Bronrott, G. Clagett, Dumais, Feldman, Kaiser, Lawton, Lee, Manno, Montgomery, Rice, Rosenberg, and Waldstreicher

AN ACT concerning

Transportation Funding – Mass Transit Funding – Sales and Use Tax

FOR the purpose of altering the distribution of sales and use tax revenue; creating a Mass Transit Account within the Transportation Trust Fund; providing for the distribution of certain sales and use tax revenue to the Mass Transit Account within the Transportation Trust Fund; altering the sales and use tax rate; pledging certain taxes collected to pay the principal and interest on certain bonds; limiting the use of the Mass Transit Account to funding certain transit expenses; providing that certain revenues distributed to the Mass Transit Account are in addition to and may not supplant certain other funds for mass transit; and generally relating to certain taxes used for certain transportation funding.

BY repealing

Article – Transportation

The subtitle designation “Subtitle 4. Transportation Revenue Sharing Fund” of Title 3

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 2–1302.2

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1303, 11–104(a) and (b), and 11–301

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–215(b) and 3–216

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 3–401 to be under the new subtitle “Subtitle 4. Mass Transit Account”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 435 – Delegates Stocksdales, Aumann, Barkley, Bates, Costa, Dwyer, Eckardt, Elliott, Elmore, George, Haddaway, Krebs, McComas, McConkey, Shewell, Sophocleus, Sossi, Walkup, and Wood

AN ACT concerning

Income Tax – Credit for Long–Term Care Premiums – Modifications

FOR the purpose of removing certain limitations on a certain income tax credit for eligible long–term care premiums; altering the amount of a certain income tax credit that may be claimed for eligible long–term care premiums; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care premiums.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–718
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 436 – Delegates Kaiser, Aumann, Barnes, Beidle, V. Clagett, Conway, Frush, Gaines, Gilchrist, Healey, Hubbard, Lawton, Love, Mathias, Montgomery, Niemann, Pena–Melnyk, Riley, Ross, Simmons, Sophocleus, Waldstreicher, and Walker

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

FOR the purpose of requiring homeowners to file certain applications to the State Department of Assessments and Taxation to qualify for the homestead property tax credit; providing that the homestead property tax credit may not be granted unless an application is filed as required within certain time periods under certain circumstances; requiring the Comptroller to cooperate with the Department in adopting a certain procedure, provide certain information to the Department, and assist the Department in a postaudit of each application; and generally relating to the homestead property tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(d)(1)

Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property
Section 9–105(d)(6) and (l)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 437 – Delegate Cardin

AN ACT concerning

Elections – Certificate of Candidacy – Legal Name of Candidate

FOR the purpose of altering the requirements relating to the name a candidate may use on a certificate of candidacy; providing the procedure by which a candidate may use a certain name on a certificate of candidacy; defining a certain term; and generally relating to certificates of candidacy.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 5–301
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 438 – Delegates V. Clagett, Beidle, Busch, Costa, George, Love, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hammond–Harwood 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 Hammond–Harwood 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan

proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 439 – Delegates Cardin, Barkley, Barnes, Heller, Howard, Kaiser, Olszewski, Rice, Ross, Stein, and Stukes

AN ACT concerning

Education – Reporting Requirement – Class Size

FOR the purpose of requiring the State Department of Education to develop a uniform data collection method to track a certain number of certain students in a certain teacher's class; requiring a certain data collection method to reflect a certain number of certain students in a certain class as of a certain date; requiring each county board of education to implement a certain data collection method and report the results of this data collection to the Department on or before a certain date; requiring the Department to report to the General Assembly regarding certain data on or before a certain date; defining a certain term; and generally relating to a uniform data collection method to determine the number of students who participate in a classroom teacher's class.

BY adding to

Article – Education

Section 7–116

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 440 – Delegates Barkley, Ali, and N. King

AN ACT concerning

Vehicle Laws – Engine Brakes – Restrictions

FOR the purpose of prohibiting the operator of a commercial motor vehicle equipped with a certain engine brake from activating the engine brake in a residential district during a certain period of time; defining certain terms; and generally relating to restricting the use of engine brakes.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–101(s)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 22–611
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 441 – Delegates Rice, Ali, Feldman, Gutierrez, Hucker, Ivey, Manno, Montgomery, and Taylor

AN ACT concerning

Assault Weapon Tax

FOR the purpose of imposing a tax on the sale of certain assault weapons in the State; establishing the rate of the assault weapon tax; requiring the Comptroller to distribute the assault weapon tax revenue to a special fund to be used for certain purposes; altering the definition of “sales tax” under the tax laws to include the assault weapon tax under the administration of the sales tax; providing that certain credits and exemptions do not apply to the assault weapon tax; exempting certain sales from the assault weapon tax; providing certain persons a certain collection expense credit for timely filing of an assault weapon tax return; requiring assault weapon dealers to file certain assault weapon tax returns to include certain information; defining certain terms; requiring the Secretary of State Police to submit a certain report; and generally relating to a tax on the sale or use of certain assault weapons in the State.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 1–101(s) and 2–1303
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 11–101(a), (h), (j), and (n)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 11–1B–01 through 11–1B–05 to be under the new subtitle “Subtitle 1B. Assault Weapon Tax”; 11–501(c) and 11–502(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 442 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

FOR the purpose of authorizing the members of the Potomac River Fisheries Commission to receive up to a certain amount of compensation for each day or portion of a day spent in the performance of their duties; providing that members of the Potomac River Fisheries Commission may not receive more than a certain amount of compensation in any year; providing that this Act does not apply to the compensation of the incumbent members of the Potomac River Fisheries Commission from Maryland; making this Act subject to a certain contingency; and generally relating to compensation of the members of the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–306 Article I Section 5

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 443 – Southern Maryland Delegation

AN ACT concerning

Potomac River Fisheries Commission – Employees and Retirees – Participation in State Health and Welfare Benefits Program

FOR the purpose of altering the Potomac River Compact of 1958 to require that retirees of the Potomac River Fisheries Commission be eligible for certain health and related insurance benefits; allowing employees and retirees of the commission to enroll and participate in the health insurance benefit options established under the

State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring the commission to pay certain costs to the State and make a certain determination; making this Act subject to a certain contingency; and generally relating to the participation in health insurance benefit options under the State Employee and Retiree Health and Welfare Benefits Program by employees and retirees of the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–306 Article I Section 7
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 2–515.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 444 – Delegates Krebs, Ali, Aumann, Barkley, Bartlett, Bates, Beidle, Boteler, Bronrott, G. Clagett, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Frank, George, Hubbard, Jennings, Kach, Kaiser, J. King, Kipke, Kramer, Lawton, Lee, Manno, McComas, McConkey, Mizeur, Montgomery, Rice, Schuh, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, Weir, and Weldon

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Constitutional Amendment – Transportation Trust Fund

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that money contained in any Transportation Trust Fund created by the General Assembly may not be transferred or diverted from that Fund to the General Fund of the State unless the Governor takes certain actions; providing that a certain limitation does not apply under certain circumstances; submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection; and generally relating to a proposed amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for certain purposes.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department

Section 53

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

House Bill 445 – Delegates Kullen, Levy, Bartlett, Bromwell, Davis, DeBoy, Donoghue, Eckardt, Hubbard, Kipke, Oaks, and Taylor

AN ACT concerning

State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications

FOR the purpose of requiring that the State Board of Nursing consist of a certain number of members certified in an advanced practice nursing specialty; requiring the Governor to appoint certain members from a list of nominees submitted by certain organizations; requiring that a certain number of nominees be on a certain list of nominations; requiring that certain organizations nominate certain nurses with a certain certification from a certain list of specialties for each vacancy for each term and that certain organizations rotate the specialty of nominations among certain specialties; requiring that certain members meet certain educational and professional requirements; and generally relating to the State Board of Nursing and membership.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 446 – Delegate Dumais

AN ACT concerning

Real Property – Wrongful Detainer – Protective Orders

FOR the purpose of establishing that certain provisions of law relating to persons who hold possession of property without the right of possession do not apply to cases in which possession of the property is included in a certain protective order under certain circumstances; and generally relating to the applicability of certain provisions of law that relate to wrongful possession of property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402.4 and 14–109
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 447 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Distribution of Tobacco Products to Minors – Prohibition and Penalties

FOR the purpose of prohibiting the distribution of certain tobacco products, cigarette rolling papers, and tobacco–related coupons to minors in St. Mary’s County; creating certain defenses to a violation of this Act; establishing certain civil penalties; granting jurisdiction to the District Court to adjudicate violations of this Act; defining certain terms; making certain conforming and clarifying changes; and generally relating to the illegal distribution of tobacco and tobacco–related products to minors in St. Mary’s County.

BY repealing
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–101 and 15–102.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–102 and 15–103
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–104

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(10)(xiii)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 448 – Delegates Gilchrist, Hixson, Ivey, and Kaiser

AN ACT concerning

Sales and Use Tax – Services

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to impose the tax on certain services; exempting from the tax the sale of certain services by a political subdivision of the State; providing for a delayed effective date; and generally relating to the sales and use taxation of certain services.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–101(m)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 11–230
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 449 – Delegate Feldman

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

FOR the purpose of prohibiting a vehicle protection product from being sold or offered for sale in the State unless the seller and the warrantor of the vehicle protection

product, and the warrantor's administrator, comply with the provisions of this Act; providing that a seller, warrantor, or administrator that complies with this Act is not required to comply with certain provisions of law; requiring a warrantor of a vehicle protection product that is sold or offered for sale in the State to register with the Division of Consumer Protection of the Office of the Attorney General; requiring a registration form to include certain information; requiring a warrantor that registers with the Division to pay a certain registration fee and renewal fee; providing that certain information shall be made available to the public under certain circumstances; requiring a certain warrantor to maintain certain accounts, books, and records for a certain period of time and to make the accounts, books, and records available for inspection by the Division; requiring a certain warrantor to be insured under a certain warranty reimbursement insurance policy or to maintain a certain amount of net worth or stockholders' equity; requiring a warranty reimbursement insurance policy to contain certain provisions; specifying certain contents of a vehicle protection product warranty; authorizing a vehicle protection product warranty to provide for the reimbursement of certain incidental costs; requiring a seller or warrantor of a vehicle protection product to provide a written copy of a vehicle protection product warranty to a purchaser at a certain time; providing that a certain warrantor may negotiate the purchase price of a vehicle protection product warranty; prohibiting a vehicle protection product warrantor from using certain terms in its name, contracts, or literature; authorizing a vehicle protection product warrantor to use a certain term in its name; prohibiting a vehicle protection product seller or warrantor from requiring, as a condition of the sale or financing of a vehicle, that the purchaser of the vehicle buy a vehicle protection product; providing for the resolution of disputes between a vehicle protection product warrantor and a warranty holder; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; establishing a certain short title; defining certain terms; providing for the application of this Act; prohibiting this Act from being interpreted in a certain manner; providing for a delayed effective date; and generally relating to the Vehicle Protection Products Act.

BY adding to

Article – Commercial Law

Section 14–4A–01 through 14–4A–14 to be under the new subtitle “Subtitle 4A.
Vehicle Protection Products Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

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

(See Roll Call No. 48)

ADJOURNMENT

At 8:43 P.M. on motion of Delegate Branch the House adjourned until 10:00 A.M. on Tuesday, February 6, 2007.

Annapolis, Maryland
Tuesday, February 6, 2007

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Rudolph C. Cane of Dorchester and Wicomico counties.

QUORUM CALL

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

(See Roll Call No. 49)

The Journal of February 5, 2007 was read and approved.

EXCUSES:

Del. Goldwater – illness
Del. O'Donnell – funeral
Del. V. Turner – medical
Del. Walkup – medical

INTRODUCTION OF BILLS

House Bill 450 – Delegates Rosenberg, Harrison, Kirk, Krysiak, Love, Manno, McHale, and Taylor

AN ACT concerning

Procurement – Service Contracts – Employee Compensation Standards

FOR the purpose of requiring the Board of Public Works to ensure that certain procurement regulations provide for procedures that are consistent with certain provisions of law; requiring certain service contracts to contain provisions that establish compensation at a certain level and require the contractor to offer available positions to certain State employees; providing that failure to meet certain requirements is a breach of the service contract; requiring that notice of certain rights be given to certain employees at certain points in the procurement process; providing that certain requirements must be met for certain service

contracts to be certified; authorizing the Department of General Services and the Department of Budget and Management to adopt certain regulations; requiring that certain calculations account for certain compensation levels; requiring a unit to include certain features in certain required plans of assistance; defining certain terms; and generally relating to wage and benefit standards and other requirements of certain service contracts with the State.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 10–101 and 13–218(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 13–218.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 13–401, 13–404, and 13–405
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 13–402 and 13–403
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 451 – Delegates Bronrott, Ali, Barkley, Bartlett, Barve, Bobo, Bromwell, V. Clagett, Donoghue, Doory, Eckardt, Elmore, Feldman, Frush, George, Goldwater, Haddaway, Hixson, Holmes, Howard, Hubbard, Hucker, James, Jennings, N. King, Krebs, Lawton, Lee, Manno, McComas, McKee, Mizeur, Montgomery, Morhaim,

Murphy, Olszewski, Pendergrass, Rice, Ross, Simmons, Smigiel, Sophocleus, Stein, Taylor, and Waldstreicher

AN ACT concerning

Sales and Use Tax – Tax-Free Period for the Purchase of Energy Efficient Products

FOR the purpose of providing an exemption from the sales and use tax during a certain period for the sale of certain appliances and products that meet or exceed certain applicable energy efficiency guidelines and certain solar water heaters; repealing certain obsolete provisions; and generally relating to an exemption from the sales and use tax for a certain period for the sale of certain appliances and products that meet or exceed certain applicable energy efficiency guidelines and certain solar water heaters.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–226
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 452 – Delegate Rosenberg and The Speaker (By Request – Administration) and Delegates Anderson, Branch, Bromwell, Carter, Conaway, Doory, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, McHale, McIntosh, Oaks, Robinson, Schuler, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Conversion of Irredeemable Ground Rents

FOR the purpose of providing for the conversion of an irredeemable ground rent to a redeemable ground rent unless a notice of intention to preserve irredeemability is recorded within a certain period of time; providing that a disability or lack of knowledge does not prevent the conversion of an irredeemable ground rent if a notice of intention to preserve irredeemability is not recorded within a certain period of time; authorizing certain persons to file a notice in the land records of the county where the land is located; requiring a notice to be executed in a certain manner and to contain certain information; requiring a notice that meets certain requirements to be accepted for recording on payment of certain fees; exempting a notice from certain taxes; providing for the indexing of notices; requiring notices to be filed on or before a certain date; providing that a ground rent becomes redeemable if a notice is not recorded on or before a certain date; establishing the

period of effectiveness of a filed notice; providing for the filing of renewal notices and the extension of the period of effectiveness of a filed notice; establishing the sum for which a converted ground rent may be redeemed; defining certain terms; and generally relating to the conversion of irredeemable ground rents.

BY adding to

Article – Real Property

Section 8–110.1

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 453 – Delegates Donoghue and Conway

AN ACT concerning

Correctional Officers’ Retirement System – Service Retirement Allowance

FOR the purpose of altering the formula for computing the retirement allowance of members of the Correctional Officers’ Retirement System; and generally relating to the service retirement allowance for members of the Correctional Officers’ Retirement System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 25–401

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 454 – Delegates George, Bartlett, Beidle, V. Clagett, Costa, DeBoy, Dwyer, Eckardt, Elmore, Frush, Haddaway, Kach, Krebs, McConkey, O’Donnell, Ross, Shank, Smigiel, Sophocleus, Sossi, and Stukes

AN ACT concerning

Income Tax – Credit for Long–Term Care Premiums

FOR the purpose of repealing certain limitations on a certain credit against the State income tax for certain long–term care premiums paid by an individual; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care premiums.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–718
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 455 – Delegates Frank and Boteler

AN ACT concerning

Protection of Persons and Property – Immunity

FOR the purpose of providing that a person is justified in using force, except deadly force, against another under certain circumstances; providing that a person is justified in using deadly force under certain circumstances; providing that a certain person has no duty to retreat under certain circumstances; providing that a person is presumed to have reasonably believed that the use of deadly force was necessary under certain circumstances; providing that a certain person is presumed to be acting with a certain intent under certain circumstances; providing that a certain person is immune from criminal prosecution and civil action under certain circumstances; requiring the court to award certain fees, costs, compensation, and expenses to a certain person under certain circumstances; defining certain terms; creating certain exceptions; and generally relating to immunity for those who act in protection of persons and property.

BY adding to
Article – Criminal Law
Section 2–210
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 456 – Delegates Tarrant, Robinson, Conaway, and Glenn

AN ACT concerning

Creation of a State Debt – Baltimore City – Center for Fathers, Families and Workforce Development

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the

proceeds to be used as a grant to the Board of Directors of the Center for Fathers, Families and Workforce Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 457 – Delegates Rosenberg and Ali

AN ACT concerning

Health Occupations – Morticians – Exemption and Permit

FOR the purpose of providing that certain licensing requirements for practicing mortuary science do not limit the Maryland State Board of Morticians from issuing a permit to certain designees to handle, transport, and work with a dead human body in performing certain religious services without a mortician's license; subjecting certain designees to conditions and limitations the Board may specify; requiring the Board to adopt certain regulations; requiring the Board to submit a certain report on or before a certain date; exempting certain apprentices from assisting with embalming if a certain affidavit is submitted to the Board; providing for the termination of certain provisions of this Act; and generally relating to exceptions to the Maryland Morticians Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 7–301 and 7–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 458 – Delegate Tarrant and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Robinson, Schuler, Sophocleus, Stein, and Stukes

AN ACT concerning

**Ground Rents – Property Owned by Baltimore City – Reimbursement for Expenses
– Notices**

FOR the purpose of providing that in any suit, action, or proceeding to recover back rent, a ground rent landlord may only recover not more than a certain amount of back rent if the property is owned by Baltimore City and is abandoned or distressed under certain circumstances; authorizing a ground rent landlord of property that is owned by Baltimore City and is abandoned or distressed to request the Mayor and City Council of Baltimore to acquire the reversionary interest under the ground rent for a certain value under certain circumstances; prohibiting the application of a certain provision regarding reimbursement of a ground rent holder's expenses to collect a ground rent on property that is owned by Baltimore City and is abandoned or distressed under certain circumstances; establishing a certain Baltimore City office as the recipient of certain bills, notices, or other documents sent with regard to any property owned by Baltimore City that is subject to a ground rent; and generally relating to property owned by Baltimore City that is subject to a ground rent.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–111.1 and 8–402.3
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 14–115.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 459 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Citations

FOR the purpose of requiring the Chief Judge of the District Court to authorize the use of a single document for issuance of certain multiple, separately numbered, citations; requiring the Chief Judge of the District Court to specify certain means used to execute certain citations by a police officer issuing a citation and by a person to whom a citation is issued; requiring the Chief Judge of the District Court

to authorize certain citations to include a summons; allowing a police officer to dispense with the acknowledgment of a person receiving a certain citation containing a summons in accordance with certain regulations; requiring a police officer to execute certain citations under penalties of perjury; providing for notice of certain trial dates; repealing certain references to appearance in court as specified in certain citations; repealing certain requirements as to signatures; authorizing the initial filing electronically of certain citations with the District Court; altering the duty of the District Court with regard to providing certain traffic citation forms; providing for consultation with the Chief Judge of the District Court by the Motor Vehicle Administration with regard to distribution and disposition of certain citation forms; making certain technical and stylistic changes; providing for the effect of this Act on pending citations; and generally relating to certain citations filed with the District Court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(4)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 1–605(d)(9), (10), and (11) and (e)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–212
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–104.1(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–304(b), 26–201, 26–203, 26–204, 26–402, 26–407, and 26–409(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 460 – Delegates Vallario and Proctor

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Brandywine North Keys
Community Park**

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 Baden Aquasco Little League, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 461 – Delegates Nathan–Pulliam, Anderson, Aumann, Benson, Burns, Cane, Conaway, Costa, Donoghue, Frank, Frush, George, Haynes, Heller, Howard, Ivey, Lafferty, Malone, Minnick, Mizeur, Oaks, Proctor, Riley, Stein, and Tarrant

AN ACT concerning

Prostate Cancer Pilot Program

FOR the purpose of establishing the Prostate Cancer Pilot Program; requiring the Department of Health and Mental Hygiene to identify certain jurisdictions in the State in which to operate the Program; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to provide certain services to a certain number of individuals; requiring the Program to provide certain services and activities; providing for the funding of the Program; requiring the Department to distribute certain grants; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Prostate Cancer Pilot Program.

BY adding to

Article – Health – General

Section 13–2501 through 13–2507 to be under the new subtitle “Subtitle 25.
Prostate Cancer Pilot Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 462 – Delegates Nathan–Pulliam, Anderson, Benson, Burns, Cane, Carter, Conaway, Costa, Frush, Glenn, Harrison, Haynes, Howard, Hubbard, Jones, Kirk, Kullen, Lee, Montgomery, Morhaim, Oaks, Proctor, Ramirez, Robinson, Ross, Stukes, Tarrant, Valderrama, and Vaughn

AN ACT concerning

Office of Minority Health and Health Disparities – Grant Program and Funding

FOR the purpose of providing that the Office of Minority Health and Health Disparities is the designated State agency for receipt of general or special funds specifically designated for minority health and health disparities programs; authorizing the Office to distribute certain grants from available general funds; creating a Health Disparities Grant Program within the Office; providing for the purpose of the grant program; requiring the Office to establish certain criteria to qualify for a grant and to establish a certain evaluation; requiring certain grantees to comply with the evaluation system and to provide certain reports; requiring the Office to consult with local minority groups when reviewing and approving grant applications; requiring the Department of Health and Mental Hygiene to include certain information on grants provided by the Office in a certain annual report to the Governor and General Assembly; providing for the intent of the General Assembly regarding the funding of the Office; providing for a certain annual appropriation from the Cigarette Restitution Fund to fund the Office; requiring that the annual appropriation from the Cigarette Restitution Fund shall not supplant certain appropriations from the Fund; and generally relating to the Office of Minority Health and Health Disparities.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 20–1002

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–1004 through 20–1007
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 20–1005.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 7–317
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 463 – Delegate Rosenberg and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, McIntosh, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Remedy for Nonpayment of Ground Rent

FOR the purpose of repealing provisions of law authorizing a landlord under a ground lease to bring an action for ejectment for nonpayment of ground rent; repealing provisions of law entitling the holder of a ground rent to reimbursement for certain expenses incurred in collecting past due ground rent and filing an action for ejectment; providing that the establishment of a lien is the sole remedy for nonpayment of a ground rent; requiring a certain person seeking to impose a lien to give a certain notice in a certain manner; authorizing a person to whom notice is given to file a certain complaint and request a hearing in a certain circuit court; establishing procedures for imposing and releasing a lien; authorizing the court to award costs and reasonable attorney's fees to the prevailing party in a certain action; specifying the form for a statement of lien; providing for the enforcement and foreclosure of a lien; making certain conforming changes; defining certain terms; and generally relating to remedies for nonpayment of ground rent.

BY repealing

Article – Real Property

Section 8–402.2 and 8–402.3
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 8–402.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–111.1 and 14–108.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 464 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Unlawful Drinking and Open Containers

PG 307–07

FOR the purpose of altering the penalties in Prince George’s County for drinking an alcoholic beverage and for possessing an open container of an alcoholic beverage in certain locations; making certain stylistic changes; and generally relating to alcoholic beverages in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 19–202 and 19–301
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 19–204 and 19–302
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 465 – Delegate James

AN ACT concerning

Real Property – Conservation Easements – Notification of Buyers

FOR the purpose of requiring a seller of real property to provide copies of any conservation easements encumbering the property to the buyer within a certain time; requiring a contract for the sale of real property encumbered by a conservation easement to contain a certain notice; requiring the buyer of certain real property to provide certain notice to the owner of a conservation easement; providing that the seller and buyer are entitled to rely on a conservation easement recorded in the land records in satisfying certain requirements; providing for certain exceptions; defining certain terms; and generally relating to the sale of real property encumbered by a conservation easement.

BY adding to

Article – Real Property

Section 10–705

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 466 – Delegate James

AN ACT concerning

Maryland Estate Tax – Exclusion for Qualified Conservation Easements

FOR the purpose of altering for purposes of the Maryland estate tax the determination of the amount of a certain exclusion allowed under the federal estate tax for qualified conservation easements; providing for the application of this Act; and generally relating to the determination of the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–309(b)(1) and (2)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 7–309(b)(8)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 467 – Delegate James

AN ACT concerning

Correctional Officers’ Retirement System – Disability Retirement

FOR the purpose of exempting from certain earnings limitations and certain reemployment restrictions certain retirees of the Correctional Officers’ Retirement System; and generally relating to retirees of the Correctional Officers’ Retirement System receiving disability retirement allowances.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–115 and 29–116
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 468 – Delegate James

AN ACT concerning

**State Police Retirement System – Retirees and Beneficiaries of
Retirees – Benefits**

FOR the purpose of setting a minimum service retirement allowance for certain retirees and beneficiaries of retirees of the State Police Retirement System who retire by a certain date; increasing the service retirement allowance of certain retirees and beneficiaries of retirees of the State Police Retirement System; requiring that certain increases to the retirement allowance of certain retirees and beneficiaries be made before certain amounts are deducted; and generally relating to benefits for retirees or beneficiaries of retirees of the State Police Retirement System.

BY adding to
Article – State Personnel and Pensions
Section 24–401(f)

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 469 – Delegate Smigiel

AN ACT concerning

Task Force to Study Judicial Involvement with the Legislative Process

FOR the purpose of establishing a Task Force to Study Judicial Involvement with the Legislative Process; providing for the composition and staffing of the Task Force; specifying the duties of the Task Force; providing for certain reimbursement for travel expenses; requiring the Task Force to report its findings and recommendations on or before a certain date; providing for the termination of this Act; and generally relating to a Task Force to Study Judicial Involvement with the Legislative Process.

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

House Bill 470 – Delegates Smigiel, Costa, Dumais, Dwyer, Eckardt, Elliott, Elmore, George, and Sossi

AN ACT concerning

Commercial Law – Consumer Reporting Agencies – Consumer Reports – Security Freezes

FOR the purpose of authorizing a consumer to elect to place a security freeze on all or part of the consumer's consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer's consumer report within a certain number of days after a request is received and to take certain actions within a certain number of business days after placing a security freeze on a consumer's consumer report; providing that while a security freeze is in place, a consumer reporting agency may not provide any information in a consumer's consumer report without certain authorization of the consumer; requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances; establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of days after receiving a request from a consumer; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze; providing a

certain exception; requiring a consumer reporting agency to give certain notices to a consumer at certain times; authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties; providing for the application of this Act; defining certain terms; making a conforming change; and generally relating to consumer reporting agencies and security freezes on consumer reports.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–1202.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 471 – Delegates Healey, Bartlett, Bates, Beidle, V. Clagett, Costa, Elliott, Elmore, Gaines, Haddaway, Hubbard, Jameson, Jennings, Kullen, Lawton, Montgomery, Ross, Sossi, Walkup, Weldon, and Wood

AN ACT concerning

State Government – State Soil – Sassafras Soil

FOR the purpose of designating Sassafras sandy loam as the State soil.

BY adding to
Article – State Government
Section 13–320
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 472 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Vehicle Laws – Speed Monitoring Systems**PG 308–07**

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Prince George's County; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Prince George's County; requiring certain local police departments in Prince George's County to mail citations to the owners of vehicles that are recorded by speed monitoring systems in the county in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Prince George's County Office of Finance or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Prince George's County Office of Finance and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contracts may not be impaired by this Act; requiring the Prince George's County Council to report to the General Assembly on or before a certain date; and generally relating to imposition of liability, in Prince George's County, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 473 – Delegates Elmore, Cane, Eckardt, Haddaway, Mathias, Smigiel, and Walkup

AN ACT concerning

Natural Resources – Soft Crabs – Bycatch

FOR the purpose of creating a certain exception to the prohibition against possessing a

bycatch of undersized soft crabs; and generally relating to catching or possessing soft crabs.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–809
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 474 – Delegate Donoghue

AN ACT concerning

Dental Hygiene – Administration of Local Anesthesia

FOR the purpose of altering the definition of dental hygiene to include the administration of certain anesthesia under certain circumstances; authorizing the State Board of Dental Examiners to adopt certain regulations; altering the authority of the Board to adopt certain rules and regulations concerning the administration of certain anesthesia by certain dental hygienists; authorizing certain dental hygienists to administer certain anesthesia under certain circumstances; requiring certain dental hygienists to meet certain educational and examination requirements prior to administering certain anesthesia; authorizing a dentist to condition employment of a certain dental hygienist on the administration of a certain anesthesia without facing certain grounds for discipline; providing certain grounds for the discipline of certain dentists and certain dental hygienists; and generally relating to dental hygiene and the administration of local anesthesia.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–101(k), 4–205(a)(1), 4–206, and 4–315(a)(30) and (31) and (b)(16) and (17)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health Occupations
Section 4–206.1 and 4–315(a)(32) and (b)(18)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 475 – Delegates Healey, Cardin, G. Clagett, V. Clagett, Davis, Gaines, Gilchrist, Haynes, Heller, Hixson, Howard, Hubbard, Ivey, James, Kaiser, N. King, Love, Montgomery, Niemann, Pendergrass, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Public School Construction Assistance Act of 2007

FOR the purpose of imposing recordation and transfer taxes on the transfer of controlling interest in certain entities owning certain interests in real property in Maryland; requiring the counties and Baltimore City for certain fiscal years to dedicate certain recordation tax revenues to public school construction and renovation; requiring the filing of a certain report; providing for a filing fee; establishing the rate of taxation and the method of calculation of tax liability; exempting certain transfers; providing for interest and a penalty for certain filings; requiring the State Department of Assessments and Taxation to adopt certain regulations; requiring the Department to deduct and credit certain revenues to a certain fund; defining certain terms; providing for a delayed effective date; and generally relating to the taxation of transfers of controlling interests in certain entities.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–110(d) and 13–209(a)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property

Section 12–110(e), 12–116, and 13–103

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 476 – Delegate Costa

AN ACT concerning

Environment – Stormwater, Flood Control, Watershed, and Sediment Management

FOR the purpose of altering the purpose of a certain erosion and sediment control fund to

allow for the award of certain grants to be used for certain purposes; altering the amount of civil, criminal, and administrative penalties that may be imposed for certain violations relating to stormwater, flood control, and watershed management; establishing the Stormwater Restoration Fund; requiring the Secretary of the Environment to administer the Fund and designate a portion of certain fines and penalties to be deposited into the Fund; specifying that the Fund is a special, nonlapsing fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; designating the moneys to be deposited into the Fund; providing that money in the Fund may be used only for certain purposes; authorizing counties and municipalities to apply for certain grants to be used for certain purposes; requiring the Secretary to establish certain grant application procedures; and generally relating to stormwater, flood control, watershed, and sediment management.

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–116, 4–215, and 5–805

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY adding to

Article – Environment

Section 4–216

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 477 – Delegate Costa

AN ACT concerning

**Health Insurance – Small Group Market – Limited Health Benefit Plan –
Modifications**

FOR the purpose of repealing certain limitations on the eligibility of small employers to choose the Limited Health Benefit Plan offered in the small group market; requiring a carrier that insures a certain number of lives to offer the Limited Health Benefit Plan to each small employer that meets certain requirements; authorizing any other carrier that offers insurance in the small group market to offer the Limited Health Benefit Plan to each small employer that meets certain requirements; repealing a certain requirement that the Maryland Insurance Administration develop a certain uniform form; altering a certain reporting requirement; repealing a certain termination provision relating to the Limited

Health Benefit Plan; making conforming changes; and generally relating to the Limited Health Benefit Plan offered in the small group market.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1209
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 287 of the Acts of the General Assembly of 2004
Section 3, 4, and 5

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

House Bill 478 – Delegate Costa

AN ACT concerning

Teachers' Retirement System and Teachers' Pension System – Reemployment of Retirees

FOR the purpose of altering the criteria that certain retirees of the Teachers' Retirement System or Teachers' Pension System are required to meet to qualify for exemption from a certain offset of a retirement allowance; and generally relating to reemployment of retirees in the Teachers' Retirement System or Teachers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406 and 23–407
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 479 – Delegates Costa, Beidle, George, J. King, Kipke, and Love

AN ACT concerning

Anne Arundel County – Gaming – Casino Events

FOR the purpose of repealing a prohibition against conducting a casino event in Anne Arundel County; authorizing certain organizations in Anne Arundel County to

conduct during a certain time a casino event that includes a card game and a casino event during a certain time that includes roulette; requiring a person that holds a casino event to prohibit a player to bet more than a certain amount in a card game or on a roulette spin; specifying a period of time for which a permit holder for a certain casino event must ensure that a certain person has not sponsored a casino event; requiring the Department of Inspections and Permits to adopt certain regulations; specifying that the regulations contain a certain requirement; and generally relating to casino events in Anne Arundel County.

BY repealing

Article – Criminal Law

Section 13–404

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law

Section 13–404

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 480 – Delegate McHale

AN ACT concerning

Workers' Compensation – Appeals – Evidence

FOR the purpose of authorizing the introduction of certain health care records as evidence in an appeal from a decision of the Workers' Compensation Commission under certain circumstances; requiring a certain notice to be served to all parties within a certain time period; providing for the right to object for good cause under certain conditions and within a certain time period; providing for the content of an objection; providing for a response to an objection; clarifying that this Act does not otherwise limit the right to introduce new evidence; defining a certain term; providing for the application of this Act; and generally relating to evidence introduced in appeals from Workers' Compensation Commission decisions.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 10–104(a)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–745
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 9–745.1
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 481 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Drug–Free Zone Pilot Program

PG 315–07

FOR the purpose of authorizing the establishment of a Drug–Free Zone Pilot Program in Prince George’s County under the authority of the Prince George’s County Council; authorizing the County Council to designate certain drug–free zones based on areas of the county that have a certain history of drug–related activity; requiring the County Council to consult with a certain committee before designating the drug–free zones; establishing the membership of the committee; requiring the county to post signs designating certain areas as drug–free zones; requiring that the signs contain certain information; requiring the County Council to publish a document containing the boundaries of the drug–free zones and maintain the document as an official record; providing that a person arrested for a certain drug–related offense committed in a drug–free zone or a person convicted of a certain drug–related offense committed in a drug–free zone may be subject to exclusion from the drug–free zone for a certain period of time; providing certain reasons for allowing an excluded person to enter a drug–free zone; establishing certain conditions to follow for an excluded person who enters a drug–free zone; authorizing a law enforcement officer to issue a notice of exclusion from a drug–free zone to a certain person; authorizing a law enforcement officer to issue a certain notice of variance to permit the excluded person to travel in a drug–free zone for certain purposes; requiring a certain notice of exclusion to be in writing and contain certain information; requiring the law enforcement officer to give a copy of the notice to the excluded person; requiring

the excluded person to carry a notice of variance whenever the person is in the drug-free zone; authorizing a law enforcement officer to deny, revoke, or amend a notice of variance for certain reasons; providing certain penalties; establishing the right of an excluded person to appeal a notice of exclusion or variance by petition to the District Court; requiring an excluded person to meet certain time periods for filing a certain petition; establishing that the county must prove certain facts by a preponderance of the evidence in a District Court hearing on an appeal of a notice of exclusion and variance; establishing that certain documents present conclusive evidence of certain facts; establishing that certain other documents provide prima facie evidence of certain facts; establishing that the Maryland Rules, under certain circumstances, govern the format of a certain petition and certain procedures; authorizing a party to appeal a final judgment in accordance with certain laws; defining certain terms; requiring the County Council to submit a certain report on the pilot program; providing for the termination of this Act; and generally relating to the Drug-Free Zone Pilot Program in Prince George's County.

BY adding to

Article – Criminal Law

Section 5-631 through 5-639 to be under the new part “Part V. Drug-Free Zone Pilot Program”

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 482 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Class B-DD Alcoholic Beverages Licenses – Woodmore Towne Centre at Glenarden and the Greenbelt Station Town Centre

PG 314-07

FOR the purpose of creating in Prince George's County a Class B-DD (Development District) 7-day beer, wine and liquor license for on-sale consumption; specifying a certain annual license fee; specifying that a Class B-DD license be issued only for restaurants that meet a certain average daily receipts requirement and that are located in a certain development district in the Woodmore Towne Centre at Glenarden or the Greenbelt Station Town Centre; specifying certain restrictions on the transfer or issuance of a Class B-DD license; requiring the Board of License Commissioners to determine the persons to whom Class B-DD licenses are to be issued and the number of licenses each recipient may hold; authorizing the holder of a Class B-DD license to hold any other alcoholic beverages license; exempting

holders of Class B–DD licenses from certain qualifications for license holders and restrictions on holding multiple licenses; making a stylistic change; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i) and 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(15) and 9–217(f)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(d)(6), 9–102(a), and 9–217(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 483 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages Licenses – Advisory Commission to Study Luxury Type Restaurants

PG 313–07

FOR the purpose of establishing an Advisory Commission to Study Luxury Type Restaurants in Prince George’s County; providing for the membership, chair, compensation, and duties of the Advisory Commission; requiring the Advisory Commission to issue a certain report with recommendations by a certain date to certain legislative delegations and the Prince George’s County Executive; providing for the termination of this Act; and generally relating to the establishment of an Advisory Commission to Study Luxury Type Restaurants in Prince George’s County.

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

House Bill 484 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

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 the Washington County Museum of Fine 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 485 – Delegate Donoghue

AN ACT concerning

Direct Billing of Anatomic Pathology Services

FOR the purpose of requiring certain clinical laboratories, health care practitioners, and group practices that provide anatomic pathology services to certain patients to present or cause to be presented claims, bills, or demands for payment to certain individuals and entities; prohibiting certain health care practitioners from directly or indirectly charging, billing, or otherwise soliciting payment for certain anatomic pathology services unless the services are performed by or under the direct supervision of the health care provider and in accordance with certain provisions; prohibiting certain health care practitioners from directly receiving certain fees, profits, or revenue for certain anatomic pathology services under certain circumstances; providing that a certain subsection does not apply to certain group practices, referring laboratories, or multi-specialty groups; establishing that certain individuals and entities are not required to provide reimbursement under certain circumstances; establishing that a certain section does not prohibit a referring laboratory from billing for certain anatomic pathology services under certain circumstances; and generally relating to direct billing of anatomic pathology services.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1–301(a), (d), (f), (h), and (l)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 1–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 486 – Delegates McIntosh, Bobo, Cane, V. Clagett, Frush, Healey, and Holmes

AN ACT concerning

Maryland Affordable Housing Investment Fund

FOR the purpose of establishing the Maryland Affordable Housing Investment Fund Board; abolishing the Housing Finance Review Committee; providing for the membership, terms, meetings, and duties of the Board; establishing the Maryland Affordable Housing Investment Fund; requiring that the Board use the Fund in certain ways to support, foster, and promote affordable housing; specifying the source of moneys of the Fund; requiring that the Board annually allocate money to certain local governments and to the Department of Housing and Community Development in a certain manner; establishing certain requirements that local governments must meet and actions local governments must agree to take to receive money from the Fund; establishing a certain maximum amount of certain funds that a local government may use to cover administrative costs; authorizing the Board to transfer unencumbered money in the Fund to certain other funds in the Department within a certain time; specifying certain conditions under which a local government may use certain funds for certain purposes; specifying certain factors that a local government must consider in establishing upper income limits for a family of limited income; requiring the Governor beginning in a certain fiscal year and for every year thereafter to include in the annual budget bill submitted to the General Assembly a certain appropriation to the Fund; imposing an annual State tax on certain property at a certain rate; repealing certain obsolete language; providing for the distribution of certain State property tax revenue to the Fund; defining certain terms; and generally relating to the Maryland Affordable

Housing Investment Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 2–201
Annotated Code of Maryland
(2006 Volume)

BY repealing
Article – Housing and Community Development
Section 4–208
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–208 and 4–506
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–501
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–134(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–301
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 487 – Delegate Morhaim

AN ACT concerning

Nonprofit Health Service Plans – Boards of Directors – Term Limits and Compensation

FOR the purpose of altering the number of terms and the total number of years that may be served by a member of the board of directors of a nonprofit health service plan; altering the amount and type of compensation that may be received by a board member; requiring the Maryland Insurance Commissioner to make a certain review in a certain manner about the amount of compensation to be paid to board members; requiring the Commissioner to submit a certain report to certain committees of the General Assembly on or before a certain date each year; altering the requirement that a certain corporation report certain information to the Commissioner; and generally relating to the boards of directors of nonprofit health service plans.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–115(e)(6) and (g)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 488 – Delegates Morhaim, Bobo, and Montgomery

AN ACT concerning

Environment – Statewide Electronics Recycling Program

FOR the purpose of altering a certain recycling program to include certain additional electronic devices; authorizing a county to address methods for the separate collection and recycling of certain electronic devices in a certain recycling plan; requiring that certain unspent or unencumbered funds, in excess of a certain amount, revert to the General Fund of the State; requiring certain fines and penalties be deposited into the State Recycling Trust Fund; requiring manufacturers of certain electronic devices to submit to the Department of the Environment a certain registration and fee; altering a certain manufacturer registration fee; requiring the Department to maintain a certain list of certain registered electronic device manufacturers; requiring the Department to provide the list to the Comptroller in a certain manner; prohibiting a certain retailer from selling certain electronic devices under certain circumstances; authorizing the Comptroller to assess a certain fine against certain retailers for certain violations; requiring the fine to be deposited into the State Recycling Trust Fund in a certain manner; repealing the termination date of certain provisions of a certain Act; defining certain terms; and generally relating to the Statewide Electronics

Recycling Program.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701, 9–1702(d)(4), 9–1703(c), and 9–1707(f); and 9–1727 through 9–1730 to be under the amended part “Part IV. Statewide Electronics Recycling Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1702(a)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY adding to

Article – Environment

Section 9–1728.1 to be under the amended part “Part IV. Statewide Electronics Recycling Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 384 of the Acts of the General Assembly of 2005

Section 3

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

House Bill 489 – Delegate Glenn and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Beitzel, Benson, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, Doory, Dumais, Hammen, Harrison, Haynes, Ivey, Jones, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnik, Robinson, Schuler, Sophocleus, Stein, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Redemption

FOR the purpose of repealing a certain waiting period for redeeming certain ground rents; requiring, before a voluntary transfer of a redeemable ground rent to a third party, that the landlord give the tenant notice of the tenant’s right to redeem the ground rent and offer the tenant the opportunity to exercise the right; requiring the notice to contain certain information and to be given in a certain manner;

establishing procedures for the tenant to exercise the right to redeem; requiring a settlement agent, before settlement of a certain loan, to notify the borrower of the right to redeem a redeemable ground rent and the redemption amount; requiring the Department of Housing and Community Development to study the feasibility of establishing or expanding a certain program to redeem certain ground rents and to report its findings to certain committees; and generally relating to encouraging the redemption of existing ground rents.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 8–110.1 and 14–129
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 490 – Delegates Bronrott, Goldwater, Lee, Barkley, Dumais, Feldman, Gilchrist, Gutierrez, Heller, Hixson, Hucker, Kaiser, N. King, Kramer, Lawton, Manno, Mizeur, Montgomery, Taylor, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Imagination Stage

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,250,000, the proceeds to be used as a grant to the Board of Trustees of Imagination Stage for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 491 – Delegates Anderson, Barkley, Dwyer, Kelly, McConkey, and Rosenberg

AN ACT concerning

Civil Liability – AMBER Alert Dissemination – Immunity for Media

FOR the purpose of exempting certain broadcasters and their agents from civil liability for broadcasting or disseminating an AMBER alert after receiving a certain notification under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the dissemination of an AMBER alert.

BY adding to

Article – Courts and Judicial Proceedings
Section 5–427
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 492 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Attorney
Compensation****PG 306–07**

FOR the purpose of requiring the County Council of Prince George’s County to pay the attorney for the Board of License Commissioners of Prince George’s County certain legal fees for representing the Board in court; requiring the Board to establish the rate for those fees; specifying that the salary of and certain additional compensation for the attorney for the Board be included in the annual budget; making certain stylistic changes; and generally relating to the Board of License Commissioners of Prince George’s County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 15–109(r)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 15–109(r)(5) and (6)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 493 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Property Tax Setoffs in Municipal Corporations – Maryland–National Capital Park and Planning Commission Taxes

MC/PG 432–07

FOR the purpose of requiring the governing body of Prince George’s County under certain circumstances to grant a property tax setoff to a municipal corporation as to the property tax imposed by Prince George’s County for the Maryland–National Capital Park and Planning Commission; requiring the governing body of Prince George’s County to consider certain services and programs provided by the Maryland–National Capital Park and Planning Commission in determining the county property tax rate to be set for assessments of property in a municipal corporation; and generally relating to property tax setoffs in municipal corporations in Prince George’s County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–305
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 494 – Delegates Feldman, Stifler, and Krysiak

AN ACT concerning

Elevator Safety – Third–Party Qualified Elevator Inspectors

FOR the purpose of authorizing the inspection of modifications or alterations of elevator units in existing buildings by third–party qualified elevator inspectors; requiring the Commissioner of Labor and Industry to adopt certain regulations for inspections of modifications or alterations of elevator units in existing buildings; requiring the Commissioner to establish certain qualifications and procedures to register third–party qualified elevator inspectors; providing that certain notice and

fee requirements only apply to new elevator unit installations; repealing the requirement that the Commissioner conduct a final acceptance inspection after the modification or alteration of an elevator unit; authorizing third-party qualified elevator inspectors to conduct certain elevator inspections at the option of the contractor, owner, or lessee of the elevator unit; requiring a third-party qualified elevator inspector to notify the Commissioner in a certain manner if an inspection discloses that the elevator unit is in unsafe condition; authorizing the Commissioner to issue a certain citation and assess certain penalties under certain circumstances; and generally relating to inspection of elevators and elevator safety.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12-809, 12-810, 12-812, 12-813, and 12-814
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 495 – Delegate Anderson

AN ACT concerning

Action or Claim for Medical Injury – Attesting Experts – Reports

FOR the purpose of repealing a requirement that a report of each party's attesting expert for certain certificates concerning a medical injury be filed in an action or claim for a medical injury; and generally relating to repealing a certain requirement to file certain reports by experts concerning a medical injury under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3-2A-04(a)(1)(i) and (b)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3-2A-04(b)(3)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 496 – Delegates Anderson, Cane, Conaway, Glenn, Harrison, Howard, Jones, Kirk, Krysiak, Oaks, Ramirez, Robinson, Rosenberg, Stukes, Tarrant, Taylor, and Vallario

AN ACT concerning

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

FOR the purpose of designating the Motor Vehicle Administration as the agent for a certain nonresident driver with regard to a subpoena, summons, or other process issued in a certain action related to a certain motor vehicle accident under certain circumstances; requiring the Administration to take certain action, provide copies of certain documents on request, and keep certain records; authorizing the Administration to establish and collect a certain fee; authorizing the Administration to serve as an agent for service of certain papers in certain circumstances; requiring a certain party seeking service of process on a nonresident driver to provide a copy of a certain affidavit to the nonresident's insurer; defining certain terms; providing for the application of this Act; and generally relating to service of process on nonresident drivers under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings
Section 6–313
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11–135, 11–139, 11–140, and 12–104(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation
Section 12–104(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 497 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Courts – Docketing Fee for Appearance of Counsel –
Payment and Collection****PG 316–07**

FOR the purpose of requiring the Clerk of the Circuit Court for Prince George’s County to collect, in advance, a certain fee for docketing the appearance of counsel when bringing a civil action in the court; requiring the Clerk to charge as costs a certain fee for docketing the appearance of counsel when prosecuting or defending a criminal action in the court; requiring the Clerk to collect, in advance, a certain fee for docketing the appearance of counsel when bringing or defending a case in the Court of Appeals; requiring the Clerk to collect a higher fee if the Clerk is required to send a bill or collection notice for nonpayment of the fee; requiring the Clerk to collect a higher fee if a certain period of time elapses, without payment, after a collection notice for nonpayment has been sent by the Clerk; requiring the Clerk to refer the matter to the court for consideration of a contempt order if a certain period of time elapses, without payment, after a collection notice for nonpayment has been sent by the Clerk; making stylistic changes; and generally relating to Prince George’s County and docketing fees for appearance of counsel.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–204(a) and (q)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 498 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Alcoholic Beverages – License Transfers – Gas Stations**PG 318–07**

FOR the purpose of prohibiting the Prince George’s County Board of License Commissioners from approving the transfer of an alcoholic beverages license held for use at a business establishment with a commercial fuel pump used by the public to purchase fuel; and generally relating to alcoholic beverages licenses in

Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–217(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 499 – Prince George's County Delegation

AN ACT concerning

Prince George's County Board of Education – Scholarship Award for Student Member

PG 431–07

FOR the purpose of providing that the student member of the Prince George's County Board of Education is entitled to receive a certain scholarship for postsecondary education under certain circumstances; specifying the maximum period for which a student is entitled to receive a scholarship; and generally relating to a scholarship award for the student member of the Prince George's County Board of Education.

BY repealing and reenacting, without amendments,
Article – Education
Section 3–1002(b) and (f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1003
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 500 – Prince George's County Delegation

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries**PG 302–07**

FOR the purpose of increasing the number of assistant State's Attorney positions in the State's Attorney's office for Prince George's County; increasing the maximum salaries of the deputy State's Attorneys, the assistant State's Attorneys, and the administrative assistant in the State's Attorney's office; and generally relating to the composition of and salaries in the office of the State's Attorney for Prince George's County.

BY repealing and reenacting, with amendments,
Article 10 – Legal Officials
Section 40(q)(2), (3), (4), and (7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 501 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Commercial Vehicles Parked in Residential Areas – Citation**PG 301–07**

FOR the purpose of making certain provisions of law that prohibit a person in Prince George's County from parking a certain commercial vehicle in certain residential zones applicable in municipal corporations in Prince George's County; requiring a police officer who discovers a certain commercial vehicle parked in a certain area specified as a residential zone in Prince George's County to deliver a citation to the driver or, if the vehicle is unattended, attach the citation to the vehicle in a certain manner; requiring the police officer to keep a copy of the citation; making stylistic changes; and generally relating to citations for parking violations in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1010 and 26–201(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 502 – Delegate Stein and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Cardin, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Harrison, Haynes, Kach, Kirk, Krysiak, Lafferty, Lawton, Love, McIntosh, Oaks, Olszewski, Robinson, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Notices Regarding Ground Leases

FOR the purpose of requiring a tenant under a ground lease to notify the landlord of any change of address of the tenant within a certain time period; requiring a landlord under a ground lease to mail to the tenant a bill for the payment of ground rent due no later than a certain amount of time before the payment is due; requiring the bill sent by the landlord to include a certain notice regarding the ground lease and the rights and responsibilities of the tenant under the ground lease; altering the notice requirements contained in a contract for the sale of real property that is subject to a ground rent to include a certain notice regarding the ground lease and the rights and responsibilities of the tenant under the ground lease; defining certain terms; making stylistic changes; and generally relating to notices regarding ground leases.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–116 and 14–117(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 14–116.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 503 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Class B–DD (Development District)
License**

PG 304-07

FOR the purpose of creating in Prince George's County a Class B-DD (Development District) 7-day beer, wine and liquor license for on-sale consumption; specifying a certain annual license fee; specifying that a Class B-DD license be issued only for restaurants within certain areas; specifying certain restrictions on the transfer of a Class B-DD license; requiring the Board of License Commissioners to determine the persons to whom Class B-DD licenses are to be issued and the number of licenses each recipient may hold; authorizing a holder of a Class B-DD license to hold any other alcoholic beverages license; repealing the provisions that establish a Class B-RD license; exempting holders of Class B-DD licenses from certain qualifications for licensees and restrictions on holding multiple licenses; specifying certain areas, including in the Capital Plaza commercial area, in which Class B-DD licenses may be issued; repealing certain provisions allowing the holding of certain multiple Class B licenses under certain circumstances; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6-201(r)(1)(i) and 9-217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6-201(r)(15)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 8-1001
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9-101(d)(6), 9-102(a), and 9-217(d), (e)(5), and (f)(1)(i), (2), and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 504 – Delegate McHale (By Request) and Delegates Hammen and Krysiak

AN ACT concerning

Vehicle Emissions Inspection Program – Exemptions – Individuals with Disabilities

FOR the purpose of exempting a motor vehicle for which a parking placard for individuals with disabilities has been issued from the mandatory inspection and testing requirements of the vehicle emissions inspection program if the owner of the vehicle meets certain disability requirements, the vehicle is driven less than a certain number of miles over certain periods, and the exemption is not prohibited by federal law; specifying application procedures; and generally relating to exemptions for certain individuals with disabilities from certain vehicle emissions inspection and testing requirements.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–616.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 23–206.2(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 505 – Delegates Kullen, Boteler, Bromwell, N. King, Levy, and Montgomery

AN ACT concerning

Maryland Service Animal Reform Act – “Gretchen’s Law”

FOR the purpose of expanding certain provisions concerning individuals with certain disabilities to include service animals; repealing certain provisions requiring certain individuals accompanied by service animals to display certain identification; increasing certain fines for certain violations; requiring the Secretary of Disabilities to develop and implement a certain training program for certain individuals in consultation with certain groups; and generally relating to individuals with disabilities and service animals.

BY repealing and reenacting, with amendments,

Article – Human Services
Section 7–701, 7–704, 7–705, 7–707, and 7–708
Annotated Code of Maryland
(As enacted by Chapter __ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to
Article – Human Services
Section 7–708
Annotated Code of Maryland
(As enacted by Chapter __ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 506 – Prince George’s County Delegation

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Program in Prince George’s County

PG 303–07

FOR the purpose of authorizing the establishment of a truancy reduction pilot program in Prince George’s County; establishing that the failure of a child to attend school without a lawful excuse is a Code violation; establishing that the Code violation of failing to attend school without a lawful excuse is not a criminal conviction, and does not result in certain civil disabilities; requiring certain notice to the State’s Attorney for Prince George’s County if a child is alleged to have committed a certain violation; authorizing the State’s Attorney to take certain actions; establishing certain procedures; authorizing the court to take certain actions in making a disposition on a petition; making certain cases eligible for family support services; specifying that certain criminal defendants are subject to certain conditions of probation; authorizing a party to appeal a final judgment in a certain manner; authorizing certain criminal charges to be filed in the juvenile court and assigned to a truancy docket; establishing a certain affirmative defense in certain criminal cases; requiring the Circuit Administrative Judge for the Seventh Circuit to submit a certain report on the pilot program; providing for the termination of this Act; and generally relating to a truancy reduction pilot program in Prince George’s County.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8D–01 through 3–8D–10, inclusive, to be under the new subtitle
“Subtitle 8D. Truancy Reduction Pilot Program in Prince George’s County”
Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 507 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Juvenile Offenses and Absences from School –
Administrative and Criminal Penalties**

PG 317–07

FOR the purpose of requiring the Circuit Court for Prince George’s County sitting as a juvenile court, when making a certain disposition, to consider whether a certain offense committed by a child was committed during certain hours; providing that a person who is under a certain age and is convicted as an adult of a certain crime is subject to a certain increase in the person’s term of imprisonment or fine if the trier of fact finds beyond a reasonable doubt that the person committed the crime during certain hours; requiring the principal or head teacher of a school in Prince George’s County to report to the County Superintendent, the Supervisor of Personnel, or another designated official each time a certain child has accumulated two unexcused absences from a school in which the child is enrolled; requiring a certain representative of the school system, on receiving a certain report, to notify the Motor Vehicle Administration to suspend a certain child’s driving privileges and to notify the child that the child’s driving privilege will be suspended; requiring the Administration to suspend the driving privilege, subject to certain hearing requirements, for a certain period of time after receiving a certain notice from a representative of the Prince George’s County school system; requiring the Administration to impose a certain fine on a certain child; defining certain terms; and generally relating to offenses committed by juveniles and absences from school in Prince George’s County.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–19(c–1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Criminal Law
Section 14–104
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 7–301(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 7–302
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 12–203
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation
Section 16–206.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 508 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Fire and Explosive Investigators – Authority

PG 319–07

FOR the purpose of providing that, under certain circumstances, a Prince George’s County fire and explosive investigator operating in Prince George’s County has the same authority as the State Fire Marshal and a full–time investigative and

inspection assistant in the Office of the State Fire Marshal to make an arrest without a warrant and exercise certain powers of arrest; authorizing a Prince George's County fire and explosive investigator to exercise certain authority while operating outside Prince George's County under certain circumstances; authorizing the Prince George's County Fire Chief to limit certain authority of a fire and explosive investigator to make an arrest without a warrant or exercise certain powers of arrest; requiring the Fire Chief to express the limitation in writing; excluding a Prince George's County fire and explosive investigator from the definition of "law enforcement officer" under the law relating to the Law Enforcement Officers' Bill of Rights; including a Prince George's County fire and explosive investigator in the definition of "police officer" in connection with provisions of law relating to the Maryland Police Training Commission and the authorized carrying of a handgun by a person engaged in law enforcement; defining a certain term; making clarifying changes; requiring the Maryland Police Training Commission to certify certain fire and explosive investigators as police officers under certain circumstances; and generally relating to the authority of Prince George's County fire and explosive investigators.

BY repealing

Article – Criminal Procedure

Section 2–209

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 4–201(a)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–201(d)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 2–208

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY adding to

Article – Criminal Procedure

Section 2–208.3
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(e)(2)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 509 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Railroad Grade Crossings – Automated Enforcement
Systems**

PG 320–07

FOR the purpose of providing for the use of automated railroad grade crossing enforcement systems at railroad grade crossings in Prince George’s County to determine compliance with certain vehicle laws; requiring a certain recording of a violation of certain laws regarding railroad crossings to contain certain information; authorizing certain law enforcement agencies in Prince George’s County to mail a citation within a certain period of time to the owner of a motor vehicle that is recorded in Prince George’s County by an automated railroad grade crossing enforcement system to be in violation of certain laws regarding railroad grade crossings; establishing the content of a citation; authorizing the sending of a warning in lieu of a citation; authorizing the establishment and imposition of civil penalties; requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation for certain purposes; requiring the Chief Judge of the District Court to adopt certain procedures; limiting the amount of the civil penalties; providing that the owner of the vehicle is responsible for paying the civil penalty under certain circumstances; providing that persons receiving citations may elect to stand trial in the District Court; establishing defenses that may be considered; imposing certain additional penalties and

authorizing certain other actions when an owner fails to pay the civil penalty, contest liability, or appear for trial; prohibiting imposition of liability under this Act from being considered a moving violation for certain purposes, being recorded on the driving record of the owner, or being considered by an insurer for certain purposes; providing for the admissibility and use of certain evidence; expanding the jurisdiction of the District Court; defining certain terms; and generally relating to imposition of liability on the owner of a motor vehicle recorded in Prince George's County by an automated railroad grade crossing enforcement system violating certain laws regarding railroad grade crossings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167 and 11–168
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 510 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County Hospital Authority

PG 430–07

FOR the purpose of establishing the Prince George's County Hospital Authority; providing for the mission of the Authority; providing that the Authority is an instrumentality of the State and a public corporation; providing that the exercise by the Authority of certain powers is the performance of an essential public

function; authorizing the Authority to take certain actions to fulfill its mission; providing for the powers and duties of the Authority; providing that the Authority be governed by a Board of Directors; providing for the membership of the Board; specifying the terms of the initial members of the Board; providing that a certain agreement may be made contingent on the receipt of certain commitments; requiring the Authority to develop a certain plan; requiring the Authority to submit certain information to the State Treasurer, the Secretary of Health and Mental Hygiene, and certain legislative committees within a certain time period; authorizing the Authority to issue revenue bonds for a certain purpose; establishing the rights and duties associated with revenue bonding authority; requiring Prince George's County, beginning on a certain date, to levy a certain tax in a certain amount on behalf of the Authority; establishing certain requirements for the tax; requiring the Authority to be subject to the State Open Meetings Law; defining certain terms; requiring the Department of Health and Mental Hygiene and the Department of Business and Economic Development to provide certain staffing and receive certain reimbursement; making this Act an emergency measure; and generally relating to the establishment of the Prince George's County Hospital Authority.

BY adding to

Article – Health – General

Section 24–1501 through 24–1509 to be under the new subtitle “Subtitle 15.
Prince George's County Hospital Authority”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

THE COMMITTEE ON APPROPRIATIONS REPORT #1

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Bill 2 – Delegate Kullen

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way
of Calvert County**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Bill 23 – Delegate Love (Chair, Anne Arundel County Delegation)

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County –
Hancock’s Resolution Visitor’s Center**

(Amendment ID: HB0023/574268/1)

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 23

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “to” in line 5 down through “Inc.” in line 6 and substitute “and to alter the grantee to be the County Executive and County Council of Anne Arundel County”.

AMENDMENT NO. 2

On page 2, strike beginning with “Board” in line 3 down through “Inc.” in line 4 and substitute “COUNTY EXECUTIVE AND COUNTY COUNCIL OF ANNE ARUNDEL COUNTY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIARY REPORT #1

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 26 – Delegates Lee, Barkley, Goldwater, Kaiser, McComas, Mizeur, and Niemann

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

APPOINTMENTS

February 6, 2007

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

JOINT STATUTORY COMMITTEE ON FEDERAL RELATIONS:

Hon. Anne R. Kaiser (House Chairman)

Hon. Emmett C. Burns, Jr.

Hon. Jeannie Haddaway

Hon. Henry B. Heller

Hon. James W. Hubbard

Hon. Nancy J. King

Hon. Victor R. Ramirez

Hon. Richard B. Weldon, Jr.

RESOLVED THAT THE SPEAKER MAKES THE FOLLOWING JOINT COMMITTEE APPOINTMENTS:

JOINT COMMITTEE ON INVESTIGATION:

Hon. Brian K. McHale (House Chairman)

Hon. Robert A. Costa

Hon. Ann Marie Doory

Hon. James W. Hubbard

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

JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS:

Hon. Kumar P. Barve (House Chairman)

Hon. Jon S. Cardin

Hon. Anne R. Kaiser

Hon. Warren E. Miller

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 50)

ADJOURNMENT

At 10:28 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 7, 2007.

Annapolis, Maryland
Wednesday, February 7, 2007

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

Prayer by Delegate Carolyn J. B. Howard of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 115 Members present.

(See Roll Call No. 51)

The Journal of February 6, 2007 was read and approved.

EXCUSES:

Del. Goldwater – illness

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 511 – Delegates Busch, Barnes, Beidle, V. Clagett, Costa, Frush, George, J. King, Kipke, Love, McConkey, Pena–Melnik, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Children's Theatre of Annapolis

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 the Children's Theatre of Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 512 – Delegates Busch, Barnes, Beidle, V. Clagett, Costa, Frush, George, J. King, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Light House Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Annapolis Area Ministries, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 513 – Howard County Delegation

AN ACT concerning

Howard County – Board of Education – Qualifications and Election of Student Member

Ho. Co. 12–07

FOR the purpose of providing for a student member on the Howard County Board of Education; specifying qualifications for the student member; specifying the term of office for the student member; providing for the election of the student member by certain Howard County students and requiring that the process for the election be approved by the County Board; specifying certain rights and privileges of the student member; prohibiting the student member from voting on certain matters; specifying that the student member is not entitled to compensation but may be reimbursed for certain expenses; specifying the number of votes required for passage of certain motions by the County Board; and generally relating to a student member for the Howard County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–701

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 514 – Delegate Busch

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County –
Maryland Hall for the Creative Arts**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to authorize certain matching funds required to be provided by the Board of Directors of the Maryland Hall for the Creative Arts, Inc. to include in kind contributions.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA00 (Z) and ZA02 (O)

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

House Bill 515 – Delegate Bromwell

AN ACT concerning

Health Insurance – Credentialing Intermediaries – Exemptions

FOR the purpose of providing that certain carriers are exempt from providing certain information within a certain time frame to a provider under certain circumstances; exempting certain credentialing intermediaries from certain requirements regarding the uniform credentialing form; defining a certain term; and generally relating to credentialing intermediaries for health insurance carriers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(a) and (d) and 15–112.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–112(o)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 516 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Local Governments – Impact Fees and Building Excise Taxes – Workforce Housing Exemption

FOR the purpose of authorizing a county that imposes a development impact fee or building excise tax to grant exemptions from or credits against the development impact fee or building excise tax for developments that include workforce housing, as defined by the governing body of the county; and generally relating to local government development impact fees and building excise taxes.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1501 to be under the new subtitle “Subtitle 15. Miscellaneous Provisions”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 517 – Delegates Haddaway, Aumann, Cane, Conway, Eckardt, Elmore, Mathias, Rudolph, Smigiel, and Sossi

AN ACT concerning

Income Tax Credit – Oyster Restoration Activity

FOR the purpose of allowing an individual to claim a credit against the State income tax for a certain amount for participating in certain oyster restoration activities; requiring an individual claiming a certain tax credit to submit a certain statement with the individual’s income tax return; providing for the application of this Act; defining a certain term; and generally relating to a tax credit against the State income tax for participating in an oyster restoration activity.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 518 – Delegates Barve, Riley, Ali, Gilchrist, N. King, and Simmons

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

FOR the purpose of authorizing a municipal corporation to impose a tax on certain charges for sleeping accommodations paid to hotels in the municipal corporation; authorizing a municipal corporation to set the rate of the tax, subject to a certain limitation; authorizing a municipal corporation to provide for the administration and collection of the tax and to impose penalties for failure to collect, report, or pay the tax; providing that certain room tax sharing arrangements between a municipal corporation and a county are null and void if the municipal corporation imposes a hotel rental tax; authorizing a county that has the authority to impose a hotel rental tax to impose a lower tax rate for hotels within a municipal corporation that imposes a hotel rental tax; and generally relating to authorization for a municipal corporation to impose a hotel rental tax.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–608
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 519 – Delegates Bromwell, Cardin, DeBoy, Donoghue, Hubbard, Malone, Oaks, and Schuler

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

FOR the purpose of requiring a health insurance carrier to establish and implement a certain procedure for requesting a referral to a nonphysician specialist who is not part of the carrier's provider panel; providing that a certain decision by a health insurance carrier constitutes an adverse decision under certain circumstances; defining a certain term; and generally relating to health insurance carrier provider panels and nonphysician specialists.

BY repealing and reenacting, with amendments,
Article – Insurance

Section 15–830
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 520 – Delegates Haddaway, Eckardt, Elmore, and Sossi

AN ACT concerning

Educational or Scientific Certificates – Collection of Mollusks – Restrictions

FOR the purpose of prohibiting the holder of a certain educational or scientific certificate issued by the Secretary of Natural Resources from collecting and depositing mollusks in certain areas; requiring the Secretary to adopt certain regulations; and generally relating to educational or scientific certificates to collect fish, fish eggs, crustaceans, or mollusks.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–212
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 521 – Delegates Lafferty, Aumann, Cardin, Frank, Kach, Morhaim, Nathan–Pulliam, Olszewski, Schuler, and Stein

AN ACT concerning

Creation of a State Debt – Baltimore County – Forbush School

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 Sheppard Pratt Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 522 – Delegates V. Clagett, Beidle, and George

AN ACT concerning

Wineries – Special Event Permits – Farmers’ Markets

FOR the purpose of altering the number of winery special event permits that the Comptroller may issue to Class 4 Maryland limited wineries in a calendar year and in the same political subdivision; altering the number of certain bottles of wine that a permit holder may sell to a consumer at a certain event or festival for consumption off the premises; authorizing the Comptroller to issue an unlimited number of permits for use at certain farmers’ markets; prohibiting a permit holder to sell wine by the glass at a farmer’s market; and generally relating to winery special event permits.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(u)(1) and (3)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(u)(5)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 523 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Municipal Corporations – Building Excise Tax

FOR the purpose of authorizing municipal corporations to impose, by ordinance or resolution, a building excise tax on all types of building construction within a municipal corporation; requiring the governing body of a municipal corporation to hold a public hearing before adopting a certain ordinance or resolution; prohibiting a municipal corporation from imposing a building excise tax if the municipal corporation imposes a certain impact fee; requiring a municipal corporation to specify in the ordinance or resolution the types of building construction subject to

tax, the criteria and formulas used to assess the tax, and the tax rates; authorizing a municipal corporation to impose different rates of the building excise tax on different types of building construction subject to the tax; requiring that the building excise tax be assessed on an applicant for a building permit at the time of the issuance of the building permit; requiring that the tax rates relate to the development or growth-related infrastructure needs in the municipal corporation; authorizing a municipal corporation to provide for tax credits against and exemptions from the building excise tax; requiring that the revenues from the building excise tax be deposited in a special fund; providing that the revenues from the building excise tax may only be used for certain capital and operating costs of certain public works, improvements, and facilities; and generally relating to authorizing municipal corporations to impose a building excise tax.

BY adding to

Article 23A – Corporations – Municipal

Section 8A

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 524 – Delegates Nathan–Pulliam, Benson, Bronrott, Burns, Costa, Donoghue, Hammen, Hubbard, Kach, Kullen, Lawton, Lee, Mizeur, Montgomery, Morhaim, Oaks, Pendergrass, Proctor, Stein, F. Turner, and Waldstreicher

AN ACT concerning

Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals

FOR the purpose of requiring the Office of Minority Health and Health Disparities to convene a Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals; requiring the Workgroup to include representatives from certain groups; providing for the purpose and goals of the Workgroup; requiring the Workgroup to develop certain recommendations; requiring the Workgroup to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Workgroup on Cultural Competency and Workforce Development for Mental Health Professionals.

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

House Bill 525 – Delegates McConkey, V. Clagett, Hucker, Shewell, and Weir

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Court
Appointment of Receiver**

FOR the purpose of authorizing a unit owner to petition a certain circuit court to appoint a receiver if a council of unit owners fails to fill certain vacancies on the board of directors under the Maryland Condominium Act; requiring a certain unit owner to mail a certain notice; requiring a certain unit owner to post a certain notice in a certain manner; providing that the unit owner may proceed with the petition under certain circumstances; providing that a certain receiver shall have certain powers and duties; providing for the term of service of a receiver; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are common expenses; authorizing an owner of a certain lot to petition a certain circuit court to appoint a receiver if a homeowners association fails to fill certain vacancies on the governing body under the Maryland Homeowners Association Act; requiring a certain lot owner to mail a certain notice; providing that the lot owner may proceed with the petition under certain circumstances; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are expenses of a homeowners association; and generally relating to the appointment of a receiver for a condominium or a homeowners association.

BY adding to

Article – Real Property

Section 11–109.3 and 11B–111.5

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 526 – Delegates Tarrant, Conaway, and Robinson

AN ACT concerning

Creation of a State Debt – Baltimore City – Healthy Start

FOR the purpose of authorizing the creation of a State Debt in the amount of \$800,000, the proceeds to be used as a grant to the Board of Directors of Baltimore City Healthy Start, Inc. for certain development or improvement purposes, providing for disbursement of the loan proceeds; subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 527 – Delegates Barve and Simmons

AN ACT concerning

Labor and Employment – Subsequent Injury Fund – Renaming

FOR the purpose of renaming the Subsequent Injury Fund as the Prior Injury Fund; authorizing the publishers of the Annotated Code of Maryland to correct statutory references under certain circumstances; providing for the construction of this Act; and generally relating to the Subsequent Injury Fund.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–310.1(a), 9–610(a) and (c), 9–630(b)(4), 9–637(c)(4), 9–722(a) and (d)(2), 9–729(c), 9–730(a), 9–731(b)(2)(ii), 9–737, 9–743, 9–802(b) and (c), 9–803(c), 9–804(a) and (b)(1), 9–806, 9–807, 9–808, 9–902, 9–1008(a); and 10–201, 10–204, and 10–207 to be under the amended subtitle “Subtitle 2. Prior Injury Fund”

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 5–102(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 528 – Delegates Barve, Gilchrist, and Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Nonprofit Village 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 Nonprofit Village Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 529 – Delegates Busch, Barnes, Beidle, Costa, Frush, George, J. King, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Maryland Hall for the Creative Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Hall for the Creative Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 530 – Delegates Jones and Barkley

AN ACT concerning

State Budget – Modifications – Reporting

FOR the purpose of requiring the State budget books to include a separate section listing, for certain fiscal years, certain changes in policy or administration that will reduce the level of funding, level of services, or scope of services provided in any program or program area; requiring the section to include, for a certain fiscal year, a summary of certain changes reducing funding or services below certain levels; requiring the section to include, for a certain fiscal year, a summary of certain proposed actions that will reduce funding or services below certain levels; requiring the section to quantify certain reductions in funding or services; and generally relating to modifications to the State budget.

BY adding to

Article – State Finance and Procurement

Section 7–123

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 531 – Delegates Frank, Aumann, Bartlett, Boteler, Dwyer, Eckardt, Elliott, Elmore, George, Haddaway, Jennings, J. King, Kipke, Kramer, Krebs, McComas, McConkey, Morhaim, Shank, Shewell, Smigiel, Sossi, Stocksdale, Weir, and Weldon

AN ACT concerning

Income Tax – Tax Credit – Donations for Scholarships at Institutions of Higher Education

FOR the purpose of allowing a credit against the State income tax for contributions made to certain institutions of higher education or certain affiliated foundations to be used for scholarships for students; requiring the Maryland Higher Education Commission to administer the tax credit; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an institution of higher education or affiliated foundation and to provide certain notice within a certain time period; requiring the Commission to adopt certain regulations jointly with the Comptroller; requiring the Commission to approve certain applications within a certain time period and in a certain manner; requiring the Commission 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 Commission in a calendar year; providing that certain unused tax credits may not be carried forward; requiring the Commission to submit a certain report by a certain date each year; requiring a certain additional modification under the State income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally related to a State income tax credit for contributions made to institutions of higher education or affiliated foundations to be used for scholarships for students.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–205(a) and 10–306(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–205(j), 10–306(f), and 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 532 – Delegate Davis

AN ACT concerning

Maryland Automobile Insurance Fraud Act

FOR the purpose of prohibiting certain persons from employing or acting as a runner with the intent to falsely or fraudulently certain benefits under a contract of insurance or assert a certain claim against an insured or an insurer for providing certain services; prohibiting certain persons, for a certain period of time after the date of a motor vehicle accident, from inspecting or obtaining a copy of a motor vehicle accident report from a certain law enforcement agency under certain circumstances; authorizing certain persons to inspect or obtain a copy of certain motor vehicle accident reports at any time; requiring the production of certain identification for inspection and photocopying and the provision of a certain statement under certain circumstances; requiring certain law enforcement agencies to maintain certain copies of certain identification and statements for a certain period of time; providing certain penalties for a violation this Act; defining certain terms; and generally relating to automobile insurance fraud.

BY adding to

Article – Insurance

Section 27–4A–01 through 27–4A–04 to be under the new subtitle “Subtitle 4A.
Maryland Automobile Insurance Fraud Act”

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 533 – Delegate Proctor

AN ACT concerning

State Retirement and Pension Systems – Optional Forms of Retirement – Selections

FOR the purpose of providing that within a certain period of time, certain members in the State Retirement and Pension System may change optional forms of retirement selections under certain circumstances; and generally relating to the selection of optional forms of retirement allowances in the State Retirement and Pension System.

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

House Bill 534 – Delegates Rosenberg and Kaiser

AN ACT concerning

Income Tax – Earned Income Tax Credit – Noncustodial Parent

FOR the purpose of allowing certain individuals to claim an income tax credit in a certain amount against the State income tax for earned income under certain circumstances; providing for certain limitations on the credit; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to a credit against the State income tax for certain earned income.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–704(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–704(b) and (c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 535 – Delegate Dumais

AN ACT concerning

Catastrophic Health Emergencies – Quarantine Orders – Citations

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to deliver or mail a citation to certain individuals who refuse certain medical treatment or testing after an order of isolation or quarantine has been issued by the Secretary during a catastrophic health emergency; providing for the purpose of a certain citation; establishing the amount of a fine for payment of a certain citation; requiring a certain citation to be on a certain form and contain certain information; establishing certain procedures for contesting a certain citation; establishing certain procedures for prosecuting certain individuals for certain violations; and generally relating to citations for violating quarantine orders during a catastrophic health emergency.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–905 and 18–907
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 536 – Delegates Dumais, Feldman, Frush, Hecht, Hucker, Kaiser, Krysiak, Lawton, Lee, Manno, Mizeur, Pena–Melnyk, and Rice

AN ACT concerning

Family Law – Paternity – Dependent Disabled Child

FOR the purpose of establishing that a proceeding to establish paternity of a child who is dependent on a parent because of a mental or physical infirmity may be begun at any time before or after the child’s eighteenth birthday; and generally relating to paternity of a disabled child.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–1006
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 537 – Delegates George, Aumann, Bartlett, Bates, Beidle, Beitzel, Bohanan, Boteler, Bromwell, Burns, Costa, DeBoy, Dwyer, Eckardt, Elliott, Elmore, Frank, Glassman, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, J. King, Kipke, Krebs, McComas, McConkey, McDonough, McKee, Miller, Minnick, Myers, O’Donnell, Rudolph, Schuh, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stocksdale, Stull, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Vehicle Laws – Drivers’ Licensing of Illegal Aliens – Restrictions

FOR the purpose of prohibiting, in order to facilitate compliance with the federal Real ID Act, the Motor Vehicle Administration from issuing a new driver’s license to an individual who cannot provide certain documentation certifying that the individual is lawfully present in the United States in accordance with federal law, except

under certain circumstances; authorizing the Administration to issue a new driver's license under certain circumstances to an individual whose documentation certifying lawful presence in the United States has expired; prohibiting the Administration from issuing to a certain individual a driver's license that has a certain effective term; authorizing the Administration to renew for certain periods the driver's license of an individual not lawfully present in the United States under certain circumstances; and generally relating to drivers' licenses and individuals who are not lawfully present in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 538 – Delegates Kaiser, Barkley, N. King, Lawton, Montgomery, Pena–Melnyk, F. Turner, and Waldstreicher

AN ACT concerning

Higher Education – Dual Enrollment Grant Program

FOR the purpose of repealing certain provisions of law relating to the inclusion of dually enrolled students in a certain part–time grant program; requiring the Maryland Higher Education Commission to establish and administer a grant program for dually enrolled students; requiring a recipient of a dual enrollment grant to be a resident of the State and a dually enrolled student; requiring the Commission to administer funds for the Dual Enrollment Grant Program and to distribute funds to an institution of higher education on behalf of a dual enrollment grant recipient; requiring funds for the Dual Enrollment Grant Program to be as provided in the annual budget of the Commission by the Governor; requiring the Commission to establish guidelines for the awarding of dual enrollment grants to dually enrolled students; requiring the Commission to adopt certain regulations; requiring the Governor to include certain funds in the State budget for certain fiscal years for the Dual Enrollment Grant Program; defining a certain term; and generally relating to the Dual Enrollment Grant Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–1401
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 18–14A–01 through 18–14A–03 to be under the new subtitle “Subtitle
14A. Dual Enrollment Grant Program”

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 539 – Delegates Busch, Barnes, Beidle, V. Clagett, Costa, Frush, George, J. King, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Bayhead Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 540 – Delegate Haddaway

AN ACT concerning

Education – Laptop Computer Distribution Program

FOR the purpose of establishing the Laptop Computer Distribution Program in the Department of Education; providing the purpose of the Program; requiring the Department to work with each county to provide certain laptop computers to certain students enrolled in certain public schools; authorizing a county board to opt out of the Program for certain reasons; requiring certain county boards to develop and submit to the Department a certain technology plan that includes certain information; requiring the Department to provide certain funds in a certain amount for the cost of the program in each participating county; requiring certain funding to be included in the Department’s annual budget; prohibiting certain appropriations for the Program from supplanting the State share of certain basic expenses; authorizing the State Board of Education to adopt certain regulations;

and generally relating to the Laptop Computer Distribution Program.

BY adding to

Article – Education

Section 7–10B–01 through 7–10B–06 to be under the new subtitle “Subtitle 10B.
Laptop Computer Distribution Program”

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 541 – Delegate Simmons

AN ACT concerning

Courts – Lawyers – Retainer Agreements

FOR the purpose of providing that a provision in a retainer agreement that requires a person seeking representation to reimburse a lawyer for attorney’s fees in the event of a future dispute between the person and the lawyer is unenforceable; providing that the provisions of this Act may not be waived; defining a certain term; and generally relating to the unenforceability of a certain provision in a lawyer retainer agreement.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–808

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 542 – Delegate Ross

AN ACT concerning

Elections – Election Judges Training Pilot Program

FOR the purpose of establishing the Election Judges Training Pilot Program to be administered by the Center for American Politics and Citizenship at the University of Maryland, College Park, in conjunction with the Prince George’s County Board of Elections and the Montgomery County Board of Elections; specifying the purpose of the pilot program; requiring the Governor to include certain funds in the State budget to pay for the pilot program; requiring the Center for American

Politics and Citizenship to submit a certain report on or before a certain date; providing for the termination of this Act; and generally relating to the Election Judges Training Pilot Program.

BY adding to

Article – Election Law

Section 10–208

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

House Bill 543 – Delegates Kullen, O’Donnell, Proctor, and Vallario

AN ACT concerning

Creation of a State Debt – Calvert County – Project ECHO Homeless Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Commissioners of the Housing Authority of Calvert 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; prohibiting the use of the loan proceeds and matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 544 – Delegates Ross and Kaiser

AN ACT concerning

**Income Tax – Credit for Cellulosic Ethanol Technology
Research and Development**

FOR the purpose of allowing a credit against the State income tax for certain cellulosic ethanol technology research and development expenses incurred by an individual or corporation; providing for applications to the Department of Business and Economic Development for approval of the credit and certification by the Department to taxpayers of approved credit amounts; limiting the total amount of credits that the Department may approve for any calendar year to a certain amount; requiring the Department to approve a prorated credit for each applicant if the total amount applied for exceeds the maximum that may be approved;

providing that certain unused credits may be carried forward to certain taxable years; requiring a certain addition modification if a certain credit is claimed; requiring the Comptroller to adopt certain regulations; requiring the Department and the Comptroller jointly to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to certain credits against the State income tax based on certain expenses paid or incurred for certain cellulosic ethanol technology research and development conducted in the State.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a) and 10–306(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–205(j), 10–306(f), and 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 545 – Harford County Delegation

AN ACT concerning

Creation of a State Debt – Harford County – Walter and Betty Ward YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000 the proceeds to be used as a grant to the Board of Directors of the Young Men’s Christian Association 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 546 – Delegates Jones, Barkley, Benson, Branch, Bromwell, Bronrott, Burns, Cane, Conaway, DeBoy, Gaines, Glenn, Harrison, Haynes, Heller, Howard, Hubbard, Kirk, Kramer, Lafferty, Love, Malone, Manno, McKee, Morhaim, Myers, Nathan–Pulliam, Oaks, Proctor, Robinson, Stein, Stocksdale, Tarrant, and F. Turner

AN ACT concerning

Education – Compulsory Attendance – Age of Withdrawal

FOR the purpose of altering the age at which a child may withdraw from required schooling; requiring certain individuals with the legal custody or care and control of certain children between certain ages to see that the children attend school or receive certain instruction; providing for a delayed effective date; and generally relating to the age of withdrawal and compulsory attendance in school.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 547 – Delegate Love

AN ACT concerning

Motor Vehicle Insurance – Accident Prevention Courses – Discount for Seniors

FOR the purpose of requiring an insurer to provide a reduction in rates for motor vehicle personal injury and property damage coverage to an insured who is at least 55 years old and who, within a certain period of time, has completed a certain course in accident prevention; providing that this Act does not apply to an insured who attends a course in accident prevention under a court order or as required by the Motor Vehicle Administration for a certain violation; authorizing a certain part of the required course in accident prevention to be an on–line course; requiring the Maryland Insurance Commissioner to adopt certain regulations; and generally relating to reductions in motor vehicle insurance rates.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–215(g) and 11–318(g)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 548 – Delegates Anderson, Ali, Barnes, Benson, Branch, Braveboy, Bronrott, Burns, Cane, Cardin, Carter, Conaway, Doory, Dumais, Glenn, Gutierrez, Harrison,

Haynes, Howard, Hucker, Ivey, Jones, Kaiser, Krysiak, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Proctor, Ramirez, Robinson, Rosenberg, Shewell, Stein, Stukes, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Substance Abuse – Diversion

FOR the purpose of altering the penalty for possessing, administering to another, obtaining, or attempting to obtain a controlled dangerous substance, and for procuring or attempting to procure the administration of a controlled dangerous substance under certain circumstances; requiring the court to stay the entering of judgment, defer further proceedings, and place a certain defendant on probation except under certain circumstances; establishing certain penalties for a repeat offender of certain crimes; requiring as a condition of probation that a certain defendant participate in and complete a drug treatment or education program and a program consisting of certain types of training or community service; prohibiting the court from imposing incarceration as an additional condition of probation; authorizing the court to require a certain defendant to contribute to the cost of placement in a certain program; establishing certain penalties for a defendant who fails to participate in and complete certain programs; providing for a delayed effective date; and generally relating to placing a defendant on probation for possession of a controlled dangerous substance and certain associated crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(c)(2)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–220(c–1)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 549 – Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Chesapeake Bay Critical Area – Violations of Local Law

FOR the purpose of requiring that a prosecution for an offense that occurs in the Chesapeake Bay Critical Area and is a violation of a certain local law in Anne Arundel County that relates to environmental protection or natural resource conservation be instituted within a certain time after the commission of the offense.

BY adding to

Article – Courts and Judicial Proceedings
Section 5–106(bb)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 550 – Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Impact Fees – Workforce Housing

FOR the purpose of authorizing the County Council of Anne Arundel County by ordinance to grant exemptions from or credits against development impact fees for developments that include workforce housing, as defined by the County Council; and generally relating to certain enabling authority for Anne Arundel County to impose development impact fees.

BY repealing and reenacting, with amendments,

The Public Local Laws of Anne Arundel County
Section 17–11–213
Article 2 – Public Local Laws of Maryland
(2005 Edition and December 2006 Supplement, as amended)

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

House Bill 551 – Anne Arundel County Delegation

AN ACT concerning

Housing and Community Development – Radium Pilot Grant Program – Sunset Repeal

FOR the purpose of repealing a certain termination provision relating to the Radium Pilot Grant Program; and generally relating to the Radium Pilot Grant Program.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–1301 through 4–1308
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 2

BY repealing and reenacting, with amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 3

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

House Bill 552 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Family YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of the Dorchester County Family YMCA, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 553 – Delegates Ross, Gilchrist, Ivey, Kaiser, Rice, and Stukes

AN ACT concerning

Corporate Income Tax Reform

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; providing that, except as provided by and subject to regulations of the Comptroller, certain groups of corporations shall file a combined income tax return reflecting the aggregate income tax liability of all of the members of the group for certain taxable years; requiring the Comptroller to adopt certain regulations; requiring certain corporations under certain circumstances to include with an income tax return or otherwise file with the Comptroller a certain statement; defining certain terms; providing for the application of this Act; and generally relating to the income tax on corporations.

BY adding to

Article – Tax – General

Section 10–402.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–804(e) and 10–811

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 554 – Delegates Ross, Ali, Anderson, Braveboy, Burns, Cane, Carter, Davis, Gilchrist, Glenn, Gutierrez, Harrison, Haynes, Hucker, Ivey, Kaiser, Lawton, Montgomery, Nathan–Pulliam, Oaks, Ramirez, Rice, Robinson, Stukes, Tarrant, Taylor, F. Turner, and Walker

AN ACT concerning

Voter Registration Protection Act

FOR the purpose of altering certain qualifications for voter registration; providing that an individual is not qualified to register to vote if the individual has been convicted of a felony and is actually serving a court–ordered sentence imposed for the conviction; repealing certain conditions relating to the eligibility of certain felons convicted of certain crimes to register to vote; modifying the criteria under which a certain criminal penalty may be imposed; and generally relating to voter registration eligibility requirements for individuals convicted of certain crimes.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102 and 16–202
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 555 – Delegates Krebs, Elliott, and Frank

AN ACT concerning

Election Law – Political Committees – Campaign Finance

FOR the purpose of prohibiting an organization that collects dues from its members from engaging in campaign finance activity except through an affiliated political action committee; subjecting a certain membership entity to certain campaign finance reporting requirements; defining certain terms; repealing certain exceptions relating to a political club; and generally relating to the regulation of campaign finance activities conducted by certain political committees.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–101, 13–207, 13–243, and 13–304(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 556 – Delegates Love, Barnes, Beidle, Busch, V. Clagett, Costa, Frush, George, J. King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hope House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of Addiction Recovery, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 557 – Delegates Love, Barnes, Beidle, Busch, V. Clagett, Costa, Frush, George, J. King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Providence 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 Providence Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 558 – Delegates Stull, Bartlett, Bates, Beitzel, Boteler, Cane, G. Clagett, V. Clagett, Eckardt, Elliott, Elmore, Glassman, Haddaway, Hecht, Jameson, Jennings, Kach, Krebs, Kullen, Lawton, Levy, McConkey, McKee, Myers, O’Donnell, Rudolph, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Weir, Weldon, and Wood

AN ACT concerning

Department of Agriculture – Appointment or Employment – Exemption from Ethics Restrictions

FOR the purpose of providing that a person who owns or operates a farm that is subject to the regulatory authority of the Department of Agriculture may be appointed Secretary or deputy secretary of the Department or employed by the Department, subject to a certain restriction; and generally relating to appointment to or employment with the Department of Agriculture.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–102
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 559 – Delegates Glassman and Lawton

AN ACT concerning

Environment – Testing and Inspection for Volatile Organic Compounds – Public Schools

FOR the purpose of requiring the Secretary of the Environment to adopt certain regulations to conduct certain testing and inspection of the water in certain public schools for volatile organic compounds; authorizing the Secretary to adopt certain regulations to provide for biannual testing and inspection of certain public schools under certain circumstances; and generally relating to the testing and inspection of public schools for volatile organic compounds.

BY adding to

Article – Environment

Section 9–407.1

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 560 – Delegates McIntosh and Hixson

AN ACT concerning

Election Law – Campaign Contributions – Limits on Contributions

FOR the purpose of altering the aggregate amount of money a person may contribute in an election cycle; establishing an aggregate contribution limit for campaign finance entities for certain county offices and another aggregate contribution limit for campaign finance entities for all other offices; providing for the application of this Act; and generally relating to limits on campaign contributions to certain entities.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

House Bill 561 – Delegates Kaiser and Stocksdale

AN ACT concerning

Vehicle Laws – Special Disability Plates and Parking Placards

FOR the purpose of authorizing the Motor Vehicle Administration to issue a special disability parking placard to a person issued two sets of certain special disability registration plates.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–616.1(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–616.1(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 562 – Delegates Proctor, Gaines, Healey, Ross, Barnes, Benson, Braveboy, Davis, Frush, Holmes, Howard, Hubbard, Ivey, Levi, Niemann, Pena–Melnik, Ramirez, Valderrama, Vallario, and Vaughn

AN ACT concerning

Teachers’ Retirement and Pension Systems – Reemployment of Retirees

FOR the purpose of exempting, from a certain offset of a retirement allowance, certain retirees of the Teachers’ Retirement System or Teachers’ Pension System; altering the criteria that certain retirees of the Teachers’ Retirement System or Teachers’ Pension System are required to meet to be exempt from a certain offset of a retirement allowance; and generally relating to the reemployment of retirees of the Teachers’ Retirement System or Teachers’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406 and 23–407
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 563 – Delegates Kullen, Carter, Dumais, Feldman, Hecht, Jameson, Lawton, Lee, Manno, McComas, Mizeur, Pena–Melnik, Valderrama, and Waldstreicher

AN ACT concerning

Family Law – Divorce – Change of Surname of Child

FOR the purpose of authorizing a court, in granting a decree of absolute divorce, to change the surname of a child under certain circumstances; specifying certain factors that the court may consider in making a certain determination; and generally relating to the change of the surname of a child in a divorce proceeding.

BY adding to

Article – Family Law

Section 7–108

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 564 – Delegates Haddaway, Cane, Eckardt, and Mathias

AN ACT concerning

Dorchester and Talbot Counties – Unattended Marine Vessel Motor Fuel Retail Service Stations at Marinas – Pilot Program

FOR the purpose of requiring the State Fire Prevention Commission to establish a pilot program to allow the continuous operation of unattended marine vessel motor fuel retail service stations at marinas in Dorchester and Talbot Counties; requiring the operation of marine vessel motor fuel retail service stations under the pilot program to be consistent with certain provisions of law or regulations; requiring that the pilot program be developed in conjunction with a certain initiative of the Department of Natural Resources; stating the intent of the General Assembly; requiring the Commission to report to the General Assembly by a certain date on the results of the pilot program; and generally relating to a pilot program to allow unattended marine vessel motor fuel retail service stations at marinas in Dorchester and Talbot Counties.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 6–206(a)

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 565 – Delegates Proctor and Vallario

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Poplar Hill on His Lordship’s
Kindness**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$275,000, the proceeds to be used as a grant to the Board of Directors of the John M. and Sara R. Walton Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 566 – Delegates Kaiser, Bronrott, and F. Turner

AN ACT concerning

Student Health – Maryland School Health Blue Ribbon Panel

FOR the purpose of establishing the Maryland School Health Blue Ribbon Panel; providing for the membership, chair, and staff of the Blue Ribbon Panel; providing that a member of the Blue Ribbon Panel may not receive compensation but may receive certain reimbursement as provided in the State budget; providing for the duties of the Blue Ribbon Panel with respect to the study and evaluation of certain plans that relate to childhood health; requiring the Blue Ribbon Panel to submit certain reports to the Governor and General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to childhood health and the Maryland Student Health Blue Ribbon Panel.

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

House Bill 567 – Anne Arundel County Delegation

AN ACT concerning

City of Annapolis – Drug-Free Zones – Community or Recreation Centers

FOR the purpose of making it a felony to manufacture, distribute, dispense, or possess with intent to distribute certain controlled dangerous substances or conspire to commit these offenses within a certain distance of a certain community or recreation center in the City of Annapolis; providing certain penalties; making certain maps admissible as prima facie evidence of the location and boundaries of certain property; authorizing the City of Annapolis to post signs designating certain areas as drug-free zones; requiring that the signs contain certain information; defining a certain term; and generally relating to drug-free zones around certain community or recreation centers in the City of Annapolis.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 20-101 to be under the new title “Title 20. Community or Recreation Center Drug-Free Zones”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Criminal Law

Section 5-627.1

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 568 – Delegates Proctor and Vallario

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hard Bargain Farm
Environmental 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 Alice Ferguson Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 569 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George’s County – Henson Valley Montessori School

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 Henson Valley Montessori School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 570 – Delegates Rosenberg, Barve, and James

AN ACT concerning

Task Force to Study Incentives for Teen Parents

FOR the purpose of establishing the Task Force to Study Incentives for Teen Parents; providing for the membership of the Task Force; requiring the Department of Human Resources to provide staff for the Task Force; providing for the duties of the Task Force; prohibiting members of the Task Force from receiving certain compensation; requiring the Task Force to report to the Governor, the Senate Finance Committee, the House Appropriations Committee, and the Joint Committee on Welfare Reform; providing for the termination of this Act; and generally relating to the Task Force to Study Incentives for Teen Parents.

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

House Bill 571 – Delegates Levi, Ali, Anderson, Barkley, Barnes, Beidle, Benson, Carter, Conaway, Conway, Davis, DeBoy, Dumais, Elmore, Glenn, Haynes, Healey, Holmes, Hucker, Ivey, Jones, Kirk, Kullen, Lee, Manno, McComas, Montgomery, Oaks, Rice, Robinson, Ross, Schuh, Schuler, Smigiel, Stukes, Tarrant, Taylor, Vaughn, Waldstreicher, and Walker

AN ACT concerning

**Juveniles – School Attendance and Crimes Committed During School
Hours – Penalties and Issuance of a License to Drive**

FOR the purpose of requiring the circuit court sitting as a juvenile court, when making a certain disposition, to consider whether a certain offense committed by a child was committed during certain hours; providing that a person who is under a certain age and is convicted as an adult of a certain crime is subject to a certain increase in the person's term of imprisonment or fine if the trier of fact finds beyond a reasonable doubt that the person committed the crime during certain hours; requiring the principal or head teacher of a school to report to the county superintendent, the supervisor of pupil personnel, or another designated official each time a certain child has accumulated a certain number of unexcused absences from a school in which the child is enrolled; requiring a certain representative of the school system, on receiving a certain report, to notify the Motor Vehicle Administration to suspend a certain child's license to drive and to notify the child that the child's license to drive will be suspended; requiring a local law enforcement agency to notify the Motor Vehicle Administration to suspend a certain child's license to drive and to notify the child that the child's license to drive will be suspended if the child receives a certain number of local truancy violation notices; prohibiting the Motor Vehicle Administration from issuing a learner's permit to an applicant under a certain age unless the applicant presents certain information regarding school attendance; requiring the Motor Vehicle Administration to suspend the license to drive of a child, subject to certain hearing requirements, for a certain period of time or to delay the issuance of a license to a child for a certain period of time after receiving a certain notice; requiring the Motor Vehicle Administration to impose a certain fine on a certain child; defining certain terms; and generally relating to offenses committed by juveniles and absences from school.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–8A–19(c–1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Criminal Law
Section 14–104
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Education
Section 7–301(a)
Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–302
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–128 and 12–203
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–105(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–206.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 572 – Delegates Elliott, Benson, Donoghue, Goldwater, Hammen, Hubbard, Krebs, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Riley, Shewell, Stull, Tarrant, and Weldon

AN ACT concerning

Health Insurance – Expansion of Coverage

FOR the purpose of establishing a Health Insurance Premium Subsidy Program in the Department of Health and Mental Hygiene; establishing the purposes, eligibility requirements, and subsidy qualifications of the Program; specifying the responsibilities of the Department under the Program; establishing a Health Insurance Premium Subsidy Fund; establishing the sources and uses of funds in the Health Insurance Premium Subsidy Fund; requiring the State Treasurer to invest the money in the Fund in a certain manner; providing that any investment earnings of the Fund shall be retained to the credit of the Fund; requiring

expenditures from the Fund to be made only in accordance with the State budget; providing that the Fund is subject to audit by the Office of Legislative Audits; imposing a surcharge on the income tax of certain individuals with income above a certain level; providing that the surcharge does not apply if certain individuals had certain health care coverage or did not reside in the State; providing for certain exceptions; requiring the revenues from the surcharge to be distributed to the Health Insurance Premium Subsidy Fund; requiring an employer to base withholding for certain employees on a certain number of exemptions under certain circumstances; requiring the Secretary of Health and Mental Hygiene, on or before a certain date, to develop and implement an Internet portal to provide coordinated access to health and human services programs and benefits; requiring the Internet portal to include certain elements; requiring the Secretary, on or before a certain date, to make a certain report; requiring the Comptroller to widely publicize the requirements of this Act for a certain purpose; defining certain terms; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to expansion of health insurance coverage through a Health Insurance Premium Subsidy Program, an income tax surcharge, and an Internet portal.

BY adding to

Article – Health – General

Section 15–701 through 15–705 to be under the new subtitle “Subtitle 7. Health Insurance Premium Subsidy Program”; and Section 15–801 to be under the new subtitle “Subtitle 8. Internet Portal for Coordinated Access to Health and Human Services Programs and Benefits”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1301(f)(1)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–106.2

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–910(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 573 – Delegate Conaway

AN ACT concerning

Business Regulation – Chain Restaurants and Hotels – Discounts

FOR the purpose of requiring chain restaurants and hotels to provide a certain discount to certain customers under certain circumstances and subject to certain limitations; defining certain terms; and generally relating to discounts for customers at chain restaurants and hotels.

BY adding to

Article – Business Regulation

Section 19–103

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 574 – Delegate Conaway

AN ACT concerning

Consumer Protection – Free Trial Period for Consumer Goods and Services Sold Over the Internet – Charges to Credit Card

FOR the purpose of prohibiting a person that sells consumer goods or consumer services over the Internet and provides a trial period during which a consumer may use the consumer goods or consumer services for free from automatically charging the consumer's credit card for the consumer goods or consumer services at the expiration of the free trial period; requiring the person to require the consumer to resubmit the consumer's credit card information at the expiration of the free trial period before charging the consumer's credit card for the continued use of the consumer goods or consumer services; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject certain enforcement and penalty provisions; defining certain terms; and generally relating to free trial periods for consumer goods or consumer services sold over the Internet and charges to a consumer's credit card.

BY adding to

Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 1 – Delegates Elliott, Benson, Hubbard, Kullen, Mizeur, Morhaim, Nathan–Pulliam, Pena–Melnyk, Rudolph, and Weldon

A House Joint Resolution concerning

Negotiated Prices for Medicare Part D Drugs

FOR the purpose of calling on the United States Congress to pass legislation to require the Secretary of Health and Human Services to negotiate with pharmaceutical manufacturers the prices that may be charged for Medicare Part D drugs.

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

QUORUM CALL

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

(See Roll Call No. 52)

ADJOURNMENT

At 10:20 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 8, 2007.

Annapolis, Maryland
Thursday, February 8, 2007

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

Prayer by Delegate James E. Proctor, Jr. of Calvert and Prince George's counties.

QUORUM CALL

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

(See Roll Call No. 54)

The Journal of February 7, 2007 was read and approved.

EXCUSES:

Del. Goldwater – illness

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 575 – Delegates Murphy, Beitzel, Bohanan, Cane, Conway, Donoghue, Eckardt, Elmore, Haddaway, Jameson, Kelly, Kullen, Levy, Mathias, McKee, Myers, O'Donnell, Proctor, Shank, Vallario, Weldon, and Wood

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Eligibility for Enrollment and Participation

FOR the purpose of allowing employees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring a regional library to pay certain costs to the State; requiring a regional library to make a certain determination; and generally relating to the participation in health and insurance benefit options under the State Employee and Retiree Health and Welfare Benefits Program by employees of the

Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library.

BY adding to

Article – State Personnel and Pensions

Section 2–515.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 576 – Delegates N. King, Ali, Barkley, Feldman, Gilchrist, Gutierrez, Hixson, Kramer, Lawton, Manno, and Simmons

AN ACT concerning

Creation of a State Debt – Montgomery County – Katherine Thomas High School

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 Treatment and Learning Centers, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 577 – Delegates N. King, Ali, Barkley, Feldman, Gilchrist, Gutierrez, Hixson, Howard, Kelly, Kramer, Krebs, Lawton, Manno, Murphy, Ross, and F. Turner

AN ACT concerning

County Boards of Education – Master Plans – Extension

FOR the purpose of extending the period during which county boards of education are required to submit comprehensive master plans to the State Department of Education; extending the period during which county boards of education are required to submit annual updates to their comprehensive master plans to the State Superintendent of Schools; clarifying the period of time that is required to be covered by annual updates to comprehensive master plans; and generally relating to the submission of comprehensive master plans and updates by county boards of education.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–401(a), (c), (d), (e), (f), (g), and (i)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–401(b) and (h)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 578 – Delegates N. King, Ali, Barkley, Feldman, Gilchrist, Hixson, Kramer, Lawton, and Manno

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County –
Montgomery Village and Germantown Boys & Girls Club**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the purpose of a grant to the Board of Directors of the Montgomery Village Foundation and to reduce the amount of the grant; amending the Maryland Consolidated Capital Bond Loan of 2006 to provide a grant to the Board of Directors of the Boys & Girls Clubs of Greater Washington, Inc. for certain development and improvement purposes; and generally relating to the Maryland Consolidated Capital Bond Loan of 2006, the Montgomery Village Foundation, and the Germantown Boys & Girls Club.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (BJ)

BY adding to
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (BJ–2)

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

House Bill 579 – Delegates Tarrant, Bromwell, Harrison, Hucker, Jones, Kirk, Lawton, Mathias, Rice, Riley, and Walker

AN ACT concerning

**Health Insurance – Authorization of Additional Products and Small Group
Administrative Discounts**

FOR the purpose of making certain provisions of this Act applicable to health maintenance organizations; providing that certain insurance policies may provide for payment of services rendered by certain providers; requiring an insurer to establish payment in a certain manner under certain circumstances; requiring a certain policy to allow direct access to specialists; requiring certain insurers to offer an option to include preferred and nonpreferred providers as an additional benefit under certain circumstances; requiring certain insurers to provide certain disclosures under certain circumstances; authorizing certain entities to require a certain individual to pay a certain premium under certain circumstances; providing that certain provisions of law do not apply to a small employer under certain circumstances; requiring a small employer to provide a certain certification under certain circumstances; authorizing a health insurance carrier to offer a certain plan under certain circumstances; authorizing a carrier to offer a certain administrative discount to a small employer under certain circumstances; providing for the intent of the General Assembly; authorizing a carrier to offer a certain policy to certain employees; specifying what a certain policy may exclude; requiring a carrier to make a certain disclosure under certain circumstances; defining certain terms; and generally relating to the authorization of additional health insurance products and discounts.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance
Section 14–201 through 14–204
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 14–205, 15–1202, 15–1204, and 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 14–205.1; and 15–1701 through 15–1703 to be under the new subtitle
“Subtitle 17. Health Insurance Coverage for Part–Time, Seasonal, and
Temporary Employees”

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 580 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Anderson, Beidle, Branch, Bromwell, Carter, V. Clagett, Conaway, Doory, Dumais, Glenn, Hammen, Haynes, Jones, Kirk, Krysiak, Lafferty, Lawton, Love, McHale, Oaks, Olszewski, Robinson, Schuler, Sophocleus, Stukes, and Tarrant

AN ACT concerning

Ground Rents – Limitation of Actions – Registry of Ground Leases

FOR the purpose of authorizing the recordation of a certain ground lease extinguishment certificate under certain circumstances; providing that a ground rent is extinguished if there is no demand or payment for more than a certain number of years of any specific ground rent under certain circumstances; requiring the State Department of Assessments and Taxation to maintain and update regularly on–line registries of landlords and properties that are subject to ground leases; requiring a landlord to apply to register a ground lease with the Department by submitting a certain registration application and a certain fee; requiring the Department to register a ground lease under certain circumstances; requiring a landlord to notify the Department of certain information after a ground lease is registered; requiring a landlord to apply to register a ground lease by a certain date; providing for the extinguishment of a ground lease if the ground lease is not registered under certain circumstances; requiring the Department to credit all fees collected under this Act to a certain fund; requiring the Department to adopt regulations to carry out the provisions of this Act; defining certain terms; and generally relating to ground rents.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–102(a) and 8–107

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 8–701 through 8–709 to be under the new subtitle “Subtitle 7. Registry of Ground Leases”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

House Bill 581 – Delegates Pena–Melnik, Barnes, Ali, Benson, Braveboy, Bronrott, Conaway, Davis, Feldman, Frush, Gaines, Griffith, Healey, Holmes, Hubbard, Hucker, Ivey, Kaiser, Kramer, Kullen, Lawton, Lee, Levi, Manno, Mizeur, Montgomery, Niemann, Proctor, Ramirez, Robinson, Ross, Valderrama, Vallario, Vaughn, Walker, and Weldon

AN ACT concerning

Municipal Corporation Property Tax – Property Used for Student Housing

FOR the purpose of providing that certain property that is leased from the State and used to provide certain student housing is subject to municipal corporation property tax unless exempted in full or in part by the governing body of the municipal corporation; providing an exception to a certain property tax exemption for certain property that is leased from the State and used to provide certain student housing; providing for the application of this Act; and generally relating to a property tax exemption for certain property that is leased from the State and used to provide certain student housing.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7–109 and 7–211(g)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 582 – Delegates Gilchrist, Barkley, Barve, and Simmons

AN ACT concerning

**Creation of a State Debt – Montgomery County – Rockville Senior Center
Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$900,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Rockville for certain development or improvement purposes; providing for

disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 583 – Delegates McDonough, Eckardt, Haddaway, Impallaria, Shewell, and Sossi

AN ACT concerning

Crimes – Second Gun Offense – Prohibition on Pretrial Release

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain crime involving the use or possession of a firearm if the defendant has been previously convicted of a certain crime involving the use or possession of a firearm; and generally relating to firearms crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

House Bill 584 – Delegates McDonough, Impallaria, and Shewell

AN ACT concerning

Correctional Facilities – Offenders and Child Sexual Offenders – Diminution Credits

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain offender or child sexual offender committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility; providing for the application of this Act; and generally relating to the earning of diminution credits by offenders and child sexual offenders.

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

Section 3–702 and 11–502
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

House Bill 585 – Delegates Hecht, Costa, Donoghue, Love, and Pena–Melnyk

AN ACT concerning

**Cemeteries – Construction or Development of Garden Crypts and Mausoleum
Crypts**

FOR the purpose of requiring that, within a certain time after the date of the first sale of space in an undeveloped garden crypt or mausoleum crypt section, persons subject to certain provisions of law begin construction or development of the undeveloped garden crypt or mausoleum crypt section in which the sale is made; requiring that, within a certain time after the date of the first sale of space in an undeveloped garden crypt or mausoleum crypt section, construction or development be completed; defining certain terms; providing for the application of this Act; and generally relating to the construction or development of garden crypts and mausoleum crypts.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 5–803
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 586 – Delegates Stukes, Ali, Anderson, Burns, Carter, Conaway, Glenn, Harrison, Haynes, Howard, Kirk, and Robinson

AN ACT concerning

State Personnel – Health and Welfare Benefits Program – Contractual Employees

FOR the purpose of requiring the Secretary of Budget and Management to include certain State contractual employees in the types or categories of State employees who are eligible to participate in the State Employee and Retiree Health and Welfare Benefits Program with State subsidies; and generally relating to benefits for State contractual employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–503
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 587 – Delegates McDonough and Impallaria

AN ACT concerning

Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders

FOR the purpose of excluding from the jurisdiction of juvenile court certain juvenile offenders who commit acts that would be crimes if committed by adults that the juvenile committed as a member of a criminal gang; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–801(a) and (c)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 588 – Delegate Hubbard

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

FOR the purpose of altering the definition of “net tract area” for forest conservation requirements and forest mitigation bank credits to include certain forested areas of 100–year floodplains or wetlands under certain circumstances; including in the definition of “net tract area” a nontidal wetland, stream buffer, and the forested area of a 100–year floodplain or wetland under certain circumstances; providing for the application of this Act; and generally relating to the forest conservation program.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1601(z) and (aa)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1601(bb), (ff), and (jj) and 5–1607(c)(1) through (3) and (d)(1)
through (4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 589 – Delegates Jennings, Aumann, Bartlett, Boteler, Frank, and Morhaim

AN ACT concerning

Election Law – Prerecorded Phone Messages – Sponsor Identification

FOR the purpose of prohibiting a person from failing to ensure that certain messages relating to a candidate, campaign, or political committee meet certain requirements; prohibiting a person from sending a certain message that does not provide a certain telephone number or address; providing for certain penalties for willful and knowing violation of the requirements of this Act; defining certain terms; and generally relating to identification requirements for prerecorded or artificial phone messages using autodialer telephone equipment.

BY adding to
Article – Election Law
Section 16–904

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 590 – Delegates Bartlett, Cardin, George, Gilchrist, Ivey, Jennings, Kaiser, N. King, McKee, Murphy, Rice, and Ross

AN ACT concerning

State Property Tax Exemption – Solar Energy Devices

FOR the purpose of exempting from the State property tax certain real property that is a solar energy device installed to heat or cool a dwelling, generate electricity to be used in the dwelling, or provide hot water for use in the dwelling; defining a certain term; providing for the application of this Act; and generally relating to a State property tax exemption for certain solar energy devices.

BY adding to

Article – Tax – Property

Section 7–308

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 591 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Workers’ Compensation – Average Weekly Wage
Computation**

MC 701–07

FOR the purpose of authorizing Montgomery County to use a certain method for computing a certain wage for the purpose of determining the payment of workers’ compensation awards; requiring the Workers’ Compensation Commission to adopt certain regulations; providing for the application of this Act; and generally relating to the computation method for workers’ compensation awards.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–601 and 9–602(a)

Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 9–602(m)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

House Bill 592 – Delegates Smigiel, Anderson, Carter, Conaway, Dumais, Heller, Kramer, Lee, Manno, Schuler, and Waldstreicher

AN ACT concerning

Motor Vehicle Insurance – Uninsured Motorist Coverage – Insureds

FOR the purpose of defining the term “insured” for purposes of uninsured motorist coverage under certain policies of motor vehicle liability insurance to include a family member of the named insured who is domiciled in the named insured’s household, whether or not the family member physically resides in the named insured’s household; providing for the application of this Act; and generally relating to uninsured motorist coverage under policies of motor vehicle liability insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–509(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 19–509(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 593 – Delegates Stifler, Bartlett, Dwyer, Glassman, James, Kach, J. King, Kipke, McComas, Olszewski, Riley, Ross, Shank, Shewell, Smigiel, Stull, and Tarrant

AN ACT concerning

Public Schools – School Computers – Internet Filters

FOR the purpose of requiring county boards of education to adopt and implement certain policies and procedures to prevent certain minors from using Internet services on school computers to access certain obscene or pornographic materials on or before a certain date; requiring county boards to submit certain policies and procedures to the State Superintendent of Schools for review; requiring a county board or a designee of a county board to conduct certain monitoring of certain computers; defining certain terms; and generally relating to Internet filters on public school computers.

BY adding to

Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 594 – Delegates Hubbard, Benson, Costa, Elliott, Kullen, Mizeur, Montgomery, Pena–Melnyk, and Riley

AN ACT concerning

Maryland Medical Assistance Program – Long–Term Care Services for Cognitive and Functional Impairments

FOR the purpose of requiring certain conditions under which an individual shall be determined medically eligible to receive certain services under the Maryland Medical Assistance Program; requiring certain physicians to make a certain certification; defining certain terms; and generally relating to the Maryland Medical Assistance Program and long–term care services for cognitive and functionally impaired individuals.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 15–115.1

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 595 – Delegates Cardin, Morhaim, and Schuler

AN ACT concerning

Tax General – Income Tax Credit – Energy–Efficient Residential Heating and Cooling Systems

FOR the purpose of allowing individuals and corporations certain credits against the State income tax for certain costs associated with the purchase and installation of certain energy–efficient residential heating and cooling systems for a certain period of time; specifying certain standards for certain systems to qualify for the credit; authorizing the Maryland Energy Administration to adopt certain regulations to establish and implement the program; providing for the application of this Act; and generally relating to the creation and administration of a tax credit for the purchase and installation of energy efficient residential heating and cooling systems.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 596 – Delegates Barnes, Frush, and Pena–Melnik

AN ACT concerning

Creation of a State Debt – Prince George’s County – Historic Laurel Mill Ruins

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Patuxent River Commission and the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 597 – Delegates DeBoy, Aumann, Bromwell, Jones, Lafferty, Malone, and Schuler

AN ACT concerning

Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc.

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county tax imposed on personal property that is owned by Leadership Through Athletics, Inc.; providing for the application of this Act; and generally relating to a property tax credit in Baltimore County for Leadership Through Athletics, Inc.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 598 – Delegates Hixson, Barkley, Barve, Dumais, Elmore, Gilchrist, Hucker, Kaiser, Lawton, Manno, McIntosh, Montgomery, Rice, Ross, Simmons, and Stukes

AN ACT concerning

Maryland Heritage Structure Rehabilitation Tax Credit Program

FOR the purpose of requiring the Director of the Maryland Historical Trust to adopt certain regulations to establish certain criteria for plans of proposed rehabilitation for purposes of the Maryland heritage structure rehabilitation tax credits; altering a certain limit on the award of initial credit certificates for projects in a single jurisdiction; altering certain preferences for the award of initial credit certificates to certain commercial rehabilitations; repealing a requirement that a certain percentage of tax credits be provided for certain nonprofit organizations; altering certain provisions relating to certain authority of the Director to charge certain fees to certify heritage structures and rehabilitations; altering a certain time period for completing commercial rehabilitations for purposes of the credit; authorizing the Governor to include certain appropriations to a certain fund in the annual budget bill; defining a certain term; altering certain definitions; extending the termination date of the credit; providing for the application of this Act; and generally relating

to the Maryland Heritage Structure Rehabilitation Tax Credit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 599 – Delegate Hubbard

AN ACT concerning

The Baby Boomer Initiative Act

FOR the purpose of establishing a Baby Boomer Initiative Council; establishing the membership of the Council; requiring the Governor to appoint the chair to the Council; establishing the duties of the Council; requiring the Council to make certain recommendations; requiring the Council to provide certain reports to the Governor and General Assembly on or before certain dates; providing for the termination of this Act; defining certain terms; and generally relating to the baby boomer population.

BY adding to
Article – Health – General
Section 24–1501 through 24–1505 to be under the new subtitle “Subtitle 15. Baby Boomer Initiative Council”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 600 – Delegates Haddaway, Eckardt, Smigiel, Sossi, and Walkup

AN ACT concerning

Creation of a State Debt – Talbot County – For All Seasons Mid Shore Center for Human Services

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 For All Seasons, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a

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

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

House Bill 601 – Delegates Bohanan, O’Donnell, and Wood

AN ACT concerning

St. Mary’s County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in St. Mary’s County to hunt deer on certain Sundays on private property with a bow and arrow during certain months and on a certain day during the deer firearms season; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 602 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Real Property – Transfer

FOR the purpose of authorizing the Board of County Commissioners of St. Mary’s County, by resolution, to transfer property no longer needed for a public purpose with or without consideration to any private nonprofit organization in the county or to the Housing Authority of St. Mary’s County if a certain public hearing is held; requiring certain issues to be considered at the public hearing; requiring a certain notice to be published before the public hearing; requiring the County Commissioners to have a certain appraisal included in the notice of the public hearing; requiring the County Commissioners to adopt certain regulations; and generally relating to the transfer of real property by St. Mary’s County.

BY adding to
Article 25 – County Commissioners
Section 11A(b)(6)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 603 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Subdivision Regulations – Exemptions

FOR the purpose of exempting, in St. Mary’s County, properties that were deeded before a certain date and improved with a residence before a certain date from certain subdivision regulations for purposes of constructing additions to the residence or accessory buildings; and generally relating to subdivision regulations in St. Mary’s County.

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 5.05(a) and 14.07(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 14.07(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 604 – Delegates Vallario, Barnes, Benson, Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Levi, Niemann, Pena–Melnyk, Proctor, Ramirez, Ross, Valderrama, Vaughn, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Courthouse – Duvall Wing

FOR the purpose of authorizing the creation of a State Debt in the amount of \$7,000,000, the proceeds to be used as a grant to the County Executive and County Council of Prince George’s County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and

convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 605 – Delegates Kullen, Benson, Bromwell, Goldwater, Hammen, Hubbard, Lafferty, Mizeur, Montgomery, Pena–Melnyk, and Waldstreicher

AN ACT concerning

Statewide Empowerment Zones for Seniors Commission

FOR the purpose of establishing the Statewide Empowerment Zones for Seniors Commission; providing for the membership of the Commission; authorizing the Commission to consult with certain individuals and entities; authorizing the Secretary of Aging to perform certain duties; requiring the Commission to make certain recommendations; providing for the requirements for a qualifying comprehensive empowerment zone for seniors plan; requiring the Department of Aging to staff the Commission; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; providing that a member of the Commission may receive a certain reimbursement; providing for a certain annual appropriation to the Commission; providing for the termination of this Act; and generally relating to the Statewide Empowerment Zones for Seniors Commission.

BY adding to

Article – Human Services

Section 10–801 through 10–807 to be under the new subtitle “Subtitle 8. Statewide Empowerment Zones for Seniors Commission”

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

House Bill 606 – Delegates Cardin and Morhaim

AN ACT concerning

Education – Hot Water Temperature in a Public School Facility

FOR the purpose of requiring that a county board of education ensure that the hot water dispensed in a public school facility under its jurisdiction does not exceed a certain temperature; providing an exception for a certain part of the public school facility;

and generally relating to the temperature of the hot water dispensed in a public school facility.

BY adding to

Article – Education

Section 7–116

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 607 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Creation of a State Debt – Prince George’s County – Historic Greenbelt Theater

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 Greenbelt for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 608 – Delegates Cardin, Morhaim, and Schuler

AN ACT concerning

Environment – Energy–Efficient Replacement Tires

FOR the purpose of requiring the Department of the Environment to establish a program for energy–efficient replacement tires; requiring the Department to develop certain procedures and a certain rating system and maintain a certain database regarding energy–efficient replacement tires; requiring the Department to adopt regulations regarding certain reporting requirements; requiring the Department to adopt and implement regulations by certain dates; requiring that the energy efficiency replacement tire program include certain energy standards and consumer information; authorizing the Department to use certain testing by tire manufacturers for the purpose of establishing certain energy standards; providing for an operator of emergency vehicles to purchase replacement tires that do not

meet certain standards under certain circumstances; requiring the Department to review and revise the program within a certain time frame; prohibiting the Department from revising the program in a way that reduces the average energy efficiency of replacement tires; defining certain terms; and generally relating to the establishment of a program for energy-efficient replacement tires.

BY adding to

Article – Environment

Section 2-1101 through 2-1103 to be under the new subtitle “Subtitle 11.
Energy-Efficient Replacement Tires”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

House Bill 609 – Delegates Gaines and Healey

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hyattsville City Arts Project

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 Hyattsville 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 610 – Delegate Dumais

AN ACT concerning

Education – Student Surveys – Youth Risk Behavior Surveillance System Survey

FOR the purpose of requiring the State Department of Education to collaborate with the Department of Health and Mental Hygiene to incorporate the provisions of the Maryland Adolescent Survey and the Youth Tobacco Survey into the Centers for Disease Control and Prevention Youth Risk Behavior Surveillance System survey; providing for certain exceptions to the authority of the Department of Education to omit certain survey questions; altering certain parental notification requirements;

clarifying that certain surveys are part of the Youth Risk Behavior Surveillance System survey; requiring the Department of Health and Mental Hygiene, certain county boards, and certain schools to cooperate with the Department of Education in administering the survey; defining certain terms; requiring the Department of Education to administer a certain survey on or before a certain school year; and generally relating to the administration of the Centers for Disease Control and Prevention Youth Risk Behavior Surveillance System survey.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–420

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1001(l) and (w) and 13–1003(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 13–1001(w)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 611 – Delegates Ross, Gaines, Healey, Barkley, Barnes, Benson, Bronrott, Cane, Davis, DeBoy, Elmore, Frush, Glassman, Haynes, Hecht, Holmes, Hubbard, Hucker, James, Jones, Kaiser, N. King, Lawton, Levi, Levy, Mathias, Montgomery, Niemann, Pena–Melnik, Shank, Simmons, Sossi, Stocksdale, Stull, Vaughn, and Weldon

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

FOR the purpose of increasing certain State payments to certain municipalities for certain sworn police officers employed by certain municipalities; requiring that, subject to a certain limitation, certain payments to municipalities be adjusted for inflation using a certain index beginning in a certain fiscal year; providing that the annual rate of change for certain payments to municipalities may not exceed a certain rate; and generally relating to certain State payments to certain municipalities for

certain sworn police officers employed by certain municipalities.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(8)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 612 – Delegates Smigiel, Anderson, Barnes, Beidle, Beitzel, Carter, Conaway, Dumais, Dwyer, George, Haddaway, Heller, Ivey, James, Kach, Kelly, Kramer, Krebs, Manno, McComas, McConkey, Shewell, Sophocleus, Sossi, Stull, and Waldstreicher

AN ACT concerning

Task Force to Study the Enforcement of the Open Meetings Act

FOR the purpose of establishing a Task Force to Study the Enforcement of the Open Meetings Act; establishing the membership of the Task Force; requiring the members of the Task Force to designate the chair of the Task Force; requiring the Office of the Attorney General to provide 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 study and make recommendations regarding certain issues; requiring the Task Force to submit a report regarding its findings and recommendations to certain officials by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Enforcement of the Open Meetings Act.

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

House Bill 613 – Montgomery County Delegation

AN ACT concerning

Election Law – Board of Elections Members – Montgomery County

MC 704–07

FOR the purpose of altering the number of members of the Montgomery County Board of Elections; requiring that a certain number of regular members and substitute members belong to certain parties; making a technical correction; and generally

relating to members of the Montgomery County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201(b) and (h)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 2–201(k)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 614 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Direct Sales by Holders of Class 6
Limited Wine Wholesaler’s Licenses**

MC 703–07

FOR the purpose of authorizing in Montgomery County a holder of a Class 6 limited wine wholesaler’s license to sell or deliver wine directly to a restaurant, county dispensary, or other retail dealer; authorizing a restaurant, county dispensary, or other retail dealer to purchase wine directly from a holder of a Class 6 limited wine wholesaler’s license; making certain technical and stylistic changes; making this Act an emergency measure; and generally relating to alcoholic beverages in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–204
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 615 – Montgomery County Delegation

AN ACT concerning

Workers' Compensation – Montgomery County Correctional Officers – Medical Report

MC 706–07

FOR the purpose of clarifying the date on which a Montgomery County correctional officer is considered to begin eligibility for the presumption for heart disease or hypertension under certain circumstances; and generally relating to the application of a certain occupational disease presumption under the workers' compensation law.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–503(a), (b), and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

House Bill 616 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses

FOR the purpose of altering the hours of Sunday sales of alcoholic beverages for certain Class B and Class BLX licenses in Cecil County; and generally relating to alcoholic beverages licenses in Cecil County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–508(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 617 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Firearms Regulations – State Preemption Exemptions**MC 710–07**

FOR the purpose of authorizing Montgomery County to enact certain ordinances regulating the purchase, sale, taxation, transfer, manufacture, repair, ownership, possession, and transportation of certain firearms; authorizing Montgomery County to enact certain ordinances regulating the sale of a regulated firearm; authorizing Montgomery County to enact certain ordinances regulating the possession by a private party of a regulated firearm; authorizing Montgomery County to enact certain ordinances regulating the transfer by a private party of a regulated firearm; and generally relating to the authority of Montgomery County to regulate firearms.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–209
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–104, 5–133, and 5134
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 618 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Damascus – Alcoholic Beverages – Special Class C Licenses**MC 708–07**

FOR the purpose of authorizing the Montgomery County Board of License Commissioners to issue a special Class C beer, wine and liquor license to a bona fide fire department in Damascus (12th election district); and generally relating to alcoholic beverages licenses in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages

Section 8–216(a)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 619 – Delegates Kelly, Ali, Anderson, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bobo, Bohanan, Boteler, Branch, Braveboy, Bromwell, Bronrott, Burns, Cane, Carter, G. Clagett, V. Clagett, Conaway, Conway, Costa, Davis, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Elmore, Feldman, Frank, Gaines, George, Gilchrist, Glassman, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Haddaway, Hammen, Harrison, Haynes, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Hucker, Impallaria, Ivey, James, Jameson, Jennings, Jones, Kach, Kaiser, J. King, N. King, Kipke, Kirk, Kramer, Krebs, Krysiak, Kullen, Lafferty, Lawton, Lee, Levy, Love, Malone, Manno, McComas, McConkey, McDonough, McHale, McIntosh, McKee, Miller, Minnick, Mizeur, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, O’Donnell, Olszewski, Pena–Melnik, Pendergrass, Proctor, Rice, Riley, Robinson, Rosenberg, Ross, Rudolph, Schuh, Schuler, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stocksdale, Stukes, Stull, Tarrant, Taylor, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, Walker, Walkup, Weir, Weldon, and Wood

AN ACT concerning

Public Schools – County Superintendent of Schools – Notification of Criminal Charges

FOR the purpose of requiring a county superintendent to notify the county board of education in writing of certain criminal charges; requiring the written notification to include certain documents; providing for certain penalties for certain violations; making stylistic changes; and generally relating to notification of criminal charges against county superintendents.

BY repealing and reenacting, with amendments,

Article – Education
Section 4–201(e)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 4–201(f) and 4–206
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 620 – Delegates Minnick, Aumann, Boteler, Burns, Conway, Eckardt, Elmore, Haddaway, Harrison, Hecht, Impallaria, Jameson, Krysiak, Kullen, Love, Manno, Mathias, McDonough, Shewell, Smigiel, Sossi, Weir, and Wood

AN ACT concerning

Homeowner's Insurance – Coverage Beyond Coastal Areas

FOR the purpose of requiring certain insurers to provide coverage beyond a coastal area; defining a certain term; providing for the application of this Act; and generally relating to homeowner's insurance and coverage beyond a coastal area.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–201
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 19–208
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 621 – Delegates Stull, Bartlett, Bates, Beidle, Beitzel, Boteler, Cane, G. Clagett, Conway, Elliott, Hecht, Holmes, Jameson, Kelly, Kullen, Lafferty, McComas, McKee, Miller, Myers, Riley, Rudolph, Shank, Shewell, Sossi, Stifler, Stocksdale, Weldon, and Wood

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a county on gross receipts derived from any admissions and amusement charge for any activities related to agricultural tourism; making a technical change; and generally relating to exemptions from the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 622 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Special Taxing Districts

PG 428–07

FOR the purpose of altering the definition of “cost” for purposes of certain authority for Prince George’s County to establish certain special taxing districts, issue certain bonds, and levy certain taxes; authorizing Prince George’s County to exercise certain authority to provide financing, refinancing, or reimbursement for the costs of certain renovation, rehabilitation, and repair; and generally relating to certain authority for Prince George’s County to establish certain special taxing districts, issue certain bonds, and levy certain taxes.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(a) and (c)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–269(a)(3) and (b)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

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

House Bill 623 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Election Law – Election Director Included Under the County Merit System

PG 427–07

FOR the purpose of including the election director of the Prince George's County Board of Elections under the Prince George's County merit system; repealing a provision that included the election director in Prince George's County in the exempt service under the Prince George's County Personnel System; and generally relating to the inclusion of the election director in Prince George's County under the county merit system.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–207
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 624 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Annual Independent Audit – County–Issued Credit Cards

PG 422–07

FOR the purpose of requiring the Prince George's County Auditor to engage an independent certified public accountant to conduct an annual independent audit of all transactions on credit cards issued by Prince George's County to certain officials; requiring that the audit be completed within a certain time after the close of each fiscal year; requiring that a complete audit report be submitted to certain officials by a certain time; requiring that a summary of the findings of the audit be published in certain newspapers within a certain time; and generally relating to an annual independent audit of transactions on credit cards issued by Prince George's County to certain officials.

BY adding to
The Public Local Laws of Prince George's County
Section 10–111.01
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

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

House Bill 625 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Charter Schools – Funding

PG 421–07

FOR the purpose of requiring the Prince George’s County Board of Education to disburse certain funds to public charter schools in the county in accordance with a certain formula; authorizing the county board and certain charter schools to negotiate for certain funds; authorizing the county board and certain charter schools to provide certain transportation for certain students; providing for certain reimbursement for certain transportation; clarifying that certain reimbursement does not include certain transportation in personal vehicles; providing for the application of this Act; and generally relating to public charter schools in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Education

Section 9–109

Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 9–109.1 and 9–109.2

Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 626 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Property Tax Credit for Restaurants in Arts and
Entertainment Districts**

PG 412–07

FOR the purpose of requiring the governing body of Prince George’s County to grant a

property tax credit for certain real property that is located in certain designated areas in Prince George’s County and is constructed or renovated for use as a restaurant under certain circumstances; providing for the amount and duration of the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain property constructed or renovated for use as a restaurant in certain designated areas in Prince George’s County.

BY adding to

Article – Tax – Property

Section 9–318(e)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 627 – Prince George’s County Delegation

AN ACT concerning

Task Force to Study Rent Stabilization for the Elderly in Prince George’s County

PG 405–07

FOR the purpose of creating a Task Force to Study Rent Stabilization for the Elderly in Prince George’s County; providing for the composition of the Task Force; requiring the county executive to choose a chair from among the members of the Task Force; requiring Prince George’s County to provide staffing for the Task Force; prohibiting a Task Force member from receiving compensation but authorizing a member to be reimbursed for certain expenses; establishing the duties of the Task Force; requiring the Task Force to report to the County Council by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Rent Stabilization for the Elderly in Prince George’s County.

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

House Bill 628 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – School Attendance Performance Program

PG 407–07

FOR the purpose of establishing the Prince George's County School Attendance Performance Program to reward schools that show substantial improvement in attendance rates; requiring the Program to include certain financial rewards based on certain criteria; requiring the Prince George's County Board of Education to establish certain policies; requiring a school attendance improvement team of a recipient school to determine how certain awards will be used, based on certain conditions; requiring certain principals to file certain reports; and generally relating to the School Attendance Performance Program in Prince George's County.

BY adding to

Article – Education

Section 3–1009

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 629 – Prince George's County Delegation

AN ACT concerning

**Prince George's County – Task Force on the Establishment of Vocational and
Technical Education High School Academies**

PG 423–07

FOR the purpose of establishing a Task Force on the Establishment of Vocational and Technical Education High School Academies in Prince George's County; establishing the membership and staffing of the Task Force; requiring the members of the Task Force to designate the chair of the Task Force; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a report to certain officials regarding its recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on the Establishment of Vocational and Technical Education High School Academies in Prince George's County.

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

House Bill 630 – Delegate Bohanan

AN ACT concerning

Judges' Retirement System – Employment on Faculty of Public Institution of Higher Education

FOR the purpose of establishing that a certain limitation on earnings and reduction of retirement allowance for retired judges does not apply to a retiree who is employed as a member of the faculty of a public institution of higher education in the State; providing for the application of this Act; clarifying language; and generally relating to retired judges.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 631 – Delegates Feldman, Ali, Bronrott, Dumais, Gilchrist, Gutierrez, Hucker, Kramer, Krysiak, Kullen, Lawton, Lee, Manno, Mizeur, Montgomery, Pena–Melnik, Rice, Taylor, and Waldstreicher

AN ACT concerning

Electric Companies – Energy Efficiency and Conservation Measures and Services

FOR the purpose of requiring each electric company to develop and implement certain programs and services to encourage and promote the efficient use and conservation of energy by certain persons as part of a certain procurement process; requiring that, by a certain date and after a certain evidentiary hearing, the Public Service Commission shall adopt regulations or issue orders requiring each electric company to procure or provide to certain customers certain energy efficiency and conservation measures and services that are designed to achieve certain savings by a certain year; requiring the Commission, by regulation or order, to adopt certain standards, remove certain disincentives for an electric company to invest in certain measures, and create certain shareholder incentives; and generally relating to energy conservation efficiency measures and services.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–211 and 7–510(c)(4)(ii)2.C.
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 632 – Harford County Delegation

AN ACT concerning

Harford County – Deer Hunting on Private Lands – Sundays

FOR the purpose of removing Harford County from the list of counties in which deer hunting on private lands on certain Sundays is prohibited; and generally relating to deer hunting on private lands on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

House Bill 633 – Delegates Glassman, Beidle, V. Clagett, Elmore, Impallaria, Jennings, J. King, McDonough, Smigiel, and Stifler

AN ACT concerning

Maryland Estate Tax – Exclusion for Family Farm Subject to Agricultural Preservation Easements

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 real property subject to certain agricultural preservation easements; 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(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

House Bill 634 – Delegate Feldman

AN ACT concerning

Insurance – Binders or Policies – Personal Insurance

FOR the purpose of providing that certain provisions of law regarding binders or policies are applicable to personal insurance; defining a certain term; providing for the application of this Act; and generally relating to binders and policies of personal insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 12–106
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 635 – Delegates Ramirez, Ivey, and Niemann

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Brentwood Multi–Service
Town 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 Mayor and Town Council of the Town of Brentwood for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 636 – Prince George’s County Delegation

AN ACT concerning

Prince George's County – Task Force to Improve Child Support Compliance**PG 426–07**

FOR the purpose of establishing a Task Force to Improve Child Support Compliance in Prince George's County; establishing the membership and staffing of the Task Force; requiring the members of the Task Force to designate the chair of the Task Force; requiring the Task Force to develop a plan and draft legislation to improve child support compliance in Prince George's County among certain noncustodial parents; requiring the Task Force to submit a report to the Governor and General Assembly regarding its findings and recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force to Improve Child Support Compliance in Prince George's County.

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

House Bill 637 – Prince George's County Delegation

AN ACT concerning

Election Law – Compensation for Election Judges – Prince George's County**PG 404–07**

FOR the purpose of altering the compensation for chief election judges and election judges in Prince George's County; altering the compensation for completion of certain election training sessions by certain election judges; and generally relating to compensation for election judges in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–205(b)(6)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 638 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Election of Members**PG 403–07**

FOR the purpose of repealing certain provisions of law relating to the composition of certain school districts in Prince George's County; requiring the members of the Prince George's County Board of Education to be elected from certain school board districts; providing for the boundaries of certain school board districts; requiring candidates to live in certain school board districts and be registered voters; providing for the initial terms of the elected members of the County Board; requiring that a vacancy on the County Board be filled by a certain election if the vacancy occurs within a certain time period; requiring that certain vacancies on the County Board remain vacant under certain circumstances; requiring certain special elections to take place within a certain number of days under certain provisions of law; authorizing a member of the County Board to take a certain unpaid leave of absence to be a candidate in a primary election; providing the limits on an unpaid leave of absence; requiring the term of the chair and vice chair to be a certain number of years; providing for the requirements of a public notice of certain meetings of the County Board; providing that the County Board or a subdivision of the County Board may only meet in executive session on certain issues; requiring the County Board or a subdivision of the County Board to take certain actions before and after an executive session; limiting an executive session to certain topics; altering the requirements for a quorum of the County Board; requiring the presence of a quorum of the County Board in order for the County Board to take any action; requiring certain documents and records relating to employment terms and financial compensation of certain officers in a certain school system be public records; altering the title of a certain officer in the Prince George's County school system; and generally relating to the election of members of the Prince George's County Board of Education.

BY repealing

Article – Education
Section 3–1001 and 3–1005
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 3–1002, 3–1003, 3–1004, 3–1006, 3–1007, and 3–1008
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 4–401 through 4–405, inclusive, to be under the new subtitle “Subtitle 4.
Prince George’s County”
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 639 – Delegates Stukes, Ali, Anderson, Boteler, Carter, Conaway, Glenn, Harrison, Haynes, Kipke, Kirk, Robinson, Schuh, and Tarrant

AN ACT concerning

Education – Multiple Student Suspensions – Services and Actions Required

FOR the purpose of requiring certain principals to report certain suspensions of certain students in writing to certain county superintendents within certain periods of time; requiring certain principals to refer certain students to certain pupil services teams and give certain notice to certain students and certain parents or guardians that certain pupil services teams shall meet within a certain period of time; requiring certain notice to be provided in certain languages or certain modes of communication; requiring certain pupil services teams to meet with certain students and certain parents or guardians to develop certain plans, determine certain dates and times for certain subsequent meetings, identify certain resources to be used for certain purposes, and review certain student records within a certain period of time; requiring certain pupil services teams to refer to certain community resources lists in developing certain plans; and generally relating to student suspensions.

BY adding to

Article – Education
Section 7–305(c–1)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 640 – Delegates Kullen, Benson, Costa, Hubbard, Kipke, Nathan–Pulliam, Pena–Melnyk, and Rosenberg

AN ACT concerning

Mental Hygiene Facilities – Patient Rights

FOR the purpose of altering the requirement that individuals in certain facilities be free

from certain restraints and seclusions; establishing that individuals in certain facilities be free from certain physical restraints and holds; establishing certain rights for individuals in certain State-operated psychiatric facilities; providing that the rights established in a certain subtitle may not be limited by certain privilege systems; establishing that certain individuals, guardians, and persons may file certain complaints in certain courts; requiring that certain complainants granted injunctive relief be awarded certain costs and attorney's fees; and generally relating to patients rights in mental hygiene facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–701
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 10–701.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 641 – Delegates Stukes, Ali, Anderson, Barnes, Branch, Conaway, DeBoy, Glenn, Harrison, Haynes, Howard, Hucker, Kipke, Kirk, Lafferty, Manno, McIntosh, Nathan–Pulliam, Oaks, Robinson, Ross, Schuh, Valderrama, and Waldstreicher

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles from Parking Lots

FOR the purpose of applying statewide certain provisions of law concerning the towing or removal of vehicles from certain parking lots; prohibiting the towing or removal of a vehicle from a certain parking lot unless the vehicle is impeding traffic or certain notice is given to the vehicle owner; requiring a parking lot owner to provide a certain notice to a vehicle owner that the vehicle will be towed or removed, except under certain circumstances; requiring the inclusion of certain information in the notice of towing or removal of a vehicle from a parking lot; providing that certain provisions of law concerning the towing or removal of vehicles from certain parking lots preempt any conflicting enactments of a county or municipal corporation; 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
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–10A–02 through 21–10A–06
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–10A–02.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 642 – Delegate O’Donnell

AN ACT concerning

Transportation – Septic Tank Pump Trucks – Hazardous Materials Placards

FOR the purpose of requiring certain regulations adopted pertaining to the transportation of hazardous materials to include a requirement that septic tank pump trucks display a placard indicating that the truck is transporting hazardous materials; and generally relating to the transportation of hazardous materials.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–409
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 643 – Delegates McDonough and Impallaria

AN ACT concerning

Harford County and Baltimore County – Criminal Law – Loitering

FOR the purpose of establishing the offense of loitering in Harford County and Baltimore County; prohibiting a person from loitering in a commercial establishment without conducting lawful business and without certain consent or if the person is asked to leave by certain individuals; prohibiting a person from loitering in a residence without certain consent or if the person is asked to leave by certain individuals; prohibiting a person from loitering in a public place if the person is asked to leave by a law enforcement officer; establishing that this Act may not be construed to prevent orderly picketing or other lawful assembly; establishing a certain penalty; defining certain terms; and generally relating to the crime of loitering in Hartford County and Baltimore County.

BY adding to

Article – Criminal Law

Section 10–206

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

House Bill 644 – Delegates Dumais, Anderson, Carter, Gutierrez, Haynes, Kelly, Lee, McIntosh, Pena–Melnik, Schuler, Simmons, and Waldstreicher

AN ACT concerning

Juvenile Law – Purposes and Hearings

FOR the purpose of altering the express purposes of certain laws pertaining to children who commit delinquent acts and children in need of supervision; repealing certain provisions requiring the juvenile court to conduct certain proceedings in open court and announce certain adjudications and dispositions in open court except under certain circumstances; making certain stylistic changes; and generally relating to juvenile causes.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–02 and 3–8A–13(f)

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 645 – Delegates McDonough, Boteler, Impallaria, and Shewell

AN ACT concerning

Crimes – Victim and Witness Intimidation – Death Penalty

FOR the purpose of making the first-degree murder of victims, witnesses, and certain individuals in the course of committing or attempting to commit certain crimes relating to the individuals' official duties or participation in certain proceedings, reports, or investigations an aggravating factor for the purpose of imposing the death penalty; and generally relating to victim and witness intimidation and the death penalty.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 2–303(b)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–303(g)(1)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 646 – Delegate Dumais

AN ACT concerning

Marriage License Applications – Disclosure of a Social Security Number

FOR the purpose of establishing a certain criminal penalty for an intentional disclosure of a Social Security number as part of the records of a marriage license application; and generally relating to the disclosure of Social Security numbers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–402
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 647 – Delegates Gilchrist, Barkley, Barve, and Simmons

AN ACT concerning

**Creation of a State Debt – Montgomery County – Gaithersburg Regional Aquatic
Recreation 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 Mayor and City Council of the City of Gaithersburg for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 648 – Delegates Dumais, Ali, Barnes, Barve, Benson, Bobo, Bronrott, Doory, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Haddaway, Hecht, Hucker, Ivey, Jones, Kaiser, N. King, Kramer, Krysiak, Kullen, Lawton, Lee, Manno, McComas, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnik, Rice, Schuler, Shank, Shewell, Simmons, and Smigiel

AN ACT concerning

Family Law – Denial of Paternity, Custody, and Visitation

FOR the purpose of excluding as a father of a child a man who has committed a certain sexual crime against the child’s mother for purposes of certain provisions relating to guardianship and adoption of a child under certain circumstances; authorizing the court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody or visitation of a child to a parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring the court to consider the safety and well–being of the child’s other parent or guardian in approving supervised visitation; making a conforming change; and generally relating to paternity, custody, and visitation.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–306, 5–318(a)(1), 5–3A–06, 5–3B–05, and 9–101.2

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 649 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Caterer’s License

FOR the purpose of establishing a caterer’s license in Cecil County; providing for a license fee, qualifications of license holders, license privileges, and requirements for a caterer’s license; specifying that certain license holders need not have a caterer’s license for a certain purpose; and generally relating to alcoholic beverages licenses in Cecil County.

BY adding to

Article 2B – Alcoholic Beverages

Section 6–711

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 650 – Cecil County Delegation

AN ACT concerning

Creation of a State Debt – Cecil County – Mount Harmon Plantation Education and Discovery 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 Friends of Mount Harmon, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 651 – Cecil County Delegation

AN ACT concerning

**Cecil County – Alcoholic Beverages – Board of License Commissioners –
Summonses and Subpoenas**

FOR the purpose of authorizing inspectors employed by the Board of License Commissioners of Cecil County to serve summonses for witnesses; authorizing the Board to subpoena records or papers pertaining to a licensed business or establishment; and generally relating to the powers of the Board of License Commissioners of Cecil County and inspectors employed by the Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–410(b)(2)(i) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 78 of the Acts of the General Assembly of 2003)

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

House Bill 652 – Delegates Morhaim, Barve, Aumann, Bobo, Boteler, Bronrott, Frank, Glassman, Goldwater, Howard, Hubbard, Jennings, J. King, Kipke, Krebs, Minnick, Montgomery, Rudolph, Schuler, Shewell, Sophocleus, Sossi, and Weldon

AN ACT concerning

Telephone Solicitation – Prohibitions on Automated Calls

FOR the purpose of prohibiting a person from using an automated dialing system with a prerecorded message to call a residential telephone number in the State under certain circumstances; prohibiting a person from using an automated dialing system with a prerecorded message for political campaigns; and generally relating to prohibitions on automated telephone calls.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–3201
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 8–204
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 653 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Marriage License Fee – Increase

PG 411–07

FOR the purpose of increasing the maximum amount of the additional marriage license fee that the Prince George’s County Council is authorized to set; requiring the clerk to pay the proceeds from the additional marriage license fee to the Family Crisis Center of Prince George’s County; and generally relating to marriage license fees in Prince George’s County.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 2–404(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–404(n)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 654 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Transfer Tax – Deputy Sheriffs

PG 409–07

FOR the purpose of extending a certain exemption and a certain tax rate reduction under the Prince George’s County transfer tax to the sale of certain property to a Prince George’s County deputy sheriff under certain circumstances; and generally relating to the Prince George’s County transfer tax.

BY repealing and reenacting, without amendments,

The Public Local Laws of Prince George's County
Section 10-187(a)(1)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10-187(b)(4)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 373 of the Acts of the General Assembly of 2006)

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

House Bill 655 – Prince George's County Delegation

AN ACT concerning

Prince George's County – School Attendance

PG 406-07

FOR the purpose of requiring certain principals or teachers in certain schools in Prince George's County to report certain information regarding student attendance; requiring certain individuals to take certain action and provide certain notice regarding certain school attendance at Prince George's County schools; requiring the Prince George's County Superintendent of Schools to provide certain information to the Prince George's County Board of Education regarding student attendance; establishing the School Attendance Review Board in the Prince George's County public school system; providing for the membership, terms, chair, and staffing of the Review Board; providing that the members of the Review Board shall serve without compensation or reimbursement; authorizing the Review Board to take certain action in certain cases; requiring the Review Board to develop certain strategies and evaluate and make certain recommendations regarding school attendance; requiring the County Superintendent to meet with the Review Board at certain times; requiring the Review Board to make certain reports; requiring the Review Board to post a certain agenda and certain minutes on a certain website; authorizing the Review Board to adopt certain rules and regulations; defining certain terms; and generally relating to school attendance and the School Attendance Review Board in the Prince George's County public school system.

BY adding to
Article – Education

Section 3–1009 and 3–1010
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 656 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory Anderson
Murphy Community Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 657 – Cecil County Delegation

AN ACT concerning

**Cecil County – Purchase of Development Rights Program – General Obligation
Installment Purchase Agreements**

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to enter into installment purchase agreements for an aggregate purchase price of not more than \$4,000,000, plus interest thereon, to acquire development rights in tracts or parcels of agricultural land located in Cecil County, Maryland as part of the County’s Purchase of Development Rights Program; empowering the County to fix and determine by resolution, the tracts or parcels of land the transfer development rights of which are to be acquired and the form, content, terms and conditions of each installment purchase agreement, including, without limitation, the purchase price payable thereunder, the maturity date of the installment purchase agreement, the interest rate and schedule of payments of the purchase price (or the method of determining such interest rate and payment schedule) and all other details incident to the acquisition of the development rights and the installment purchase agreements; providing that the County’s obligation to make payments of the purchase price under the installment

purchase agreements and to pay interest thereon shall be a general obligation of the County made upon its full faith and credit; 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 purchase price of an interest on the installment purchase agreements; exempting the installment purchase agreements and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; authorizing and empowering the County to purchase and set aside in a segregated fund or account U.S. Treasury STRIPs or other investments allowed under certain provisions of the law and the investment guidelines of Cecil County to pay the balance of the purchase price of the installment purchase agreements payable on their maturity dates; and generally relating to the County's entering into installment purchase agreements to acquire transfer development rights in agricultural lands in Cecil County.

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

House Bill 658 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – New Year's Sales

FOR the purpose of altering the hours of sale of alcoholic beverages in Cecil County when December 31 falls on a Sunday; altering the hours of sale when January 1 falls on a Sunday; and generally relating to sales of alcoholic beverages in Cecil County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11-402(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 659 – Delegates Feldman, Bronrott, Cardin, Dumais, Gutierrez, Hucker, Kramer, Lawton, Lee, Manno, Mizeur, Morhaim, Pena-Melnyk, Taylor, and Waldstreicher

AN ACT concerning

Maryland Biomedical Product Development Fund

FOR the purpose of establishing the Maryland Biomedical Product Development Fund; providing for the purpose of the Fund; specifying that the Fund is a special, nonlapsing fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; specifying that certain earnings shall be paid into the Fund; providing for the composition of the Fund; requiring the Maryland Technology Development Corporation to administer the Fund; providing that money in the Fund may only be used for certain purposes; requiring the Corporation, in consultation with the Department of Health and Mental Hygiene, to evaluate applications for grants from the Fund based on certain criteria; requiring the Corporation to award grants from the Fund in a certain manner; requiring the Corporation to issue a certain report to the Governor and the General Assembly on or before a certain date each year; altering the distribution of tobacco tax revenues; providing for the distribution of certain tobacco tax revenues to the Fund for certain purposes; altering the tobacco tax rate imposed on cigarettes; defining certain terms; providing for the application of this Act; and generally relating to funding of grants to address smoking related diseases.

BY adding to

Article 83A – Department of Business and Economic Development
Section 5–2C–01 through 5–2C–04 to be under the new subtitle “Subtitle 2C.
Maryland Biomedical Product Development Fund”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 2–1601 and 2–1602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1603 and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 2–1604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 660 – Delegates Cardin, Bromwell, Glassman, Morhaim, and Stein

AN ACT concerning

Biodiesel Renewable Fuel Act

FOR the purpose of requiring certain retail service station dealers to sell a certain percentage of biodiesel in diesel fuel on an annual basis under certain circumstances; providing for the increase in the percentage of biodiesel that must be sold in the State, by certain years, and under certain circumstances; requiring the Secretary of Agriculture to make certain determinations; requiring certain retail service station dealers to provide certain evidence to the Secretary and the Comptroller on an annual basis; requiring the Department of Agriculture and the Comptroller to jointly establish an Advisory Committee to facilitate the implementation of this Act; requiring the Advisory Committee to make a certain annual report; exempting the sale of aviation fuel from the provisions of this Act; and generally relating to the use of biodiesel in the State.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 10–1501(a) and (b)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–101(k)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 10–325
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 661 – Delegates Cardin, Barnes, Boteler, Burns, Feldman, Frush, Hubbard, Kach, N. King, Kramer, Morhaim, Nathan–Pulliam, Pena–Melnik, Rice, and Taylor

AN ACT concerning

Family Law – Foster Care – Secondhand Smoke Exposure

FOR the purpose of requiring the Social Services Administration to adopt regulations authorizing the Administration to require the local departments of social services to consider secondhand smoke exposure in determining permanency plans for children in foster care and require foster care parents to protect children in foster care from exposure to secondhand smoke in enclosed places; requiring the Administration to adopt regulations on or before a certain date; and generally relating to children in foster care and protection from secondhand smoke exposure.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–532

Annotated Code of Maryland

(2006 Replacement Volume)

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

House Bill 662 – Delegates G. Clagett, Barkley, DeBoy, Gaines, Hecht, James, Krebs, Levy, Sossi, Stull, and Weldon

AN ACT concerning

Transportation Facilities – Public–Private Partnerships

FOR the purpose of requiring the Department of Transportation to adopt certain regulations establishing a public–private partnership program for transportation facilities projects under the jurisdiction of the Maryland Transportation Authority; requiring the regulations adopted by the Department to contain certain provisions; prohibiting the regulations adopted by the Department from containing certain provisions; requiring certain transportation facilities to be consistent with the Consolidated Transportation Program or the Maryland Transportation Plan; stating certain findings of the General Assembly; defining a certain term; and generally relating to public–private partnerships for transportation facilities projects.

BY adding to

Article – Transportation

Section 4–205.1

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

House Bill 663 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Commissioner Salaries – Increase

MC/PG 107–07

FOR the purpose of increasing the salaries of the members of the Washington Suburban Sanitary Commission to a certain amount; requiring that the salaries of the commissioners be adjusted annually on a certain date to reflect the annual change in a certain index published by the U.S. Department of Labor; providing that this Act does not apply to the salary or compensation of the incumbent members of the Washington Suburban Sanitary Commission; and generally relating to the salaries of the members of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–105(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 664 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Reciprocal Plumber/Gasfitter Licenses

MC/PG 109–07

FOR the purpose of authorizing the Washington Suburban Sanitary Commission to issue a plumber/gasfitter license to a plumber/gasfitter who lives outside the sanitary district who holds a certain plumber/gasfitter license issued by the State Plumbing Board; and generally relating to the issuing of plumber/gasfitter licenses by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District

Section 8–104
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 665 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Maryland–National Capital Park and Planning Commission – Subdivision Appeals

MC/PG 114–07

FOR the purpose of providing for judicial review of subdivision appeals from certain final actions taken by the Maryland–National Capital Park and Planning Commission in Prince George’s County in a certain manner; altering certain procedures concerning the approval of preliminary subdivision plans in Prince George’s County; providing for the review by the Court of Special Appeals of certain judgments in a certain manner in Prince George’s County; authorizing a member of the district council in Prince George’s County to vote on a certain matter under certain conditions; making stylistic changes; providing for the application of this Act; and generally relating to the Maryland–National Capital Park and Planning Commission and subdivision appeals in Prince George’s County.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–116(g) and 7–117
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–117.3
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 666 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Budget Approval

MC/PG 115–07

FOR the purpose of providing that if the county councils of Montgomery and Prince George’s counties fail to concur in a change in the funding of an item in the operating budget or capital budget of the Washington Suburban Sanitary Commission (WSSC) by a certain time, the funding level for that item may not exceed a certain level; providing that if the county councils of Montgomery and Prince George’s counties fail to approve the operating budget or capital budget of the WSSC by a certain time, the funding levels for those budgets may not exceed a certain level; and generally relating to the budgets of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–204
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 667 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary District – System Development Charge – Exemptions

MC/PG 116–07

FOR the purpose of authorizing the County Councils of Montgomery County and Prince George’s County to grant an exemption from a system development charge imposed by the Washington Suburban Sanitary District for certain properties owned by certain entities that are exempt from federal taxation and whose primary mission and purpose is to provide programs and services to youth under certain circumstances and for certain projects that include a commitment to preserve certain open space under the definitions, conditions, and requirements that the County Councils set; and generally relating to the Washington Suburban Sanitary District and the system development charge.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 668 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George’s County – Municipal Building Requirements

MC/PG 119–07

FOR the purpose of authorizing the legislative body of a municipal corporation in Prince George’s County by ordinance or resolution to impose additional or stricter building requirements than are otherwise required under certain circumstances; requiring the municipal building requirements to be imposed for certain purposes and to regulate the construction, repair, erection, or remodeling of single–family residential buildings in relation only to certain fencing, sign, parking, storage, structural, and lot coverage requirements; requiring the municipal building requirements to include a certain procedure for a waiver from the strict application of the building requirements; requiring a municipal corporation to hold a certain public hearing before adopting an ordinance or regulation under this Act; and generally relating to the Maryland–National Capital Park and Planning Commission and municipal building requirements in Prince George’s County.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–115.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 669 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – System Development Charge – Assessment and Definitions

MC/PG 110–07

FOR the purpose of defining a certain term and altering a certain term in the laws relating to system development charges that may be imposed by the Washington Suburban Sanitary Commission; clarifying that certain types of dwelling units shall be assessed a system development charge under certain rates; and generally relating to the system development charges and the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(a) and (c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 6–113(b) and (d)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 670 – Delegates McComas, Aumann, Bartlett, Beitzel, Benson, Braveboy, Bronrott, Dwyer, Eckardt, Elliott, Frank, George, Glassman, Haddaway, Impallaria, Krebs, McConkey, McDonough, Montgomery, Myers, Shank, Shewell, Sossi, Stocksdale, Stull, Walkup, and Weldon

AN ACT concerning

Alcohol Without Liquid Machines

FOR the purpose of prohibiting the use of Alcohol Without Liquid (AWOL) machines to inhale alcohol vapor or otherwise introduce alcohol in any form into the human

body; prohibiting the possession, purchase, transfer, or offering for sale or use, with a certain intent, of Alcohol Without Liquid machines; providing a certain penalty; defining a certain term; and generally relating to Alcohol Without Liquid machines.

BY adding to

Article 2B – Alcoholic Beverages

Section 16–505.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

House Bill 671 – Delegates McComas, Aumann, Bartlett, Conaway, Eckardt, Elmore, Frank, George, Haddaway, J. King, Kipke, Kullen, McConkey, Shank, Shewell, Sossi, Stull, and Weldon

AN ACT concerning

Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act

FOR the purpose of requiring drivers approaching emergency or police vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency or police vehicle under certain circumstances; establishing a certain penalty for a violation of this Act; and generally relating to requiring drivers to take certain actions when approaching emergency or police vehicles on a highway.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–405

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

House Bill 672 – Delegates McComas, Aumann, Bartlett, Braveboy, Elmore, McConkey, Shewell, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

**Petition for Guardianship of Disabled Person – Certificate of Competency by
Licensed Certified Social Worker–Clinical**

FOR the purpose of authorizing a petition for guardianship of a disabled person to include signed and verified certificates of competency by a certain licensed physician and a certain licensed certified social worker–clinical; and generally relating to petitions for guardianship of disabled persons.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–705
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 673 – Delegates McComas, Ali, Bartlett, Bronrott, Eckardt, George, Haddaway, Kullen, Lee, Schuler, Sossi, and Weldon

AN ACT concerning

Crimes – Leaving Dogs Outside and Unattended by Use of Restraints – Penalties

FOR the purpose of prohibiting a person from leaving a dog outside and unattended by use of a certain restraint during certain time periods and under certain circumstances; establishing penalties for a violation of this Act; defining certain terms; and generally relating to the unattended restraint of dogs.

BY adding to
Article – Criminal Law
Section 10–623
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 674 – Delegates Holmes, Bobo, Guzzone, Hucker, Lawton, Montgomery, Niemann, and Schuh

AN ACT concerning

State Report on Transportation – Mass Transit – Required Element

FOR the purpose of requiring the Maryland Department of Transportation to include a

certain statement of the projected mass transit needs of the State and a list of certain mass transit projects planned by the Department for certain budget years in the Consolidated Transportation Program; requiring the Department to include a 20-year forecast of the State's transportation needs for each modal administration, and a certain summary of projects and programs proposed to accomplish certain goals and objectives for each modal administration, in the Maryland Transportation Plan; and generally relating to the State Report on Transportation of the Maryland Department of Transportation.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–103.1(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1(c) and (d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

House Bill 675 – Delegate Glassman

AN ACT concerning

Maryland State Firemen's Association – Volunteer Company Assistance Fund

FOR the purpose of expanding the range of purposes for which the Maryland State Firemen's Association may use money in the Volunteer Company Assistance Fund; authorizing that the Association may formulate, publish, and distribute certain fire standards, laws, guidelines, and recommendations; authorizing the Association to purchase certain materials and sponsor certain seminars and other public forums and to maintain certain memberships in a certain way; authorizing the Association to provide certain items for certain vehicles, provide certain professional services, and promote, disseminate, and advocate for certain programs and services; and generally relating to the Volunteer Company Assistance Fund.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 8–201(b)
Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–205
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 676 – Delegates Rudolph, Barkley, Barnes, Benson, Bobo, Bronrott, Cane, Elmore, Frush, Gaines, Gutierrez, Healey, Holmes, Hubbard, N. King, Lawton, Montgomery, Morhaim, Niemann, Pena–Melnyk, Pendergrass, Ross, Simmons, Sossi, and Weldon

AN ACT concerning

Electric Industry – Local Aggregation

FOR the purpose of repealing a provision that prohibits a county or municipal corporation from acting as an aggregator under certain circumstances; establishing a process by which a county or municipal corporation or group of counties and municipal corporations may become a local aggregator; providing that a local aggregator may not initiate aggregation exceeding a certain percentage of the historic demand in a certain service territory in a year; establishing a process under which certain customers shall be deemed to have given permission to a certain county or municipal corporation to act as its local aggregator; providing that certain customers may refuse to participate in certain aggregation activities under certain circumstances; requiring a county or municipal corporation to give or provide for certain notices to certain persons and to the Public Service Commission under certain circumstances; providing for the contents of certain notices; prohibiting a county or municipal corporation from excluding certain customers from the ability to participate in certain aggregation activities under certain circumstances; requiring the Commission to notify a certain county or municipal corporation as to its compliance with certain requirements; providing that a local aggregator may award contracts for competitive generation service supply only at certain times; requiring the Commission to make a certain determination as to when a local aggregator may award contracts for competitive generation service supply; providing that a certain county or municipal corporation is deemed to have obtained certain customer authorization to retrieve certain data; requiring the Commission to review certain fees, request formats, and the format of certain data provided to facilitate the intent of certain provisions of law; prohibiting a local aggregator from assessing certain new fees, taxes, or charges in the aggregation charges or rates under certain circumstances; limiting the amount

of a certain fee; requiring the Commission to adopt certain regulations and establish certain procedures; requiring the Commission to consider certain factors; defining certain terms; altering certain terms; providing for the effective dates of certain provisions of this Act; and generally relating to the ability of a county or municipal corporation to aggregate demand for electricity within the county or municipal corporation.

BY renumbering

Article – Public Utility Companies
Section 1–101(p) through (pp), respectively
to be Section 1–101(q) through (qq), respectively
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies
Section 1–101(b)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies
Section 1–101(p) and 7–510.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing

Article – Public Utility Companies
Section 7–510(f)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

House Bill 677 – Harford County Delegation

AN ACT concerning

**Harford County – Nuisance Abatement and Local Code Enforcement –
Enforcement Authority**

FOR the purpose of authorizing certain community associations, the State’s Attorney for Harford County, the County Attorney for Harford County and the city attorneys for the incorporated municipalities of Aberdeen, Havre de Grace, and Bel Air to

bring certain actions in the District Court for relief from certain nuisances within Harford County; requiring certain notices to the county code enforcement agency and to certain tenants and property owners before a nuisance abatement action may be brought; providing that a political subdivision may not be subject to certain actions; providing for certain remedies; providing for the construction of this Act; defining certain terms; and generally relating to the right of community associations, the State's Attorney for Harford County, the County Attorney for Harford County and the city attorneys for the incorporated municipalities of Aberdeen, Havre de Grace, and Bel Air to seek judicial abatement of certain nuisances in Harford County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(7)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Real Property
Section 14–125.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 678 – Prince George's County Delegation

AN ACT concerning

**University of Maryland Medical System – Acquisition of Prince George's County
Hospital System**

PG 418–07

FOR the purpose of requiring the Board of Directors of the University of Maryland Medical System to request certain funding for the purpose of acquiring a certain hospital system; requiring the State Treasurer to make a certain transfer subject to certain conditions; requiring the Board of Directors to honor certain collective bargaining agreements under certain circumstances; requiring the Board of Directors to honor certain rights of certain employees under certain circumstances; requiring Prince George's County to transfer certain assets under certain circumstances; defining certain terms; and generally relating to the acquisition of a hospital system by the University of Maryland Medical System.

BY repealing and reenacting, without amendments,
Article – Education
Section 13–301(a), (c), (i), and (m) and 13–309
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 13–309.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 679 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Real Property – Home Builders – Disclosures in
Contracts of Sale**

PG 424–07

FOR the purpose of requiring that, in Prince George’s County, a home builder that agrees to provide a community amenity to a community development must include certain information in the contract of sale; providing for a penalty; and generally relating to the disclosure of certain information by a home builder in Prince George’s County.

BY adding to
Article – Real Property
Section 10–705
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 680 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Sheriff and Sheriff’s Deputies – Alteration of Duties

PG 310-07

FOR the purpose of altering the duties of the Sheriff and the Sheriff's deputies of Prince George's County to include certain other duties; requiring the duties to be described in a certain memorandum of understanding entered into by the Sheriff and the county governing body; providing that the memorandum of understanding may only be revised by the county governing body; providing a termination date for the memorandum of understanding; altering the scope of criminal investigations the Sheriff and the Sheriff's deputies may conduct; providing for the termination of this Act; and generally relating to the duties of the Sheriff and the Sheriff's deputies of Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2-309(r)(8) and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 2-309(r)(10)
Annotated Code of Maryland
(2006 Replacement Volume)

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

House Bill 681 – Delegates Rudolph, James, Riley, Smigiel, Sossi, and Walkup

AN ACT concerning

Maryland Transit Administration – BRAC – MARC Penn Line Extension

FOR the purpose of requiring the Maryland Transit Administration to extend certain passenger railroad services to Elkton by a certain date by negotiating a certain contract with Amtrak; declaring that it is the intent of the General Assembly that the Administration provide certain passenger railroad service to Aberdeen and Edgewood by a certain date; declaring that it is the intent of the General Assembly that the Administration develop plans to provide certain passenger railroad service to Elkton and the Town of North East by certain dates; declaring that it is the intent of the General Assembly that the Administration enter into discussions, by a certain date, with the Southeastern Pennsylvania Transportation Authority, Amtrak, and other entities to provide certain passenger railroad service to Wilmington, Delaware; and generally relating to passenger railroad services and the Maryland Transit Administration.

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

House Bill 682 – Delegate Morhaim

AN ACT concerning

Health Care Decisions Act – Emergency Medical Services “Do Not Resuscitate Orders” – Health Care Providers

FOR the purpose of authorizing certain health care providers to comply with an emergency medical services “do not resuscitate order” under certain circumstances; requiring certain health care providers to comply with an emergency medical services “do not resuscitate order” under certain circumstances; and generally relating to emergency medical services “do not resuscitate orders”.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–608(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

House Bill 683 – Delegates Mathias and Conway

AN ACT concerning

Worcester County – Fire and Explosive Investigators – Authority

FOR the purpose of providing that, under certain circumstances, a Worcester County fire and explosive investigator operating in Worcester County has the same authority as the State Fire Marshal and a full-time investigative and inspection assistant in the Office of the State Fire Marshal to make an arrest without a warrant and exercise certain powers of arrest; authorizing a Worcester County fire and explosive investigator to exercise certain authority while operating outside Worcester County under certain circumstances; authorizing the Worcester County Fire Marshal to limit certain authority of a fire and explosive investigator to make an arrest without a warrant or exercise certain powers of arrest; requiring the Worcester County Fire Marshal to express the limitation in writing; excluding a Worcester County fire and explosive investigator from the definition of “law enforcement officer” under the law relating to the Law Enforcement Officers’ Bill of Rights; including a Worcester County fire and explosive investigator in the

definition of “police officer” in connection with provisions of law relating to the Maryland Police Training Commission and the authorized carrying of a handgun by a person engaged in law enforcement; defining certain terms; requiring the Maryland Police Training Commission to certify certain fire and explosive investigators as police officers under certain circumstances; and generally relating to the authority of Worcester County fire and explosive investigators.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–201(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–201(d)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–208
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–208.3
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(e)(2)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 684 – Delegates McComas, Bartlett, Conaway, Dwyer, Eckardt, Frank, Haddaway, Riley, Schuler, Shank, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Criminal Procedure – Registered Offenders – Substantial Change in Appearance

FOR the purpose of requiring certain registered offenders to update a certain photograph within a certain time to reflect a certain change in appearance of the registrant; requiring a local law enforcement unit to send a certain photograph to the Department of Public Safety and Correctional Services at a certain time; making it a criminal offense for a certain registrant to fail to provide a certain updated photograph; establishing a certain penalty for the failure to provide a certain photograph; defining a certain term; and generally relating to substantial change in appearance of registered offenders.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 1–101(f)

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–707, 11–709(a), and 11–721

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

House Bill 685 – Delegates McComas, Aumann, Bartlett, Costa, DeBoy, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, James, Manno, Shewell, and Stocksdale

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalty

FOR the purpose of altering the terms of imprisonment and fines for possessing certain visual representations of individuals under a certain age; changing the offense of possessing certain visual representations of individuals under a certain age from a misdemeanor to a felony; and generally relating to the possession of child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–208
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

House Bill 686 – Delegates McComas, McConkey, Elmore, George, Shank, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Real Property – Condominium Regimes – Voting Rights

FOR the purpose of establishing that, notwithstanding any other provision of law or certain governing documents of a council of unit owners, a unit owner may cast a vote in any matter before the council or board of directors that equals the percentage interest of common expenses assessed against the unit owner; and generally relating to voting rights in a condominium regime.

BY adding to
Article – Real Property
Section 11–107.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 687 – Delegates McComas, Bartlett, Dwyer, Eckardt, Elmore, Krebs, Kullen, and Stocksdale

AN ACT concerning

**Vehicle Laws – Driver and Vehicle Registration Records – Admissibility of Copies
in Judicial Proceedings**

FOR the purpose of expanding the application of a provision of law to provide that certain copies of driver and vehicle registration records of the Motor Vehicle Administration obtained by certain law enforcement units in a certain manner are admissible in a judicial proceeding in the same manner as the original records; and generally relating to the admissibility of copies of driver and vehicle registration records in judicial proceedings.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–101(f)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–113
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

House Bill 688 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Barbara Ingram School for the Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Hagerstown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 689 – Harford County Delegation

AN ACT concerning

Maryland Emergency Management Assistance Compact

FOR the purpose of providing that certain emergency responders and certain law enforcement officers may be a party to the Maryland Emergency Management Assistance Compact, under certain circumstances; defining certain terms; and generally relating to the Maryland Emergency Management Assistance Compact.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 14–801 and 14–802
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

House Bill 690 – Delegates McComas, Bartlett, Eckardt, McConkey, Riley, Shank, Smigiel, and Sossi

AN ACT concerning

Administrative Procedure Act – Exemption – Death Penalty Protocols

FOR the purpose of exempting from the requirements of the Administrative Procedure Act the protocols of the Department of Public Safety and Correctional Services governing the administration of the death penalty, including any execution operations manual; and generally relating to death penalty protocols and the Administrative Procedure Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–102
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

House Bill 691 – Montgomery County Delegation and Prince George’s County Delegation

EMERGENCY BILL

AN ACT concerning

Washington Suburban Sanitary Commission – Minority and Local Small Business Enterprise Programs

MC/PG 104–07

FOR the purpose of requiring the Washington Suburban Sanitary Commission (WSSC) to establish a mandatory minority business utilization program by resolution or regulation for certain purposes under certain circumstances; requiring the regulations that establish a certain minority business utilization program to contain

certain provisions; requiring the WSSC to examine certain certification programs to ensure that they adhere to certain guidelines before accepting the certification programs; authorizing the WSSC to conduct a certain fact-finding study under certain circumstances; requiring the WSSC to report certain findings to certain persons under certain circumstances; requiring the WSSC to issue a certain report to certain persons annually; establishing the Office of Small, Local, and Minority Business Enterprise (Office) in the WSSC; requiring the Office to administer certain minority and local small business enterprise programs; establishing the Director of the Office; imposing certain duties on the Office as to minority business enterprises; imposing certain duties on the WSSC and a contractor as to compliance with certified minority business enterprise subcontract participation goals; requiring a bid or proposal for certain WSSC procurement contracts to include the expected degree of minority business enterprise participation, based on certain factors, under certain circumstances; requiring certain WSSC regulations to require a bid or proposal for certain WSSC procurement contracts to include proof of certified minority business enterprise commitment under certain circumstances; prohibiting the use of a certain sheltered market program unless certain less restrictive remedies have been used and found ineffective under certain circumstances; providing for the awarding of a contract under a certain sheltered market program under certain circumstances; altering the scope of certain business eligibility criteria that the WSSC is required to adopt as to the local small business enterprise program; defining certain terms; making the provisions of this Act severable; making this Act an emergency measure; providing for the termination of certain provisions of this Act; and generally relating to minority and local small business enterprise programs and the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(d) and (e) and 3–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 3–102(f) and 3–109
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

House Bill 692 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Local Small Business Enterprise Program – Eligibility Criteria

MC/PG 105–07

FOR the purpose of altering the eligibility criteria of the local small business enterprise program of the Washington Suburban Sanitary Commission (WSSC); and generally relating to the eligibility criteria of the WSSC local small business enterprise program.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 693 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Bonds – Issuance and Advertising

MC/PG 111–07

FOR the purpose of authorizing the commissioners of the Washington Suburban Sanitary Commission to provide by resolution that certain loans authorized to be incurred and bonds authorized to be issued be consolidated for sale and issued as a single issuance of bonds; providing that a notice of sale or advertisement of the public sale of certain bonds be advertised in a newspaper of general circulation in the Washington Suburban Sanitary District; and generally relating to the Washington Suburban Sanitary Commission and bonds.

BY repealing and reenacting, with amendments,
Article 31 – Debt – Public

Section 2C
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 694 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Enterprise Program

MC/PG 118–07

FOR the purpose of requiring the Washington Suburban Sanitary Commission (WSSC) to establish a mandatory minority business utilization program by resolution or regulation for certain purposes under certain circumstances; requiring the regulations that establish a certain minority business utilization program to contain certain provisions; requiring the WSSC to examine certain certification programs to ensure that they adhere to certain guidelines before accepting the certification programs; authorizing the WSSC to conduct a certain fact-finding study under certain circumstances; requiring the WSSC to report certain findings to certain persons under certain circumstances; requiring the WSSC to issue a certain report to certain persons annually; establishing the Office of Small, Local, and Minority Business Enterprise (Office) in the WSSC; requiring the Office to administer certain minority and local small business enterprise programs; establishing the Director of the Office; imposing certain duties on the Office as to minority business enterprises; imposing certain duties on the WSSC and a contractor as to compliance with certified minority business enterprise subcontract participation goals; requiring a bid or proposal for certain WSSC procurement contracts to include the expected degree of minority business enterprise participation, if any, based on certain factors, under certain circumstances; authorizing the WSSC to conduct certain discussions with an offeror of a contract after receipt of certain proposals but before a contract is awarded, to obtain the best value for the WSSC under certain circumstances; requiring certain WSSC regulations to require a bid or proposal for certain WSSC procurement contracts to include proof of certified minority business enterprise commitment under certain circumstances; prohibiting the use of a certain sheltered market program unless certain less restrictive remedies have been used and found ineffective under certain circumstances; providing for the awarding of a contract under a certain sheltered market program under certain circumstances; defining certain terms; providing for the termination of certain provisions of this Act; making the provisions of this Act severable; and

generally relating to the minority business enterprise program and the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–102(d) and (e)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 3–102(f) and 3–109
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 695 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Interest Rate on Judgments

MC/PG 108–07

FOR the purpose of altering an interest rate on certain judgments for the Washington Suburban Sanitary Commission; making a stylistic change; providing for the application of this Act; and generally relating to interest rates on judgments of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–107
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 696 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge – Exemption for
Redevelopment Projects****PG 416–07**

FOR the purpose of exempting from the school facilities surcharge a new dwelling unit that replaces an existing dwelling unit as part of a multi-family rental housing redevelopment project located in a certain area of Prince George’s County; and generally relating to an exemption from the school facilities surcharge for certain dwelling units that are constructed as part of certain redevelopment projects.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.01
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

Read the first time and referred to the Committee on Ways and Means.

House Bill 697 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County School Facilities Surcharge – Exemption**PG 410–07**

FOR the purpose of altering an exemption from the school facilities surcharge in Prince George’s County for certain multi-family housing designated as student housing; and generally relating to an exemption from the school facilities surcharge in Prince George’s County.

BY repealing and reenacting, without amendments,
The Public Local Laws of Prince George’s County
Section 10–192.01(a)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.01(b)(4)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

Read the first time and referred to the Committee on Ways and Means.

House Bill 698 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public School Facilities Surcharge

PG 420–07

FOR the purpose of altering the description of a certain area in Prince George’s County that is subject to the imposition of a lesser public school facilities surcharge; increasing the public school facilities surcharge amounts to reflect certain Prince George’s County Council resolutions; altering certain dates applicable to the public school facilities surcharge; and generally relating to the public school facilities surcharge in Prince George’s County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.01
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

Read the first time and referred to the Committee on Ways and Means.

House Bill 699 – Delegates Burns, Aumann, Bartlett, Bronrott, Cane, Cardin, Frank, Haynes, Holmes, Howard, Hubbard, Levy, Minnick, Morhaim, Myers, O’Donnell, Proctor, Simmons, Taylor, and Vaughn

AN ACT concerning

Higher Education – Senior Citizen Tuition Waiver Program

FOR the purpose of establishing the Senior Citizen Tuition Waiver Program; requiring an individual to meet certain eligibility criteria to qualify for the Program; requiring

public senior higher education institutions to waive the tuition of certain individuals who qualify for the Program; authorizing public senior higher education institutions to waive the fees of certain individuals who qualify for the Program; requiring public senior higher education institutions to determine whether an individual is eligible for the Program and whether the institution can accommodate the individual in certain courses; prohibiting an individual participating in the Program from registering for more than a certain number of courses per semester; defining certain terms; requiring certain persons to report to the Maryland Higher Education Commission and the General Assembly on or before certain dates; and generally relating to the establishment of the Senior Citizen Tuition Waiver Program.

BY adding to

Article – Education
Section 15–106.6
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 700 – Delegates Stukes, Burns, Howard, Jones, and Kipke

AN ACT concerning

Family Investment Administration – Burial Assistance Program – Payment Requirement

FOR the purpose of requiring that certain local departments pay certain funeral expenses for each funeral for which the total funeral expenses do not exceed a certain limit; and generally relating to the payment of funeral expenses under the Burial Assistance Program.

BY repealing and reenacting, with amendments,

Article – Human Services
Section 5–415
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

Read the first time and referred to the Committee on Appropriations.

House Bill 701 – Delegates V. Clagett, Ali, Barkley, Barnes, Beidle, Bobo, Bohanan, Boteler, Cardin, Frush, Glassman, Glenn, Healey, Holmes, Hucker, James, Kach, Lafferty, Lawton, Love, Malone, McConkey, McIntosh, Niemann, Proctor, Shewell, Simmons, Sophocleus, Sossi, Stein, Stull, and Weir

AN ACT concerning

Natural Resources – Preservation of Parkland

FOR the purpose of requiring the Governor to appropriate certain funds for the operation of State forests and parks; and generally relating to funding for State forests and parks.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 702 – Delegate V. Clagett

AN ACT concerning

Alcoholic Beverages – Class A Light Wine Licenses – Residency Requirement

FOR the purpose of requiring an application for a Class A light wine license to contain a statement that the applicant has been a resident of the State for a certain number of years immediately before the filing of the application; making certain stylistic changes; and generally relating to applications for alcoholic beverages licenses.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10–103(b)(4)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 703 – Delegates V. Clagett, Ali, Barkley, Barnes, Bartlett, Barve, Beidle, Bobo, Bohanan, Bromwell, Bronrott, Cane, Cardin, G. Clagett, Davis, Frush, George, Glassman, Guzzone, Healey, Hecht, Holmes, Hubbard, Hucker, N. King, Kipke, Lafferty, Lawton, Lee, Love, Mathias, McConkey, McIntosh, Mizeur, Niemann, O’Donnell, Olszewski, Pena–Melnyk, Rosenberg, Rudolph, Sophocleus, Stein, and Vaughn

AN ACT concerning

Maryland Commission on Climate Change and Clean Energy Alternatives

FOR the purpose of creating the Maryland Commission on Climate Change and Clean Energy Alternatives; providing for the membership and terms of the Commission; requiring the Governor to designate a chair of the Commission; requiring the President of the Senate and the Speaker of the House to each designate a vice chair

of the Commission; authorizing the Commission to appoint certain advisory groups; providing for the staffing of the Commission; providing that a commissioner who fails to attend a certain number of meetings during a certain time period is considered to have resigned; providing for appointment of members in case of a vacancy during an unexpired term; providing for the duties of the Commission; prohibiting a commissioner from receiving certain compensations, but authorizing a commissioner to receive certain reimbursements; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; and generally relating to the Maryland Commission on Climate Change and Clean Energy Alternatives.

BY adding to

Article – Environment

Section 2–1101 through 2–1105 to be under the new subtitle “Subtitle 11.
Maryland Commission on Climate Change and Clean Energy Alternatives”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 704 – Delegates Olszewski and Bromwell

AN ACT concerning

**Registered Sex Offenders – Residence Adjacent to Locations Where Children
Congregate – Prohibition in Baltimore County**

FOR the purpose of prohibiting a registered sex offender in Baltimore County from residing within a certain distance of a school, child care facility, or location where children congregate; establishing criminal penalties for a violation of this Act; specifying how distance shall be measured for purposes of this Act; creating a certain exception; defining certain terms; and generally relating to prohibiting a registered sex offender in Baltimore County from residing adjacent to locations where children congregate.

BY adding to

Article – Criminal Procedure

Section 11–722.1

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 705 – Delegates Olszewski and Bromwell

AN ACT concerning

Registered Sex Offenders – Residence Adjacent to Locations Where Children Congregate – Prohibition

FOR the purpose of prohibiting a registered sex offender from residing within a certain distance of a school, child care facility, or location where children congregate; establishing criminal penalties for a violation of this Act; specifying how distance shall be measured for purposes of this Act; creating a certain exception; defining certain terms; and generally relating to prohibiting a registered sex offender from residing adjacent to locations where children congregate.

BY adding to

Article – Criminal Procedure

Section 11–722.1

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 706 – Delegates Myers, Bates, Beitzel, Kelly, McKee, Shank, and Stull

AN ACT concerning

Election Law – Identification of Voters

FOR the purpose of altering requirements for the identification of voters by election judges at the polling place; and generally relating to polling place procedures.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 10–310(a)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 707 – Washington County Delegation

AN ACT concerning

Creation of a State Debt – Washington County – Brook Lane Health Services

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 Brook Lane Health Services, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 708 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Montgomery County – Maryland–National Capital Park and Planning Commission
– Town of Kensington**

MC/PG 112–07

FOR the purpose of authorizing the Town of Kensington to have concurrent jurisdiction to enforce the Montgomery County zoning ordinances within its corporate limits; requiring a two-thirds majority vote of both the planning board and the district council of Montgomery County to take certain actions relating to zoning or land use planning within the Town of Kensington that is contrary to a resolution of the Mayor and Town Council of the Town of Kensington; and generally relating to zoning and land use planning for the Town of Kensington.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–112(a) and 8–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 709 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Fuel Gas – Jurisdiction and Regulations

MC/PG 124–07

FOR the purpose of altering the authority of the Washington Suburban Sanitary Commission (WSSC) to adopt regulations for the installation of certain plant and equipment in connection with fuel gas; authorizing the WSSC to require a permit and charge a fee for the installation of certain fuel gas plant and equipment; repealing a provision that states that the WSSC does not have jurisdiction over bottled gas and that WSSC regulations do not apply to premises on which only bottled gas is consumed; making stylistic changes; and generally relating to WSSC jurisdiction and regulations over fuel gas.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 9–102
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article 29 – Washington Suburban Sanitary District
Section 9–103
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 710 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Service Contracts

MC/PG 117–07

FOR the purpose of prohibiting the Maryland–National Capital Park and Planning Commission from soliciting a certain service contract unless the Executive Director of the Commission provides certain certification, the Commission submits a certain plan, and bargains in good faith with a certain certified representative under certain circumstances; authorizing the certified representative of an adversely affected Commission employee to submit a proposal in response to a certain solicitation; specifying that noncompliance with the provisions of the Act

may not invalidate certain contract awards or proposed contract awards; authorizing a certified representative to file an action in a certain court on behalf of a Commission employee if the Commission fails to comply with certain provisions of this Act; providing for the application of this Act; providing for a certain remedy; defining certain terms; and generally relating to Maryland–National Capital Park and Planning Commission service contracts.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission
Section 2–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 711 – Montgomery County Delegation and Prince George’s County Delegation (By Request)

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Open Space
Dedication – Fee in Lieu**

MC/PG 120–07

FOR the purpose of altering the basis for calculating a certain monetary fee, paid in lieu of dedication of certain open spaces, to be used by the Maryland–National Capital Park and Planning Commission to purchase open spaces under certain conditions; and generally relating to subdivision regulations prepared by the Maryland–National Capital Park and Planning Commission or the governing body of either Montgomery or Prince George’s counties.

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–116(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 712 – Delegate McKee

AN ACT concerning

Criminal Law – Substantive Offenses – Knowingly Exposing Another Individual to a Sexually Transmitted Disease or Infection

FOR the purpose of prohibiting a certain person from knowingly exposing another individual to a certain sexually transmitted disease or infection under certain circumstances unless the person makes a certain disclosure at a certain time and the other individual gives a certain consent; establishing a certain penalty; defining certain terms; and generally relating to exposure to sexually transmitted disease or infection.

BY adding to

Article – Health – General

Section 18–602.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 713 – The Speaker (By Request – Administration, Attorney General, and Maryland State’s Attorneys’ Association) and Delegates James, Riley, Rosenberg, Ali, Anderson, Aumann, Barkley, Barnes, Bartlett, Barve, Bates, Beidle, Beitzel, Benson, Bohanan, Boteler, Branch, Bromwell, Bronrott, Burns, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Costa, Davis, DeBoy, Donoghue, Doory, Dumais, Eckardt, Elmore, Feldman, Frank, Frush, Gaines, George, Gilchrist, Glassman, Glenn, Griffith, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hucker, Jameson, Jennings, Jones, Kach, Kelly, J. King, N. King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Lee, Levy, Love, Malone, Manno, Mathias, McComas, McHale, McIntosh, McKee, Miller, Mizeur, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Rice, Ross, Rudolph, Schuh, Schuler, Sophocleus, Sossi, Stein, Stifler, Stukes, Tarrant, Taylor, F. Turner, Vaughn, Waldstreicher, Walker, Weir, and Wood

AN ACT concerning

Maryland Gang Prosecution Act of 2007

FOR the purpose of prohibiting a person from participating in a certain criminal gang knowing that the members of the gang engage in or have engaged in a certain pattern of criminal gang activity; prohibiting a person from willfully promoting, furthering, or assisting in a criminal offense committed for the benefit of, at the direction of, or in association with a criminal gang; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for a crime based on the act establishing a violation of this Act; providing that a defendant may only

be charged with a violation under this Act by indictment, criminal information, or a petition alleging a delinquent act; authorizing the Attorney General, with the consent of a certain State's Attorney, to aid in a certain investigation and prosecution under certain circumstances; establishing that the Attorney General has all the powers and duties of a State's Attorney in certain circumstances; authorizing certain State's Attorneys or the Attorney General to join certain causes of action in certain circumstances; authorizing a certain grand jury to conduct a certain investigation; defining a certain term; altering a certain term; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Criminal Law
Section 9–804
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 714 – Delegate McKee

AN ACT concerning

Health Insurance – Coverage for Returning Veterans – Limiting Age for Students

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for certain students over a certain age under a parent's health insurance policy or contract to provide coverage for certain students who were on active military duty for a certain period of time under certain circumstances; providing that the required coverage is only for a certain period of time; authorizing certain entities to require certain proof; providing for the application of this Act; and generally relating to health insurance coverage for students who are returning veterans.

BY adding to
Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–418

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 715 – Delegate Rudolph

AN ACT concerning

**State Lottery Proceeds – Maryland Standardbred Race Fund and
Maryland–Bred Race Fund**

FOR the purpose of establishing a special fund for the distribution of certain State lottery proceeds to the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund; requiring the State Lottery Agency to conduct a number of special instant ticket games sufficient to generate at least a certain amount of money for the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund; requiring that in advertising and on tickets, the State Lottery Agency identify certain instant ticket games as being conducted for the benefit of the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund; requiring that proceeds paid into the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund provide additional revenue and do not substitute for any other distribution to those funds; requiring that funds to the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund be allocated in a certain way; requiring that in certain fiscal years, a certain amount of money be allocated in a certain way to the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund; authorizing the Governor to request a certain deficiency appropriation under certain conditions; prohibiting the amount of funds distributed to the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund to exceed a certain amount in any one fiscal year; requiring the Maryland Racing Commission to work with certain entities to develop a certain standardbred racing event and make a certain report by a certain date; and generally relating to the Maryland Standardbred Race Fund and the Maryland–Bred Race Fund.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120 and 9–120.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 9–120.2

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 716 – Delegates Bates, Anderson, Aumann, Bartlett, Beitzel, Boteler, Donoghue, Dwyer, Eckardt, George, Harrison, Heller, Holmes, Impallaria, James, Jameson, N. King, Kipke, Kramer, Krebs, Kullen, Love, Manno, McComas, McDonough, McKee, Miller, Minnick, Murphy, Myers, Riley, Shewell, Smigiel, Sophocleus, Stifler, Stocksdale, Stull, and Weldon

AN ACT concerning

Local Property Tax – Credit for Individuals at Least 65 Years Old

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain real property owned by an individual of a certain age and of a certain income under certain circumstances; authorizing the county or municipal corporation to provide, by law, for the amount, duration, eligibility criteria, regulations, procedures, and any other provision necessary to carry out this Act; providing for the application of this Act; and generally relating to a tax credit against the county or municipal corporation property tax imposed on certain real property owned by an individual of at least a certain age and of certain income.

BY adding to

Article – Tax – Property

Section 9–246

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 717 – Delegates Bates, Anderson, Aumann, Barkley, Bartlett, Beitzel, Bobo, Boteler, Bronrott, DeBoy, Donoghue, Dwyer, Eckardt, George, Gilchrist, Guzzone, Harrison, Heller, Impallaria, Jameson, Kaiser, N. King, Krebs, Krysiak, Kullen, Love, McComas, McDonough, McKee, Miller, Minnick, Murphy, Myers, O'Donnell, Riley, Rosenberg, Shank, Shewell, Smigiel, Stifler, Stocksdale, Stull, and Weldon

AN ACT concerning

Andrew's Law

FOR the purpose of requiring the Motor Vehicle Administration to provide for a method by which an applicant for a driver's license or identification card can designate an individual to contact in the event the applicant becomes incapacitated; requiring the Administration to make a notation on the applicant's driving record or record of application for an identification card indicating the fact that the applicant has designated a certain individual as an emergency contact in the event the applicant becomes incapacitated; requiring the Administration to develop a database system that contains certain telephone numbers and is accessible by a law enforcement officer; requiring the Administration to notify an applicant of certain facts; defining a certain term; providing for a delayed effective date; and generally relating to developing a system for designating an individual to contact under certain circumstances.

BY adding to

Article – Transportation

Section 12–302

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 718 – Delegate McKee

AN ACT concerning

Vehicle Laws – Skateboards – Protective Helmets

FOR the purpose of prohibiting an individual under a certain age from riding in certain places on a skateboard unless the individual wears a helmet that meets or exceeds certain standards; providing for the issuance of a certain warning; and generally relating to the use of skateboards.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1207.2

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 719 – Delegates Bartlett, Ali, Boteler, Burns, V. Clagett, Glassman, Stull, and Weir

AN ACT concerning

Vehicle Laws – Drivers of Motor Homes – Driver Licensing Requirements

FOR the purpose of exempting from certain driver licensing requirements an individual who is driving a certain motor home if the individual holds a valid Class C driver's license; making stylistic changes; requiring the Motor Vehicle Administration to study certain issues relating to driver licensing for the operation of motor homes; requiring the Administration to report to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to an exemption from certain driver licensing requirements for certain individuals.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.3
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–102(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 720 – Montgomery County Delegation and Prince George's County Delegation

AN ACT concerning

Prince George's County – Maryland–Washington Regional District – Municipal Annexation – Enforcement of Covenants

MC/PG 123–07

FOR the purpose of prohibiting the enforcement of a certain land use covenant that is entered into as part of an annexation agreement with certain municipal corporations in Prince George's County after a certain time period unless the parties to the covenant agree to extend the covenant; and generally relating to the

enforcement of covenants entered into by municipal corporations in the Maryland–Washington Regional District in Prince George’s County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–122
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 721 – Delegates Aumann, Boteler, Bronrott, Cane, Frank, Haynes, Jennings, Myers, Stocksdale, and Weir

AN ACT concerning

Local Property Tax – Credit for Individuals at Least 70 Years Old

FOR the purpose of requiring the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain real property owned by an individual of at least a certain age and of a certain income; requiring the county or municipal corporation to provide, by law, for the amount, duration, eligibility criteria, regulations, procedures, and any other provision necessary to carry out this Act; providing for the application of this Act; and generally relating to a tax credit against the county or municipal corporation property tax imposed on certain real property owned by an individual of at least a certain age and of certain income.

BY repealing

Article – Tax – Property
Section 9–245
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property
Section 9–110
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 722 – Washington County Delegation

AN ACT concerning

Washington County – Code of Public Local Laws – Compilation and Legalization

FOR the purpose of legalizing the 2007 edition of the Code of Public Local Laws of Washington County, being Article 22 of the Code of Public Local Laws of Maryland, published under the direction of the Board of County Commissioners of Washington County; making provisions for the publication, sale, and distribution of the Code of Public Local Laws of Washington County; and generally relating to the legalization of the Code of Public Local Laws of Washington County.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 723 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Montgomery County – Maryland–Washington Metropolitan District – Boundaries

MC/PG 121–07

FOR the purpose of modifying the boundaries of the Maryland–Washington Metropolitan District as it relates to Montgomery County and the Lower Montgomery Metropolitan District; providing that a certain metropolitan district tax does not apply to areas located within certain municipal corporations or to any area that is subsequently annexed to certain municipal corporations; providing for the construction of this Act; prohibiting Montgomery County from collecting certain taxes that are due under certain circumstances; and generally relating to the boundaries of the Maryland–Washington Metropolitan District.

BY repealing and reenacting, without amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 3–101
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 3–104 and 3–106
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 724 – Delegates Olszewski, Minnick, and Weir

AN ACT concerning

Liquefied Natural Gas Facilities – Impact Fee – County Services

FOR the purpose of requiring the Public Service Commission to collect an impact fee from a liquefied natural gas facility under certain circumstances; authorizing a county to determine the amount of an impact fee or to obtain a determination from an independent third party for certain purposes; requiring the impact fee to provide for certain services and to be paid to a county under certain circumstances; prohibiting an impact fee from being imposed on certain facilities; and generally relating to liquefied natural gas facilities.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 11–101
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 725 – Washington County Delegation

AN ACT concerning

**Washington County – Collection of Debts Owed to Housing
Authorities – Central Collection Unit**

FOR the purpose of permitting the Central Collection Unit to assume responsibility for the collection of a delinquent account or debt that is owed to a housing authority in Washington County under certain circumstances; providing that for purposes of debt collection by the Central Collection Unit a housing authority in Washington County is a unit of the State; providing for the termination of this Act; and generally relating to permitting the Central Collection Unit to collect debts owed to housing authorities in Washington County.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–302
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 726 – Washington County Delegation

AN ACT concerning

Washington County – Fire Police Appointments

FOR the purpose of authorizing the commanding officer to designate to the Sheriff of Washington County, in a certain manner, a certain number of members of certain fire or ambulance companies to serve as fire police in Washington County; requiring the Sheriff of Washington County to appoint certain individuals to serve as fire police in Washington County; providing that certain powers are granted to individuals appointed to serve as fire police in Washington County; prohibiting individuals serving as fire police in Washington County from using a weapon in the performance of certain duties; providing for the termination of members of certain fire or ambulance companies who are serving as fire police in Washington County; providing that individuals appointed to serve as fire police in Washington County receive certain State benefits; repealing certain powers of a deputy sheriff in Washington County; repealing certain provisions relating to pension and retirement benefits for certain members of a fire company appointed as deputy sheriffs; defining a certain term; and generally relating to fire police appointments in Washington County.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 7–302

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY adding to

Article – Public Safety

Section 7–304

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 727 – Delegates Cardin, Bromwell, Morhaim, and Schuler

AN ACT concerning

Task Force on Renewable Energy

FOR the purpose of establishing a Task Force on Renewable Energy; establishing the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a preliminary and final report to the Governor and General Assembly and its committees regarding the recommendations by certain dates; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on Renewable Energy.

Read the first time and referred to the Committee on Economic Matters.

House Bill 728 – Delegate Weir

AN ACT concerning

**Motor Vehicle Administration – Driver Improvement Program/Point System
Conferences (DIP/PSC) Pilot Program**

FOR the purpose of prohibiting the Motor Vehicle Administration, unless specifically authorized by law, from offering or authorizing the Driver Improvement Program/Point System Conferences (DIP/PSC) Pilot Program provided over the Internet; and providing for the termination of this Act.

BY adding to

Article – Transportation

Section 12–121

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 729 – Delegates Weir, Aumann, Boteler, Holmes, Krebs, McConkey, Minnick, Sossi, and Stull

AN ACT concerning

**Vehicle Laws – Registration Fees – Discount for Seniors and Individuals with
Disabilities**

FOR the purpose of providing that for the renewal of a motor vehicle registration a

certain annual registration fee for the motor vehicle shall be reduced by a certain percentage for disabled individuals and individuals over a certain age if all owners of the vehicle meet certain requirements and the vehicle is driven less than a certain number of miles annually; requiring individuals to certify certain information to qualify for a fee reduction under this Act; requiring a certain certification to be made on a form provided by the Motor Vehicle Administration; providing that a certain fee reduction does not apply to the first issuance of a registration to the owner of a motor vehicle after title or interest transfers to that owner; providing for the application of this Act; and generally relating to vehicle registration fees.

BY adding to

Article – Transportation

Section 13–910

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 730 – Harford County Delegation

AN ACT concerning

Harford County – Board of Education – Selection of Members

FOR the purpose of requiring that certain members of the Harford County Board of Education be elected; requiring that certain members of the County Board be appointed; establishing a procedure for the election and appointment of members of the County Board; establishing a certain term of office for members and staggering the terms of the members; providing for the removal of members under certain circumstances; providing for the election of a certain nonvoting student member; providing a procedure for filling a vacancy on the County Board; providing for the election of the president and vice president of the County Board; providing for the appointment of certain interim members of the County Board; providing for the termination of the terms of the appointed members of the County Board; providing for the appointment of certain members of the County Board to serve certain terms until certain successors are appointed or elected; and generally relating to the Harford County Board of Education.

BY renumbering

Article – Education

Section 3–111 and 3–112, respectively

to be Section 3–6A–05 and 3–6A–04, respectively

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and 3–114
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 3–6A–01 through 3–6A–03 to be under the new subtitle “Subtitle 6A.
Harford County”
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 731 – Delegates Cardin, Ali, Anderson, Barkley, Barnes, Benson, Bobo, Bromwell, V. Clagett, Feldman, Gaines, Gutierrez, Heller, Hixson, Hubbard, Hucker, Jones, N. King, Lawton, Lee, Manno, McIntosh, Mizeur, Montgomery, Niemann, Pena–Melnyk, Pendergrass, Proctor, Rosenberg, Ross, Schuler, Stein, F. Turner, and Waldstreicher

AN ACT concerning

Election Law – Public Campaign Financing Act for Candidates for the General Assembly

FOR the purpose of establishing a system of public financing of campaigns for certain candidates for the General Assembly; establishing an Election Financing Commission to administer the system of public financing of campaigns; providing for the membership of the Commission and specifying its powers and duties; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; defining certain terms; requiring the Comptroller to distribute certain proceeds from the sale of abandoned property to the Public Election Fund for certain purposes; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; requiring that participating candidates adhere to certain campaign expenditure limits, subject to certain exceptions; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Fund; regulating contributions and expenditures made by political parties on behalf of participating candidates; regulating coordinated expenditures made by or on behalf of participating candidates; specifying certain additional campaign finance reporting requirements for certain candidates and political organizations;

authorizing a citizen to bring civil action in court against certain candidates under certain circumstances; providing for judicial review of certain actions by the Commission; providing for certain penalties; specifying the terms of the initial members of the Commission; providing that certain catch lines are not law and may not be considered to have been enacted as part of this Act; making provisions of this Act severable; requiring the Election Financing Commission to report to the General Assembly on or before a certain date; and generally relating to the Public Campaign Financing Act for Candidates for the General Assembly.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–235(d)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 15.5–101 through 15.5–121 to be under the new title “Title 15.5. Public Campaign Financing Act for Candidates for the General Assembly”
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 732 – Delegates Barve and Hixson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elections – Runoff Elections

FOR the purpose of proposing amendments to the Maryland Constitution to require the General Assembly to provide for runoff elections for certain offices under certain circumstances; requiring that a runoff election be limited only to certain candidates; establishing procedures for the selection of certain persons for certain offices under certain circumstances; making certain stylistic changes; generally relating to runoff elections for certain elective offices; and submitting this

amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article I – Elective Franchise
Section 8

BY proposing an amendment to the Maryland Constitution
Article II – Executive Department
Section 2, 3, and 4

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 6A

BY proposing an amendment to the Maryland Constitution
Article V – Attorney–General and State’s Attorneys
Section 2 and 8

BY proposing an amendment to the Maryland Constitution
Article VI – Treasury Department
Section 1

Read the first time and referred to the Committee on Ways and Means.

House Bill 733 – Delegates Barve, Cardin, and N. King

AN ACT concerning

Elections – Election Judges – Shifts at Polling Places on Election Day

FOR the purpose of authorizing a local board of elections to appoint an election judge to serve for part of a day at a polling place on election day; specifying that a local board shall apportion the compensation for an election judge on the basis of each day or part of a day that the election judge serves; and generally relating to shifts for election judges at polling places on election day.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–203 and 10–205
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 734 – Delegates Rudolph and Elliott

AN ACT concerning

Pharmacy Benefits Managers Regulation Act

FOR the purpose of prohibiting a pharmacy benefits manager from establishing the amount of a certain reimbursement on a certain basis; prohibiting a pharmacy benefits manager from imposing a certain copayment, deductible, limit on quantity, or other condition, under certain circumstances; requiring an insurance policy or contract or a pharmacy benefits manager to allow an insured or certificate holder to obtain pharmaceutical benefits from the pharmacy or pharmacist of the insured or certificate holder's choice, within any pharmacy network; exempting certain managed care organizations, insurers, nonprofit health service plans, and health maintenance organizations, and affiliates, subsidiaries, or other related entities of certain insurers, nonprofit health service plans, and health maintenance organizations from certain provisions of this Act, under certain circumstances; requiring a person to register with the Maryland Insurance Commissioner before the person acts as or represents itself as a pharmacy benefits manager in the State; requiring an applicant for registration to file an application on a certain form and pay to the Commissioner a certain fee; requiring the Commissioner to register certain applicants; providing for the expiration and renewal of a registration; prohibiting a pharmacy benefits manager from taking certain actions; authorizing the Commissioner to deny, suspend, or revoke a registration or refuse to renew a registration under certain circumstances and subject to certain hearing provisions; authorizing the Commissioner, if a registration is suspended or revoked, to permit the continued operation of a pharmacy benefits manager for a certain period of time and under certain circumstances; requiring a pharmacy benefits manager to register as a third party administrator or a private review agent under certain circumstances; requiring a certain pharmacy benefits manager to pay and adjust claims according to certain statutory requirements; prohibiting an insurer, nonprofit health service plan, or health maintenance organization from entering into an agreement with a pharmacy benefits manager that has not registered with the Commissioner; requiring the Commissioner to conduct a certain examination in accordance with certain provisions of law; requiring a pharmacy benefits manager to maintain certain books and records for a certain period and in accordance with certain standards; requiring the Commissioner to adopt certain regulations on or before a certain date; requiring a pharmacy benefits manager to disclose in writing certain information to a prospective purchaser and a purchaser; specifying the manner in which certain disclosures must be provided; providing that a pharmacy benefits manager need not make certain disclosures unless and until the prospective purchaser or the purchaser agrees in writing to maintain certain information as

confidential; providing that certain agreements may include certain remedies and certain persons; requiring a contract executed by a pharmacy benefits manager for the provision of pharmacy benefits management services to include certain items; establishing certain requirements for members of a pharmacy and therapeutics committee; prohibiting a pharmacy benefits manager from substituting one prescription drug for the drug originally prescribed unless certain conditions are met; requiring a pharmacy benefits manager to disclose certain information to a purchaser if a drug substitution is made; requiring a pharmacy benefits manager to obtain a certain authorization to make a drug substitution and to make certain disclosures to a prescriber; providing for certain exceptions; prohibiting a pharmacy benefits manager from substituting a drug for a currently prescribed drug unless the pharmacy benefits manager provides a beneficiary or the beneficiary's representative with certain information; requiring a pharmacy benefits manager to maintain a certain toll-free telephone number; requiring a pharmacy benefits manager to enter into certain contracts with pharmacy providers under certain circumstances; specifying certain requirements of the contracts; specifying provisions that apply to audits carried out by pharmacy benefits managers of pharmacies or pharmacy claims; requiring a pharmacy benefits manager to allow a beneficiary to obtain covered pharmacy services from a certain pharmacy provider and allow a certain pharmacy that can meet certain conditions to provide certain services; requiring certain disclosures to comply with certain privacy standards; providing certain penalties; altering the definition of a "nonresident pharmacy" to include a pharmacy benefits manager under certain provisions of law; requiring a nonresident pharmacy to meet certain requirements; making certain provisions of law applicable to health maintenance organizations; allowing a certain person to continue to act as a pharmacy benefits manager without registering with the Commissioner under certain circumstances; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–805

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–1601 through 15–1623 to be under the new subtitle "Subtitle 16.
Pharmacy Benefits Managers"

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–101(m) and 12–403(e) and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–403(a), (b)(17), (d), and (g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 735 – Delegates Hubbard, Boteler, Bromwell, DeBoy, Elliott, Haddaway, Holmes, Hucker, Kullen, Malone, Mathias, McDonough, Nathan–Pulliam, Oaks, Rudolph, and Tarrant

AN ACT concerning

State Board of Massage Therapy Examiners – Licensure, Registration, and Regulation

FOR the purpose of creating the State Board of Massage Therapy Examiners in the Department of Health and Mental Hygiene; providing for the composition, appointment, terms, and expenses of the Board members; establishing certain powers and duties of the Board; authorizing the Board to appoint and establish the powers and duties of a Board executive director; authorizing the Board to set certain fees; requiring certain fees collected by the Board to be sent to the Comptroller; requiring the Comptroller to distribute certain fees to a certain special fund; requiring certain persons to be licensed or registered by the Board before an individual may practice massage therapy or nonmedical massage in the State; establishing certain education, experience, and examination requirements for licensed massage therapists and registered massage practitioners; establishing certain requirements for qualifying, renewing, reinstating, and surrendering a license or registration for massage therapists and massage practitioners; prohibiting a registered massage practitioner from practicing nonmedical massage in certain health care facilities; authorizing the Board to deny a license or registration to an applicant, refuse to renew a license or registration, reprimand a licensee or registered practitioner, suspend or revoke a license or registration, or

impose certain penalties under certain circumstances; prohibiting a health care provider from referring patients to a person who is not a licensed massage therapist; providing that certain providers of health insurance are not required to reimburse a licensed massage therapist or registered massage practitioner for services rendered; establishing certain hearing and appeal procedures for massage therapists and massage practitioners; requiring the Board to adopt regulations to establish certain standards for advertising and soliciting of services by massage therapists and massage practitioners; providing for the use of a trade name by massage therapists and massage practitioners; providing civil immunity to certain persons for reviewing certain fees and charges; prohibiting certain persons from misrepresenting an individual's status of licensure or registration as a massage therapist or massage practitioner by the Board; providing certain restrictions on the advertising of nonmedical massage services; providing for certain criminal penalties; 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; defining certain terms; specifying the terms of the initial members of the Board; providing for the transition from the Massage Therapy Advisory Committee and the State Board of Chiropractic Examiners to the State Board of Massage Therapy Examiners regarding the regulation and licensure and registration of massage therapists and massage practitioners; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date; making certain technical corrections; providing for a delayed effective date for certain provisions of this Act; and generally relating to the State Board of Massage Therapy Examiners and licensing, registration, and regulation of massage therapists and massage practitioners.

BY renumbering

Article – State Government
Section 8–403(b)(40) through (69), respectively
to be Section 8–403(b)(41) through (70), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health Occupations
Section 3–5A–01 through 3–5A–14 and the subtitle “Subtitle 5A. Certification of
Massage Therapists”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations
Section 6–101 through 6–504 to be under the new title “Title 6. Massage Therapy”
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 8–403(b)(40)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 736 – Delegate Elliott

AN ACT concerning

State Board of Pharmacy – Job Classifications and Grades for Staff

FOR the purpose of providing that staff hired after a certain date are in certain services or are certain special appointments in the State Personnel Management System; requiring the State Board of Pharmacy, in consultation with the Secretary of Health and Mental Hygiene, to determine certain job classifications and grades for certain staff; and generally relating to job classification and grades for staff of the State Board of Pharmacy.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–204(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 737 – Delegate Hubbard

AN ACT concerning

Regional Greenhouse Gas Initiative – Carbon Allowances

FOR the purpose of requiring carbon dioxide emission allowances allocated to the State

under the cap and trade mechanism of the Regional Greenhouse Gas Initiative to be sold in an auction open to the public; requiring the Department of the Environment to adopt regulations to establish a certain auction system; requiring certain regulations to include certain information; requiring the proceeds from a certain auction to be used for certain purposes; requiring the Department and the Maryland Energy Administration to work in consultation with each other regarding certain proceeds and a certain fund; requiring proceeds from a certain auction to be deposited into a certain fund; establishing the Energy Efficiency Utility Fund; providing for the administration and funding sources of the Fund; and generally relating to carbon allowances under the cap and trade system of the Regional Greenhouse Gas Initiative.

BY repealing and reenacting, without amendments,
Article – Environment
Section 2–1002(g)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 2–1002.1
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–2009
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 738 – Delegate Hubbard

AN ACT concerning

Commercial Law – Maryland Energy Consumer Protection Act

FOR the purpose of prohibiting the sale of crude oil, gasoline, or petroleum distillates at an unconscionably excessive price; requiring certain circumstances to be taken into account in determining whether certain products have been sold at an unconscionably excessive price; requiring certain circumstances to be considered as mitigating factors in determining whether certain products have been sold at an unconscionably excessive price; providing that a violation of certain provisions of

this Act is an unfair or deceptive trade practice under the Maryland Energy Consumer Protection Act and is subject to certain enforcement and penalty provisions; authorizing the Governor to control the sale of crude oil, gasoline, and petroleum distillates under certain circumstances; and generally relating to the sale of crude oil, gasoline, and petroleum distillates and the Maryland Energy Consumer Protection Act.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3503 to be under the new subtitle “Subtitle 35.
Maryland Energy Consumer Protection Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 14–303(b)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 739 – Delegates Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Benson, Bobo, Boteler, Braveboy, Bromwell, Bronrott, Cane, Cardin, Carter, V. Claggett, Conaway, DeBoy, Donoghue, Dumais, Elmore, Feldman, Frush, Gaines, Glenn, Goldwater, Gutierrez, Guzzone, Harrison, Haynes, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Impallaria, Ivey, Kach, Kaiser, Kelly, J. King, N. King, Kirk, Krysiak, Kullen, Lawton, Lee, Levi, Love, Malone, Manno, Mathias, McComas, McDonough, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pena–Melnik, Ramirez, Rice, Riley, Robinson, Rosenberg, Ross, Schuler, Simmons, Stein, Stukes, Stull, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, Waldstreicher, Walker, and Weir

AN ACT concerning

**Consumer Protection – Protection and Disclosure of Information About Consumers
Collected by Merchants**

FOR the purpose of requiring certain merchants that collect certain personal and marketing information to implement and maintain certain security procedures and practices; requiring a merchant to disclose to a consumer certain personal and marketing information in a certain manner; establishing procedures for requesting certain personal and marketing information; requiring a merchant to provide certain personal and marketing information requested within a certain period of

time; authorizing a merchant to charge a certain fee for the disclosure of certain personal and marketing information; prohibiting a merchant from sharing or selling certain personal and marketing information about certain consumers; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to the protection and disclosure of information about consumers collected by merchants.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3505 to be under the new subtitle “Subtitle 35. Protection and Disclosure of Information About Consumers Collected by Merchants”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 740 – Delegates Love, Beidle, V. Clagett, Costa, Dwyer, and Sophocleus

AN ACT concerning

Courts – Service of Process – Fees Collected by Sheriff

FOR the purpose of increasing certain fees for service of process of certain papers by a sheriff; establishing a certain fee for service of a paper originating from a foreign court; and generally relating to fees collected by a sheriff for service of process.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–402

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 741 – Delegate Barve

AN ACT concerning

Income Tax – Employer–Assisted Housing Credit

FOR the purpose of providing certain employers a credit against the State income tax for

certain costs related to certain housing benefits provided to certain employees; defining certain terms; providing for the application and termination of this Act; and generally relating to providing certain employers a credit for costs related to employer-assisted housing benefits.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 742 – Delegates Love, Kramer, and Manno

AN ACT concerning

Procurement – Disabled Veteran Business Enterprise Participation

FOR the purpose of establishing a certain participation goal for certain certified disabled veteran business enterprises for certain procurement contracts; requiring a certain awarding unit to consider certain efforts by and award certain contracts to certain bidders or offerors that meet or make a good-faith effort to meet certain participation goals; establishing certain criteria by which a contractor is considered to have made a good-faith effort to meet certain participation goals; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to jointly adopt certain regulations; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to designate an advocate to coordinate and oversee certain activities relating to disabled veteran business enterprises; requiring an awarding unit to adopt certain regulations to meet the requirements of this Act; requiring an awarding unit to designate a disabled veteran business enterprise advocate to assist the awarding unit in meeting goals related to disabled veteran business enterprise participation; requiring certain awarding units to make certain reports on or before a certain date; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to make certain reports on or before a certain date; establishing certain prohibited acts and certain penalties for certain violations; defining certain terms; and generally relating to procurement participation by disabled veteran business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–601 through 14–607 to be under the new subtitle “Subtitle 6. Disabled

Veteran Business Enterprise Participation”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 16–203(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 743 – Delegates Myers, Bates, Beitzel, Kelly, McKee, Shank, and Stull

AN ACT concerning

Health – Job–Related Drug Testing – Breath Tests for Alcohol

FOR the purpose of authorizing certain employers who require certain job–related drug testing to test a breath specimen using a certain alcohol measurement device; providing for a certain exception from a provision that allows certain persons to request independent testing of a certain specimen; authorizing the Department of Health and Mental Hygiene to adopt certain regulations; altering certain definitions; defining a certain term; making stylistic changes; and generally relating to authorizing employers to use breath tests for testing the presence of alcohol for job–related drug testing.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 17–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 744 – Delegates Stein, Cardin, V. Clagett, Hucker, Lafferty, Lawton, Mizeur, and Morhaim

AN ACT concerning

Electric and Gas Companies – Energy Audits

FOR the purpose of requiring electric companies and gas companies to perform energy audits of certain property and equipment of certain customers in accordance with

certain regulations; establishing certain requirements for certain energy audits; providing that the fee charged for certain energy audits may not exceed the cost of performing them; providing a certain limit on the availability of certain energy audits of a single property; authorizing the recovery of certain costs in a certain manner; providing that this Act may not be construed to prevent certain energy audits from being performed by certain persons in certain manners; and generally relating to electric companies, gas companies, and energy audits.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–211
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 745 – Delegates Stein, Cardin, Cane, Mizeur, and Morhaim

AN ACT concerning

State–Owned Heavy Equipment and Heating Equipment – Biodiesel Fuel Requirement

FOR the purpose of requiring the State to ensure that at least a certain percentage of certain heating equipment in State buildings and heavy equipment owned by the State in certain fiscal years use a blend of fuel containing at least a certain percentage of biodiesel fuel; exempting certain heating equipment and heavy equipment; and generally relating to the use of biodiesel fuel in heating equipment in State buildings and heavy equipment owned by the State.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 746 – Delegates Carter, Anderson, and Rosenberg

AN ACT concerning

Lead-Based Paint Damages – Reimbursement by Manufacturer – Market Share Liability

FOR the purpose of requiring certain manufacturers of certain lead-based paint to reimburse certain persons for certain damages caused by lead-based paint; establishing the types of damages for which certain manufacturers of lead-based paint are required to pay reimbursement; providing that certain manufacturers of lead-based paint may be held liable under any legally recognized theory of liability including a market share theory of liability; providing that failure to join a certain manufacturer in a certain action does not constitute failure to join a required party for any purpose; providing that a person is not required to demonstrate that a manufacturer manufactured the lead-based paint that caused the damage for a court to hold the manufacturer liable; requiring the person to prove certain elements in order to recover damages under a market share theory of liability; providing that the damages paid by a certain manufacturer who is found to be liable shall equal the manufacturer's share of the market at a certain time; defining certain terms; and generally relating to the liability of paint manufacturers for damage caused by lead-based paint.

BY adding to

Article – Courts and Judicial Proceedings

Section 3-1701 through 3-1703 to be under the new subtitle “Subtitle 17.
Reimbursement by Manufacturers of Lead-Based Paint for Damages
Caused by Lead-Based Paint”

Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 747 – Delegate Bronrott

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

FOR the purpose of requiring a manufacturer of motor vehicles sold in the State to establish procedures under which certain consumers receive notice of certain warranty adjustment programs and, on request, are provided with a copy of a certain notification or other documents; requiring a motor vehicle manufacturer to ensure that a purchaser of a new motor vehicle receives certain notice at a certain time; requiring a motor vehicle dealer to disclose the terms and conditions of certain adjustment programs to certain consumers under certain circumstances; requiring a motor vehicle manufacturer to implement procedures to ensure

reimbursement of certain consumers for certain repairs under certain circumstances; requiring a motor vehicle manufacturer to send a copy of a warranty adjustment program to the Motor Vehicle Administration within a certain time period; requiring the Motor Vehicle Administration to post a copy of a warranty adjustment program on its website within a certain time period; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to motor vehicle manufacturer adjustment programs.

BY adding to

Article – Commercial Law

Section 14–1401 through 14–1403 to be under the new subtitle “Subtitle 14.
Motor Vehicle Manufacturers’ Warranty Adjustment Programs”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 748 – Delegate Oaks

AN ACT concerning

**Creation of a State Debt – Baltimore County – Get Involved Community
Rehabilitation Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Board of Directors of the New Miracle Community Church of Christ, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 749 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Maryland–National Capital Park and Planning Commission Park Police – Workers’ Compensation – Lyme Disease Presumption

MC/PG 113–07

FOR the purpose of applying the occupational disease presumption under the workers’ compensation law to park police officers employed by the Maryland–National Capital Park and Planning Commission (MNCPPC) who contract Lyme disease under specified circumstances; providing that park police officers who are eligible for benefits under this Act shall receive the benefits in addition to certain retirement benefits, subject to a certain adjustment; and generally relating to the occupational disease presumption for Lyme disease under the workers’ compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503 (d) and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 750 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission and Maryland–National Capital Park and Planning Commission – Appointments – Interviews and Financial Statements

MC/PG 102–07

FOR the purpose of authorizing, rather than requiring, the county executives of Montgomery County and Prince George’s County to conduct certain interviews of each applicant for appointment or reappointment to the Washington Suburban Sanitary Commission (WSSC); requiring the county executives to conduct certain interviews of applicants selected for appointment to the WSSC; authorizing a designee of the County Executive of Montgomery County to require certain applicants to produce certain documents; altering certain requirements relating to the deadline for filing of certain financial disclosure statements filed by certain applicants for appointments to the WSSC and to the Maryland–National Capital Park and Planning Commission (M–NCPCC) in Montgomery County; clarifying certain requirements relating to the content of certain financial disclosure statements filed by certain applicants for appointment to the WSSC and

M–NCPPC; making stylistic changes; and generally relating to applications for appointments to the WSSC and the M–NCPPC.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 1–103
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–821
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 751 – Delegate Oaks

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

FOR the purpose of altering the requirements for certain dental facilities that employ certain dental hygienists who are authorized to practice dental hygiene under certain supervision; and generally relating to dental hygienists and general supervision practice requirements.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–308(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 752 – Delegates Oaks, Anderson, Bartlett, Davis, Glenn, Hucker, Kach, Kirk, Love, McIntosh, Morhaim, Rosenberg, Shewell, Stull, and Vallario

AN ACT concerning

State Birds – Oriole and Raven

FOR the purpose of making the raven the second State bird of Maryland.

BY repealing and reenacting, with amendments,
Article – State Government
Section 13–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 753 – Washington County Delegation

AN ACT concerning

**Washington County Board of County Commissioners – Violations of Civil Offenses
– Authority**

FOR the purpose of authorizing the Board of County Commissioners of Washington County to provide that violations of certain civil offenses may be prosecuted in a certain manner; requiring the Board of County Commissioners to adopt certain ordinances; requiring the Board of County Commissioners to provide certain individuals with copies of certain proposed ordinances before exercising certain authority; defining a certain term; and generally relating to violations of civil offenses in Washington County.

BY adding to
The Public Local Laws of Washington County
Section 1–112
Article 22 – Public Local Laws of Maryland
(1991 Edition and December 1997 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 754 – Delegates Hammen, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Beidle, Benson, Bobo, Branch, Braveboy, Bronrott, Cane, Cardin, Carter, G. Clagett, V. Clagett, Conway, Davis, Donoghue, Doory, Dumais, Elliott, Elmore, Feldman, Frush, Gaines, Gilchrist, Glenn, Goldwater, Griffith, Gutierrez, Guzzone, Harrison, Haynes, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lafferty, Lawton, Levi, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Simmons, Stein, Stukes, Tarrant, Taylor, F. Turner, Vallario, Vaughn, Waldstreicher, Walker, Weir, and Weldon

AN ACT concerning

Children and Working Families Health Care Act of 2007

FOR the purpose of requiring the Maryland Medical Assistance Program to provide, subject to certain conditions, certain medical care and other health care services to certain parents with certain income and to certain adults with certain income; altering certain eligibility requirements for participation in the Maryland Children's Health Program; requiring the Department of Health and Mental Hygiene to establish a certain annual family contribution; requiring the Department to adopt certain regulations; establishing a Health Care Coverage Fund; establishing the sources and uses of the Health Care Coverage Fund; requiring the State Treasurer to invest the money in the Fund in a certain manner; providing that any investment earnings of the Fund shall be retained to the credit of the Fund; requiring expenditures from the Fund to be made only in accordance with the State budget; providing that the Fund is subject to audit by the Office of Legislative Audits; establishing the Health Insurance Premium Subsidy Program in the Department; establishing the purposes, eligibility requirements, and funding for the Program; requiring the Department to design and develop a plan for the Program that meets certain requirements; requiring the Department, on or before a certain date, to report to certain legislative committees on the details of the plan; requiring the State Health Services Cost Review Commission to adopt certain regulations and make a certain report on or before a certain date; requiring the Commission to establish certain standards and benchmarks in conjunction with certain entities; authorizing the Maryland Health Insurance Plan Fund to transfer certain moneys to the Health Care Coverage Fund; altering the purposes of the Maryland Health Care Provider Rate Stabilization Fund; authorizing certain revenue remaining in the Fund after a certain fiscal year to be transferred to the Health Care Coverage Fund; requiring each employer in the State with a certain number of employees to adopt and maintain a certain cafeteria plan; providing certain penalties for a violation of certain provisions of this Act; altering the distribution of tobacco tax revenues; providing for the distribution of certain tobacco tax revenues to the Health Care Coverage Fund for certain purposes; altering the tobacco tax rate imposed on cigarettes; altering the tobacco tax rate imposed on certain tobacco products other than cigarettes; requiring each group or individual health benefit plan issued or delivered in the State by certain carriers to permit a child to continue coverage under the plan under certain circumstances and for a certain period of time; making certain provisions of law applicable to health maintenance organizations; authorizing certain carriers in the small group insurance market to offer a discounted rate for participation in certain wellness activities; altering the definition of "creditable coverage" for purposes of certain insurance requirements; imposing a surcharge on the income tax of certain individuals with income above a certain level; providing that the surcharge does not apply under certain circumstances; providing for certain exceptions; requiring the revenues from the surcharge to be distributed to the Health Care Coverage

Fund; requiring an employer to base withholding for certain employees on a certain number of exemptions under certain circumstances; requiring the Secretary of Health and Mental Hygiene to develop a certain plan to improve the quality and cost-effectiveness of care for certain individuals and to make a certain report on the plan; requiring the Department of Budget and Management and the Department of Health and Mental Hygiene to jointly develop a certain wellness incentive pilot program; requiring the Departments to implement the plan on or before a certain date; requiring the Maryland Health Care Commission and the State Health Services Cost Review Commission to collaborate in seeking a proposal to establish a certain regional health information exchange; requiring the Department of Health and Mental Hygiene to seek approval of a certain waiver to use certain federal matching funds for a certain purpose; prohibiting the Department from implementing Medicaid eligibility for certain adults, if the Department is denied the waiver; requiring the Maryland Health Care Commission to conduct a study of a health insurance exchange and to report the results of the study to certain legislative committees on or before a certain date; authorizing the State Health Services Cost Review Commission to assess a certain amount in hospital rates under certain circumstances to be remitted to the Health Care Coverage Fund; requiring the Comptroller to widely publicize the requirements of this Act for a certain purpose; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; providing for the effective date of certain provisions of this Act; making certain provisions of this Act null and void, under certain circumstances; requiring the Department to forward a copy of a certain notice to the Department of Legislative Services; and generally relating to the Maryland Health Care Coverage Act.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–103(a), 15–301(b) and (c), 15–301.1, and 19–219(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–301(a) and 19–219(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 15–701 to be under the new subtitle “Subtitle 7. Health Care Coverage Fund”; 15–801 through 15–804 to be under the new subtitle “Subtitle 8.

Health Insurance Premium Subsidy Program”; 19–214(d) and 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–504(a), 15–1201(a), 19–802(a), and 19–803(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–504(e), 15–1205, 15–1301(f)(1), 19–802(b), 19–803(c), and 19–804
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–418 and 15–1201(r)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 12–101 through 12–103 to be under the new title “Title 12. Cafeteria Plan”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 2–1601 and 2–1602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1603, 10–910(b), and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General

Section 2–1604 and 10–106.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2005
Section 7

Read the first time and referred to the Committee on Health and Government Operations
and the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 55)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

Read the third time and passed by yeas and nays as follows:

Affirmative – 136 Negative – 0 (See Roll Call No. 56)

The Bill was then returned to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO

From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No</u>	<u>Reassignment</u>
HB 340	JUD

Read and ordered journalized.

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 406	JUD

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 57)

ADJOURNMENT

At 10:28 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 9, 2007.

Annapolis, Maryland
Friday, February 9, 2007

The House met at 11:05 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pamela G. Beidle of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 58)

The Journal of February 8, 2007 was read and approved.

EXCUSES:

Del. Goldwater – illness

Del. Love - illness

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 755 – Delegates Ali, Barkley, Elmore, George, Kaiser, N. King, Manno, McConkey, Riley, Rosenberg, and Sossi

AN ACT concerning

**Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling
for Public Use**

FOR the purpose of providing for a tax credit against the State, county, and municipal corporation property taxes for certain property purchased by certain owners of certain property that is acquired for public use; providing for the computation and duration of the credit; requiring the State Department of Assessments and Taxation to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain property purchased by certain owners of certain property acquired for public use.

BY adding to

Article – Tax – Property
Section 9–110
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 756 – Delegate Beitzel

AN ACT concerning

Garrett County – Public Local Laws – Obsolete Provisions – Repeal

FOR the purpose of repealing certain obsolete provisions of the Public Local Laws of Garrett County relating to auctions, hogs, marriage ceremonies, motion picture exhibitions, emergency ambulance services, and snowmobiles; and generally relating to the repeal of certain obsolete provisions of the Public Local Laws of Garrett County.

BY repealing

The Public Local Laws of Garrett County
Section 8–1 through 8–4 and the chapter “Chapter 8 Auctions”; 50–1 through 50–3 and the chapter “Chapter 50 Hogs”; 68–1 and the chapter “Chapter 68 Marriage Ceremony”; 102–1 and the chapter “Chapter 102 Sunday Observance”; 143–1 and the chapter “Chapter 143 Emergency Ambulance Services”; and 248–15 and the article “ARTICLE IV Snowmobiles”
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 757 – Delegates Bronrott, Ali, Anderson, Barkley, Gilchrist, Kaiser, and Ross

AN ACT concerning

Alcoholic Beverage Tax – Special Fund for Addiction and Treatment Services

FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland; altering the distribution of the alcoholic beverage tax revenues; requiring the Comptroller to distribute a portion of the alcoholic beverage tax revenues to a special fund to be used only for certain purposes; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenues for certain purposes for certain fiscal years.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–301 and 5–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 758 – Delegates Dumais, Bronrott, Anderson, Barkley, Barve, Feldman, Frank, Howard, Kaiser, Kelly, N. King, Kramer, Lawton, Lee, McComas, Mizeur, O'Donnell, Schuler, Shank, Shewell, Smigiel, Sophocleus, and Valderrama

AN ACT concerning

Task Force to Combat Driving Under the Influence of Drugs and Alcohol

FOR the purpose of establishing the Task Force to Combat Driving Under the Influence of Drugs and Alcohol; providing for the membership of the Task Force; requiring the Governor to request that a certain representative participate in the Task Force; designating the chair of the Task Force; providing for the staffing for the Task Force; providing that a member of the Task Force may not receive certain compensation, but is entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit interim and final 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 Task Force to Combat Driving Under the Influence of Drugs and Alcohol.

Read the first time and referred to the Committee on Judiciary.

House Bill 759 – Delegate V. Clagett

AN ACT concerning

Continuing Care in a Retirement Community – Subscriber Advocacy Fees

FOR the purpose of authorizing subscribers in a continuing care retirement community to withhold a certain percentage of a monthly fee if a provider pays a certain percentage of monthly fees for membership in a certain association; authorizing subscribers to pay the money withheld to a certain association or group that engages in certain advocacy activities; prohibiting any decrease in monthly fees to be the basis for a fee increase by the provider; and generally relating to subscriber fees for continuing care in a retirement community.

BY adding to

Article – Human Services
Section 10–405
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 760 – Delegates V. Clagett, Ali, Barnes, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Dumais, Frush, Gilchrist, Hammen, Haynes, Healey, Hecht, Holmes, Hucker, Ivey, Kach, N. King, Lafferty, Lawton, Mathias, McHale, McIntosh, Mizeur, Montgomery, Morhaim, Rosenberg, Shewell, Stein, Stukes, and Waldstreicher

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

FOR the purpose of repealing the requirement that the Department of Natural Resources prepare a fishery management plan for the diamondback terrapin; prohibiting the take or possession of diamondback terrapin for commercial purposes; prohibiting the possession of a certain number of diamondback terrapin for noncommercial purposes; repealing the requirement that the Department adopt certain regulations for the catching of terrapin; requiring the Department to adopt certain regulations for the conservation of diamondback terrapin; repealing certain exemptions from certain excise and use taxes relating to the catching of terrapin for commercial purposes; and generally relating to the catch, take, or possession of diamondback terrapin.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(b), 4–902, and 4–903
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–716(e) and (g) and 8–716.1(k)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 761 – Delegates Hixson and N. King

AN ACT concerning

Vehicle Excise Tax – Rate

FOR the purpose of altering the vehicle excise tax rate for certain motor vehicles, trailers, and semitrailers; providing for the application of this Act; and generally relating to the vehicle excise tax rate.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–809(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–809(c)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 762 – Delegates Anderson, Glenn, Hammen, Haynes, Kirk, Krysiak, and McHale

AN ACT concerning

Baltimore City – Housing Authority – Continued Occupancy by Family Member on Death of Tenant

FOR the purpose of altering the circumstances under which an individual who is the surviving spouse or other immediate family member of a deceased tenant of housing assisted under a program administered by the Housing Authority of Baltimore City and who occupied the premises at the time of the tenant's death may be considered eligible to enter into a lease for continued occupancy; and generally relating to the Housing Authority of Baltimore City.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City

Section 9–8

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 763 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Town of Kensington – Alcoholic Beverages – Special
B–K Licenses and Restaurant Licenses**

MC 702–07

FOR the purpose of altering the number and providing for the description of commercial areas in the Town of Kensington in Montgomery County in which the Board of License Commissioners may issue special B–K alcoholic beverages licenses for use on the premises of restaurants located in those areas; altering the percentage of overall average daily receipts from the sale of food for on–premises consumption that must be maintained by restaurants that hold special B–K alcoholic beverages licenses; prohibiting restaurants that are issued special B–K alcoholic beverages licenses only under this Act from serving alcoholic beverages after a certain hour; authorizing the Board of License Commissioners to approve in a certain manner applications for alcoholic beverages licenses for restaurants located within certain areas; and generally relating to alcoholic beverages in the Town of Kensington in Montgomery County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 8–216(a)(2)(iv) and 9–216(b)(2)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 9–216(b)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 764 – Delegate Malone

AN ACT concerning

**Vehicle Laws – Automotive Dismantlers and Recyclers and Scrap Processors –
Notice of Vehicle Acquisition**

FOR the purpose of repealing a certain provision of law requiring an automotive dismantler and recycler or scrap processor to provide certain notice to the Motor Vehicle Administration within a certain time period after acquiring title to a vehicle and before disposing of the vehicle for dismantling or scraping; and generally relating to automotive dismantlers and recyclers and scrap processors.

BY repealing

Article – Transportation

Section 15–508

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 765 – Delegates Dumais, Feldman, Frush, Hecht, Hucker, Ivey, Jones, Kaiser, Krysiak, Lawton, Lee, Manno, Mizeur, Pena–Melnyk, and Rice

AN ACT concerning

Domestic Violence – Spousal Privilege – Repeal

FOR the purpose of repealing a provision authorizing the spouse of a person on trial for assault in which the spouse is a victim to refuse to testify as an adverse witness under certain circumstances; repealing certain provisions relating to the record of the assertion of the spousal privilege; and generally relating to domestic violence and the repeal of a certain spousal privilege.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 9–106

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 766 – Delegates Shank, Hubbard, Kelly, Kirk, Krysiak, McKee, Minnick, Myers, and Weldon

AN ACT concerning

State Employees – Whistleblower Protection

FOR the purpose of prohibiting an agent of a supervisor, appointing authority, or head of a principal unit from taking, threatening to take, or refusing to take certain personnel actions against an employee who takes certain actions; providing that a violation of certain provisions is a misdemeanor; establishing a certain penalty; prohibiting certain actions from being taken against a certain employee; authorizing an employee to provide a copy of certain complaints or grievances to any person after a certain time; requiring the Attorney General to adopt certain regulations; requiring the Secretary of Budget and Management to provide copies of certain regulations to certain employees at certain intervals; and generally relating to State employees and protection for whistleblowers.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 5–302, 5–303, 5–305, 5–307, and 5–313
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 767 – Delegates Holmes, Anderson, Barnes, Benson, Cardin, Feldman, Gutierrez, Hucker, Lawton, Manno, Mizeur, Pena–Melnyk, Ramirez, Riley, Schuler, Stein, Taylor, and Wood

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; authorizing the Fund to offer to accept premiums on an installment basis on certain policies in a certain manner on or after a certain date; authorizing the Fund to request approval of the Maryland Insurance Commissioner to offer to accept premiums on an installment basis on any policy issued in the State in a certain manner on or after a certain date; requiring the Commissioner to determine whether to approve the request in a certain manner within a certain period of time; providing that a request is deemed approved within a certain period of time under certain circumstances; requiring the Commissioner to phase in the number of policies that may be paid on an installment basis in a certain manner; 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 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–507
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 768 – Delegates McConkey, Beidle, and Cane

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Reserve Study

FOR the purpose of requiring the bylaws of a condominium to provide for the frequency with which a reserve study will be conducted; requiring a certain developer to cause to be conducted a certain reserve study before a certain event; requiring a certain council of unit owners to cause to be conducted a reserve study within a certain time; requiring a certain developer to pay a certain installment of a certain assessment; requiring a certain declarant to cause to be conducted a certain reserve study before the occurrence of a certain event; requiring the governing body of a homeowners association to cause to be conducted a reserve study within a certain time; requiring the bylaws or other governing documents of a homeowners association to include the frequency with which a reserve study must be conducted; requiring a certain budget to provide for reserves; requiring a certain declarant to pay a certain installment of a certain assessment; defining a certain term; requiring certain bylaws or other governing documents to comply with certain requirements on or before a certain date; providing for the application of certain provisions of this Act; and generally relating to a reserve study for a condominium or homeowners association.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–104 and 11–110(b)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–109.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 11–139.3 and 11B–112.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 769 – Delegates Anderson, Carter, Conaway, Glenn, Haynes, Kirk, Krysiak, McHale, Oaks, Robinson, Stukes, and Tarrant

AN ACT concerning

**Disease Prevention – Sexually Transmitted Diseases – Expedited Partner Therapy
Pilot Program**

FOR the purpose of establishing the Expedited Partner Therapy Pilot Program in the Baltimore City Health Department; providing for the purpose of the Program; authorizing certain health care providers to prescribe, dispense, or otherwise provide certain antibiotic therapy to certain partners of patients diagnosed with certain sexually transmitted diseases without making a certain physical assessment; requiring the Secretary of Health and Mental Hygiene and the Commissioner of the Baltimore City Health Department to adopt jointly certain regulations; establishing civil immunity for certain health care providers in certain circumstances; requiring the Baltimore City Health Department to report to the Governor and General Assembly regarding the operation and performance of the Program on or before a certain date each year; providing for the termination of this Act; and generally relating to the prevention of sexually transmitted diseases and the Expedited Partner Therapy Pilot Program.

BY adding to
Article – Health – General
Section 18–214.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 770 – Delegates Haynes, Ali, Anderson, Aumann, Barkley, Bronrott, Carter, Conaway, DeBoy, Doory, Dumais, Feldman, Frank, Glenn, Hucker, James, Kaiser, Kirk, Krysiak, Lafferty, Lee, Manno, McHale, Montgomery, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines

FOR the purpose of requiring the Maryland Transit Administration to continue to operate passenger railroad service on certain lines at levels equivalent to the levels established as of certain dates; prohibiting the Administration from closing a station before a certain date, subject to an exception; requiring the Administration to hold a certain public hearing under certain circumstances; requiring the Administration to give a certain notice of the hearing; prohibiting the Administration from taking certain actions if inadequate notice is given; prohibiting the Administration from making certain policy changes during a certain time period; and generally relating to passenger railroad service on certain railroad lines.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–902
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 771 – Delegate McDonough

AN ACT concerning

Baltimore County – English Language – Formal Recognition

FOR the purpose of designating the English language as the official language of Baltimore County; making provisions of this Act applicable to certain Baltimore County functions and agencies; providing for certain exceptions; providing that this Act may not be construed to require the translation into English of any official motto or slogan; making provisions of this Act severable; and generally relating to the designation of English as the official language of Baltimore County.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 20–101 to be under the new title “Title 20. Official Language of Baltimore County”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 772 – Howard County Delegation

AN ACT concerning

Howard County – Zoning Regulations – Administrative Proceedings

Ho. Co. 5–07

FOR the purpose of authorizing the Howard County Council to provide by ordinance for an administrative proceeding to enforce certain zoning violations; providing that a certain ordinance may include authority to impose certain civil fines and penalties and create certain liens and assess certain costs for zoning violations; and generally relating to administrative proceedings to enforce zoning regulations in Howard County.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 66B – Land Use
Section 14.06.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 773 – Delegates Lafferty, Barkley, Barve, Beidle, Cane, V. Clagett, DeBoy, Glenn, Guzzone, Holmes, Hucker, Kach, Kullen, Lawton, Malone, McIntosh, Murphy, Niemann, Rosenberg, Schuler, Stein, and Stull

SECOND PRINTING

AN ACT concerning

Task Force on the Future for Growth and Development – Membership and Charge

FOR the purpose of altering the membership of the Task Force on the Future for Growth and Development; altering the requirements of the Task Force to include certain examinations, recommendations, and determinations concerning certain growth-related issues; requiring the Task Force to submit a certain preliminary report on or before a certain date; altering the date by which the Task Force must make a certain report; making certain stylistic changes; and generally relating to the Task Force on the Future for Growth and Development.

BY repealing and reenacting, with amendments,
Chapter 381 of the Acts of the General Assembly of 2006
Section 4

Read the first time and referred to the Committee on Environmental Matters.

House Bill 774 – Delegates Impallaria, Boteler, Costa, Elmore, Kach, J. King, Kipke, McDonough, Shewell, Smigiel, and Sossi

AN ACT concerning

Family Law – Marriage – Definition and Benefits

FOR the purpose of establishing that a certain benefit provider that provides a benefit plan to a married couple is not required to provide that benefit plan to a nonmarried couple and may establish different rates for a benefit plan for a married couple that differs from the rate for a benefit plan for a nonmarried couple; defining certain terms; and generally relating to marriage and marriage benefits.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–101
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Family Law
Section 2–201.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 775 – Delegate Shank

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 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 776 – Delegate O’Donnell

AN ACT concerning

**Income Tax Withholding – Distributions from Deferred Compensation Plans,
Retirement Plans, and Annuities**

FOR the purpose of defining a certain term for purposes of certain income tax withholding provisions; providing for certain income tax withholding under certain circumstances from certain distributions from certain deferred compensation plans, retirement plans, and annuities; providing that income tax is not required to be withheld from certain distributions from certain deferred compensation plans, retirement plans, and annuities unless the payee requests that income tax be withheld; and generally relating to income tax withholding from certain distributions from deferred compensation plans, retirement plans, and annuities.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–905(a) and (d)(1) and 10–908(f)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–905(a–1)

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–905(c), 10–907(b), and 10–908(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 777 – Delegates Proctor, Howard, and Jones

AN ACT concerning

Higher Education – Institutions of Higher Education – Plans for Programs of Cultural Diversity

FOR the purpose of requiring certain institutions of higher education to develop and implement certain plans for a program of cultural diversity; requiring certain plans to include certain improvements to certain programs under certain circumstances; requiring certain plans to include certain implementation strategies and timelines for meeting certain goals; requiring certain plans to enhance certain programming and certain sensitivity through certain instruction and training; requiring certain institutions of higher education to submit certain plans to the Maryland Higher Education Commission; requiring the Commission to monitor certain plans to track implementation and compliance with the plans; and generally relating to plans for programs of cultural diversity.

BY adding to
Article – Education
Section 11–406
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 778 – Delegates Rosenberg, Bronrott, Cardin, Guzzone, Morhaim, Pendergrass, and F. Turner

AN ACT concerning

Income Tax Credits for Green Buildings – Additional Credits Authorized

FOR the purpose of altering certain requirements for certain buildings to be eligible for certain tax credits; allowing an individual or business entity to transfer certain tax credits to another individual or business entity under certain circumstances; authorizing an individual or business entity to whom a certain credit is transferred to claim a credit against the Maryland income tax under certain circumstances; altering the maximum annual and aggregate amount of initial credit certificates that the Maryland Energy Administration may issue; requiring certain regulations to be adopted that establish a certain process for the reallocation of certain credits; defining a certain term; providing for the application of this Act; and generally relating to credits against the Maryland income tax for certain buildings and building components that meet certain energy efficiency and environmental standards.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–722(a), (b), and (k)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 779 – Delegates Shank and Morhaim

AN ACT concerning

Medical Malpractice – Medical Liability Division Task Force

FOR the purpose of stating the intent of the General Assembly that medical liability claims be addressed efficiently and effectively in the State judicial system and that the Chief Judge of the Court of Appeals consider, based on a certain study, the feasibility of the establishment of a medical liability division for administering medical liability claims in the State; establishing the Medical Liability Division Task Force to study the creation of a medical liability division in appropriate circuit courts; establishing the membership of the Task Force; providing staff support for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to issue a certain report by a certain date; providing that the report include certain information and be submitted to certain persons; providing for the termination of this Act; and generally relating to the establishment of the Medical Liability Court Division Force.

Read the first time and referred to the Committee on Judiciary.

House Bill 780 – Delegates Taylor, Ali, Anderson, Barve, Benson, Braveboy, Bronrott, Burns, Conaway, Davis, Donoghue, Feldman, Glenn, Gutierrez, Heller, Holmes, Hucker, Kaiser, Kramer, Lawton, Levi, Manno, Oaks, Rice, Simmons, Stukes, Tarrant, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Creation of a State Debt – The Martin Luther King, Jr., National Memorial Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Board of Directors of the Washington, D.C. Martin Luther King, Jr., National Memorial Project Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 781 – Delegate Hubbard

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling

FOR the purpose of altering certain requirements for obtaining written informed consent for human immunodeficiency virus (HIV) testing in accordance with Department of Health and Mental Hygiene regulations; clarifying that an informed consent for certain HIV testing be distinct from other consents; altering the manner in which a certain patient identifying number is obtained; requiring the Department to review and streamline certain regulations relating to certain HIV test counseling requirements and to adopt or revise regulations that address those certain requirements; requiring the Department to report to the Governor and General Assembly on or before a certain date; defining certain terms; and generally relating to human immunodeficiency virus counseling and testing procedures.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–336
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 782 – Delegates Conway, Cane, and Mathias

AN ACT concerning

Creation of a State Debt – Atlantic General Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$700,000, the proceeds to be used as a grant to the Board of Directors of Atlantic General Hospital Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 783 – Montgomery County Delegation

AN ACT concerning

Workers' Compensation – Montgomery County Correctional Officers**MC 705–07**

FOR the purpose of providing for enhanced workers' compensation benefits for certain Montgomery County correctional officers for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Montgomery County correctional officers and deputy sheriff sergeants.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–628
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 784 – Delegates Lawton, McIntosh, Barkley, Bobo, Bronrott, Cane, V. Clagett, Frush, Glassman, Healey, Holmes, Hucker, Lafferty, Malone, Manno, Mizeur, Shewell, and Waldstreicher

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

FOR the purpose of authorizing counties and municipalities to take certain actions to support, foster, or promote an affordable housing program for individuals or families of low or moderate income; making certain technical corrections; and generally relating to the authority of counties and municipalities to take action to support, foster, and promote affordable housing.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 6–203
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 785 – Delegates Malone, Barkley, Barnes, Barve, Beitzel, Bohanan, Boteler, Bronrott, Cane, Cardin, G. Clagett, V. Clagett, Conway, Costa, DeBoy, Dumais, Eckardt, Elmore, Frank, Frush, Gilchrist, Glassman, Haddaway, Harrison, Haynes, Hecht, Heller, Hixson, Hubbard, James, Jennings, Jones, Kach, Kramer, Krebs, Krysiak, Kullen, Lawton, Love, Manno, Mathias, McConkey, Minnick, Montgomery, Morhaim, Murphy, Niemann, Pena–Melnik, Pendergrass, Proctor, Ramirez, Ross, Rudolph, Sossi, Stull, Taylor, Vaughn, Weir, and Weldon

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

FOR the purpose of prohibiting the manufacture, sale, or offer for sale of cigarettes in the State unless the cigarettes have been tested in a certain manner and meet a certain performance standard and the manufacturer has filed a certain certification with the Comptroller; establishing a certain performance standard for cigarettes; requiring that testing of cigarettes be conducted in a certain manner; requiring laboratories that conduct testing to have certain current certification and implement a certain quality control and quality assurance program; providing for an alternative test method and performance standard under certain circumstances; providing that additional testing is not required under this Act of cigarettes that are

tested in a certain manner for other purposes; requiring manufacturers to retain all data from testing for a certain period of time and provide certain data to the Comptroller, State Fire Prevention Commission, or the Attorney General; providing for a civil penalty if certain data is not provided within a certain period of time; requiring that a certain subtitle be implemented in accordance with the implementation and substance of the fire safety standards of a certain state; requiring manufacturers to submit to the Comptroller a certain written certification that a cigarette has been tested and has met the performance standard; requiring recertification of cigarettes after a certain period of time; requiring manufacturers to retest certain altered cigarettes; requiring manufacturers to mark in a certain manner cigarettes that have been certified; requiring manufacturers to request approval of a proposed marking from the Comptroller; requiring manufacturers to provide certain wholesalers with copies of certifications and illustrations of certain markings; requiring wholesalers to provide certain retailers, subwholesalers, and vending machine operators with copies of certain illustrations; requiring retailers, subwholesalers, vending machine operators, and wholesalers to allow the Comptroller or designee to make certain inspections; providing that cigarettes sold or offered for sale in the State that do not comply with a certain standard are deemed contraband; authorizing the Comptroller to adopt certain regulations and establish certain fees; establishing certain civil penalties for certain violations of this Act; authorizing the Attorney General to enjoin acts in violation of this Act and to recover certain civil penalties; requiring that certain money collected from certain civil penalties be distributed to a certain fund; authorizing police officers and authorized personnel to seize certain cigarettes; altering the composition of a certain fund; providing that this Act does not prohibit retailers, subwholesalers, vending machine operators, and wholesalers from selling existing inventory if certain tax stamps were affixed to the cigarettes before a certain date under certain circumstances; providing for the construction of this Act; providing that this Act preempts certain local laws, ordinances, or regulations; prohibiting local governmental units from enacting and enforcing certain ordinances, local laws, or regulations; requiring the Comptroller to monitor certain federal actions and notify the Department of Legislative Services of the adoption of a certain federal standard; defining certain terms; providing for a delayed effective date; providing for the termination of this Act; and generally relating to fire safety standards for cigarettes.

BY adding to

Article – Business Regulation

Section 16–601 through 16–610 to be under the new subtitle “Subtitle 6. Fire Safety Performance Standard for Cigarettes” and the amended title “Title 16. Cigarettes”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 8–102(a) and (b)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–102(d)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 786 – Delegates Lawton, Beidle, Bobo, Bronrott, V. Clagett, Frush, Guzzone, Healey, Hubbard, Hucker, Lafferty, Lee, McIntosh, Montgomery, Niemann, Stein, F. Turner, and Waldstreicher

AN ACT concerning

Stormwater Management Act of 2007

FOR the purpose of requiring certain local governments to update certain zoning ordinances to allow for the implementation of certain environmental site design techniques in certain stormwater management practices; requiring the Department of the Environment to adopt regulations that establish a certain model ordinance or model regulation for certain purposes; requiring the Department to adopt regulations that specify certain criteria for certain stormwater management plans and certain stormwater control ordinances; requiring the Department to adopt regulations that specify certain environmental site design techniques as the primary method for managing stormwater under certain circumstances; requiring the Department to adopt regulations that establish a certain comprehensive process for approving certain grading and sediment control plans and certain stormwater management plans; requiring the Department, on or before a certain date, to review a certain fee system and establish a certain schedule of fees necessary to enforce certain provisions of law; defining certain terms; and generally relating to stormwater management.

BY adding to
Article – Environment
Section 4–201.1
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–202 and 4–203
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 787 – Delegates Robinson, Anderson, Branch, Burns, Cardin, Carter, Conaway, Glenn, Harrison, Kirk, Nathan–Pulliam, Oaks, Stukes, Tarrant, and Vaughn

AN ACT concerning

Creation of a State Debt – Baltimore City – Parks & People Headquarters at Auchentoroly Terrace

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of Parks & People, The Foundation for Baltimore Recreation & Parks, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 788 – Delegates Nathan–Pulliam, Benson, Cane, Conaway, Gaines, Glenn, Gutierrez, Kipke, Lee, Montgomery, Oaks, Pena–Melnyk, and Tarrant

AN ACT concerning

Health Insurance – Collection of Racial and Ethnic Data – Nondiscrimination

FOR the purpose of authorizing certain entities that provide health insurance to make an inquiry about race and ethnicity under certain circumstances, and subject to certain limitations; prohibiting the use of certain racial or ethnic information to deny or otherwise affect a health insurance policy or contract; providing that the provisions of certain insurance laws apply to health maintenance organizations; and generally relating to the collection and use of racial and ethnic data by health insurers.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–501(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 27–914
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 789 – Delegates Minnick, Burns, Feldman, Haddaway, Impallaria, Jameson, Love, Manno, and Miller

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Logos, or Taglines – Penalties

FOR the purpose of providing that under certain circumstances, a person may not use the name, trade name, logo, or tagline of a certain bank that is similar to that which is used by the bank in certain material; providing for an exception; providing for a penalty for a violation of the Act; defining a certain term; and generally relating to the deceptive use of the name, trade name, logo, or tagline of a bank.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 5–806
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 790 – Delegate McKee

AN ACT concerning

Sales and Use Tax – Exemption for Sales by Religious and Nonprofit Organizations

FOR the purpose of altering a certain exemption under the sales and use tax for certain sales by certain organizations under certain circumstances; and generally relating to an exemption under the sales and use tax for certain sales by certain organizations.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–204(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – Tax – General

Section 11–204(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 791 – Queen Anne’s County Delegation

AN ACT concerning

Queen Anne’s County – State’s Attorney – Salary

FOR the purpose of altering the salary of the State’s Attorney for Queen Anne’s County; authorizing the State’s Attorney to appoint one or more deputy State’s Attorneys; specifying certain duties of the State’s Attorney, a deputy State’s Attorney, and an assistant State’s Attorney; establishing that the State’s Attorney is entitled to certain expenses for certain purposes; providing that this Act does not apply to the salary or compensation of the incumbent State’s Attorney for Queen Anne’s County; providing for a delayed effective date; and generally relating to the State’s Attorney for Queen Anne’s County.

BY repealing and reenacting, with amendments,

Article 10 – Legal Officials
Section 40(r)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 792 – Delegates Barkley, Ali, and Dumais

AN ACT concerning

Family Law – Child Support – Suspension of Attorney Licenses

FOR the purpose of altering the definition of “licensing authority” to specifically include the Court of Appeals in provisions authorizing a licensing authority to suspend certain professional licenses for failure to pay child support; and generally relating to child support.

BY repealing and reenacting, with amendments,

Article – Family Law
Section 10–119.3(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law
Section 10–119.3(e)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 793 – Delegates Nathan–Pulliam, Benson, Braveboy, Cane, Conaway, Costa, Gaines, Glenn, Griffith, Gutierrez, Kipke, Lee, Montgomery, Oaks, Pena–Melnik, and Tarrant

AN ACT concerning

Sickle Cell Disease – Adults – Best Practices Treatment and Awareness Act

FOR the purpose of establishing a Statewide Steering Committee on Service for Adults with Sickle Cell Disease; requiring the Steering Committee to include representatives from certain groups and organizations; providing for the duties of the Steering Committee; requiring the Steering Committee to establish an Adult

Sickle Cell Disease Day Infusion Center in the State; requiring the Center to be structured in a certain manner; requiring the Center to include certain services; requiring the Steering Committee to work to expand a certain Center to include certain services; requiring the Governor to include a certain appropriation of a certain amount in the State budget in certain fiscal years; requiring the Steering Committee to develop and implement a certain case management system; providing for services that a certain case management system may include; requiring the Governor to include a certain appropriation of a certain amount in the State budget in certain fiscal years; and generally relating to State services for the treatment and management of sickle cell disease in adults.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–501
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 18–506 through 18–508
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 794 – Delegates Frush, Barnes, Braveboy, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Proctor, and Vallario

AN ACT concerning

Vehicle Laws – Abandoned Vehicles – Notice

FOR the purpose of requiring a police department that takes an abandoned vehicle into custody to identify the last known owner, insurer, and secured party of the abandoned vehicle under certain circumstances; requiring a police department to provide certain additional notice to a vehicle owner, insurer, or secured party that the abandoned vehicle was taken into custody; expanding the notice requirement to include notice to the insurer of the owner's and secured party's right to reclaim the vehicle within a certain period of time; requiring a police department in Prince George's County to provide a certain notice to the owner, secured party, and insurer by certified mail; allowing the last known owner of the vehicle or a secured party to authorize another person or the insurer to secure the release of the vehicle; and generally relating to the notice required to be provided by a police department that takes an abandoned vehicle into custody.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–204
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 795 – Delegates Healey, Gaines, and Ross

SECOND PRINTING

AN ACT concerning

Vehicle Laws – Railroad Grade Crossings – Automated Enforcement Systems

FOR the purpose of providing for the use of automated railroad grade crossing enforcement systems at railroad grade crossings to determine compliance with certain vehicle laws; requiring a certain recording of a violation of certain laws regarding railroad crossings to contain certain information; authorizing certain law enforcement agencies to mail a citation within a certain period of time to the owner of a motor vehicle that is recorded by an automated railroad grade crossing enforcement system to be in violation of certain laws regarding railroad grade crossings; establishing the content of a citation; authorizing the sending of a warning in lieu of a citation; authorizing the establishment and imposition of civil penalties; requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation for certain purposes; requiring the Chief Judge of the District Court to adopt certain procedures; limiting the amount of the civil penalties; providing that the owner of the vehicle is responsible for paying the civil penalty under certain circumstances; providing that persons receiving citations may elect to stand trial in the District Court; establishing defenses that may be considered; imposing certain additional penalties and authorizing certain other actions when an owner fails to pay the civil penalty, contest liability, or appear for trial; prohibiting imposition of liability under this Act from being considered a moving violation for certain purposes, being recorded on the driving record of the owner, or being considered by an insurer for certain purposes; providing for the admissibility and use of certain evidence; expanding the jurisdiction of the District Court; defining certain terms; and generally relating to imposition of liability on the owner of a motor vehicle recorded by an automated railroad grade crossing enforcement system violating certain laws regarding railroad grade crossings.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 4–401(13)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167 and 11–168
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 796 – Delegates Kullen, Benson, Costa, Hubbard, Mizeur, and Montgomery

AN ACT concerning

Maryland Medical Assistance Program – Community Choice Program Excluded Populations

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to exclude from the community choice program a certain population under certain circumstances; providing that the community choice program does not include certain adults under certain circumstances; and generally relating to excluded populations from the community choice program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–141(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–141(d) and (i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 797 – Delegate Frush

AN ACT concerning

Study of Health Care Services for Children with Life–Threatening Medical Conditions

FOR the purpose of requiring the State Advisory Council on Quality Care at the End of Life and the Maryland Health Care Commission to jointly undertake a certain study relating to services for children with life–threatening medical conditions; requiring the Council and the Commission to report the effect of certain programs that provide assistance for children with life–threatening medical conditions, analyze the impact of certain programs in other states, consult with certain persons, and make certain recommendations; requiring the Council and the Commission to report to the Governor and the General Assembly on or before a certain date; and generally relating to the study of health care services for children with life–threatening medical conditions.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 798 – Delegates Miller, Beitzel, Dwyer, Glassman, Impallaria, McComas, McConkey, McDonough, and Smigiel

AN ACT concerning

Business Regulation – Motor Fuel – Definition of Below Cost

FOR the purpose of altering the definition of “below cost” within the context of the sale of motor fuel; and generally relating to the sale of motor fuel.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–301(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 10–301(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 799 – Delegates Rosenberg, Haynes, and Holmes

AN ACT concerning

State Personnel – Compensatory Time for Mentoring Youth

FOR the purpose of providing that certain State employees may be entitled to earn compensatory time for mentoring youth in certain mentoring youth programs; establishing the maximum number of hours of compensatory time that an employee may earn for mentoring youth; requiring that the total value of compensatory time awarded for mentoring youth may not exceed a certain amount; authorizing an employee to mentor youth after obtaining approval from the employee's appointing authority; requiring the Secretary of Budget and Management to adopt certain regulations; providing for the application of this Act; providing for the termination of this Act; and generally relating to compensatory time for State employees mentoring youth.

BY adding to

Article – State Personnel and Pensions

Section 8–310

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 800 – Chair, Health and Government Operations Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

FOR the purpose of repealing the requirement that the Maryland Health Care Commission may not act on any matter unless a certain number of voting members in attendance concur; providing that a decision of the Commission shall be by a majority of the quorum present and voting; raising the amount of total fees that may be assessed by the Commission; providing that a majority of the full authorized membership of the Commission is a quorum to act on certain applications; altering the date by which the Commission shall provide a certain annual report; authorizing the Commission to compile certain data from certain facilities to be included in the medical care data base; altering certain requirements for the medical care data base related to information collected by the Health Services Cost Review Commission; repealing the requirement that the

Commission conduct a certain study; repealing the requirement that the Commission annually determine the full cost of certain mandated health insurance services in the State; altering the information to be reported to the General Assembly in a certain annual report on mandated health insurance services; requiring the Commission to include certain information on mandated health insurance services in a certain evaluation and in certain reports to the General Assembly; providing for a certain evaluation of the Commission and the statutes and regulations that relate to the Commission on or before a certain date; requiring the Commission to include certain information regarding the Limited Health Benefit Plan in a certain report to certain committees of the General Assembly; requiring the Commission to include certain information in a certain workload distribution study and to report to certain committees of the General Assembly on or before a certain date; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of certain recommendations related to certificate of need; requiring the Commission to include certain information on the Maryland Trauma Physician Services Fund in a certain report; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the collection and use of certain data; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of recommendations contained in a certain evaluation of the Commission; and generally relating to the program evaluation of the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–107(a), 19–111(c)(1), 19–126(d)(2), 19–130(e) and 19–133

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–126(d)(1) and (13) and 19–130(b)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–139

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–1501(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing
Article – Insurance
Section 15–1501(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1501(e) and (f) and 15–1502
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(27)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 287 of the Acts of the General Assembly of 2004
Section 4

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 801 – Delegate Malone

AN ACT concerning

Motor Vehicles – Certificate of Title – Rebuilt Salvage

FOR the purpose of requiring that a certificate of title to a vehicle contain a conspicuous notation that the vehicle is “rebuilt salvage” whenever an insurance company’s application for a salvage certificate for the vehicle contains a statement that the

cost to repair the vehicle for highway operation was equal to or less than the fair market value of the vehicle prior to the vehicle sustaining damage; and generally relating to salvaged vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–506(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–507
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 802 – Delegates Impallaria, Aumann, Boteler, Frank, Glassman, James, Jennings, Kach, McComas, McDonough, Riley, Stifler, and Weir

AN ACT concerning

Baltimore County and Harford County – Limitation of Condemnation Authority

FOR the purpose of prohibiting private property from being acquired in Baltimore County and Harford County by condemnation unless it is necessary for certain public uses; defining a certain term; and generally relating to the condemnation of private property in Baltimore County and Harford County.

BY adding to
Article – Real Property
Section 12–101.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 803 – Delegates Shank, McKee, Myers, and Weldon

AN ACT concerning

Crimes – Abduction of Children – Public Places

FOR the purpose of prohibiting a person from persuading or enticing, or aiding in persuading or enticing, a person under a certain age from a public place for purposes of prostitution or certain sex-related crimes; prohibiting a person from secreting or harboring or aiding in secreting or harboring a person under a certain age taken from a public place in a certain manner; and generally relating to abducting children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–305
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 804 – Delegates Haynes, DeBoy, Kirk, Malone, and Stukes

AN ACT concerning

Creation of a State Debt – St. Agnes HealthCare

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the proceeds to be used as a grant to the Board of Directors of St. Agnes HealthCare, 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 the matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 805 – Delegates Rosenberg, Carter, and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Mount Washington Outdoor Classroom

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 Mount Washington Elementary Parent Teachers Organization, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing

generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 806 – Delegates Rosenberg, Carter, Doory, Haynes, Kirk, and Oaks

AN ACT concerning

Creation of a State Debt – Baltimore City – Girl Scout Urban Program and Training Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$400,000, the proceeds to be used as a grant to the Board of Directors of Girl Scouts of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 807 – Delegates Conway, Barkley, Branch, DeBoy, Gaines, Kelly, Levy, McComas, and Wood

AN ACT concerning

Judgments – Appeals – Supersedeas Bond

FOR the purpose of limiting the amount of a supersedeas bond required to stay the enforcement of a judgment in certain actions under certain circumstances; providing for a certain exception; providing for the application of this Act; and generally relating to supersedeas bonds.

BY adding to

Article – Courts and Judicial Proceedings

Section 12–301.1

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 808 – Delegates Sophocleus, Barkley, Beidle, Benson, Cane, V. Claggett, DeBoy, Dumais, Dwyer, Elmore, George, Holmes, J. King, Kipke, Lee, Mathias,

McComas, McConkey, McDonough, McHale, Minnick, Niemann, O'Donnell, Rosenberg, Schuh, and Smigiel

AN ACT concerning

Criminal Law – Weapons – Place of Confinement

FOR the purpose of prohibiting a person detained or confined in a place of confinement from possessing a weapon.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–414
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 809 – Delegates Miller, Bartlett, Bates, Beitzel, Dwyer, Eckardt, Frank, George, Haddaway, Impallaria, Jennings, Kach, Kipke, McComas, McConkey, McDonough, McKee, O'Donnell, Schuh, Shank, Shewell, Smigiel, Sossi, and Wood

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Taxpayers' Bill of Rights

FOR the purpose of proposing an amendment to the Maryland Constitution that establishes a certain Bill of Rights for individual income taxpayers in the State; requiring certain voter approval for new State or local taxes, tax rate increases, and repeal of tax exemptions; imposing certain spending limits on the State; requiring that a certain Rainy Day Fund be maintained; requiring that certain revenues received in excess of certain estimates be transferred to a certain Rainy Day Fund; prohibiting use of the Rainy Day Fund except under certain circumstances; requiring that under certain circumstances certain balances in excess of certain amounts be returned to individual income taxpayers; prohibiting certain transfers from State special funds to the State General Fund; prohibiting appropriations from State special funds that supplant General Fund appropriations or that if not made would necessitate a State General Fund appropriation; prohibiting the State from imposing certain obligations on local units of government under certain circumstances; providing for the severability of certain provisions; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Declaration of Rights
Article 15A

Read the first time and referred to the Committee on Ways and Means.

House Bill 810 – Delegates Haddaway, Aumann, Benson, Cane, Eckardt, Elmore, Feldman, Frank, George, Impallaria, Jennings, Krebs, Krysiak, Kullen, Lee, Manno, McComas, McHale, Mizeur, Montgomery, O’Donnell, Robinson, Rudolph, Shank, Smigiel, Sossi, Stocksdale, F. Turner, Walkup, and Wood

AN ACT concerning

Creation of a State Debt – Rosie Parks Restoration Project

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 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; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 811 – Delegates Beitzel, Kelly, McKee, Myers, Shewell, Stocksdale, and Stull

AN ACT concerning

Environment – Outdoor Wood Burning Furnaces – Requirements

FOR the purpose of prohibiting the use of an outdoor wood burning furnace in a municipality; authorizing the use of an outdoor wood burning furnace outside of a municipality under certain circumstances; prohibiting certain individuals from bringing certain nuisance claims; requiring certain commercial sellers to notify certain buyers of the provisions of this Act; exempting certain individuals from certain provisions of this Act under certain circumstances; defining a certain term; and generally relating to outdoor wood burning furnaces.

BY adding to
Article – Environment

Section 2–108
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 812 – Delegate Hixson

AN ACT concerning

State Property Tax – Homestead Property Tax Assessment Cap Increase

FOR the purpose of altering the homestead property tax credit percentage for the State property tax; providing for the application of this Act; and generally relating to the homestead property tax credit and the State property tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(e)(2)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 813 – Delegates Rosenberg, Anderson, and Stukes

AN ACT concerning

Baltimore City – Property Tax Credit – Inclusionary Housing

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the county property tax imposed on mixed-income rental residential developments that offer affordable units and are owned by certain owners; authorizing the Mayor and City Council of Baltimore City to provide, by law, for eligibility criteria for the tax credit, the amount and duration of the tax credit, certain regulations and procedures, and any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to property tax credits for inclusionary housing in Baltimore City.

BY adding to
Article – Tax – Property
Section 9–304(g)
Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 814 – Delegates Conway, Cane, DeBoy, Eckardt, Elmore, Haddaway, Jones, Mathias, Sossi, and Walkup

AN ACT concerning

Creation of a State Debt – Caroline County – The Benedictine School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of the Benedictine School 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 815 – Delegates Rosenberg, Healey, and Ross

AN ACT concerning

Income Tax – Subtraction Modification for Adoption Expenses

FOR the purpose of altering certain limits on the amount of adoption expenses that are allowed as a subtraction modification under the Maryland income tax under certain circumstances; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain adoption expenses.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–208(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 816 – Delegates Bobo, Barve, Benson, Bronrott, Heller, Hubbard, Hucker, Kaiser, and Murphy

AN ACT concerning

Campaign Finance – Affiliated Business Entities – Attributions of Contributions

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–226(e)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 817 – Delegates Lawton, Waldstreicher, and Gutierrez

AN ACT concerning

Creation of a State Debt – Montgomery County – Wheaton Multi–Service Youth Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$975,000, the proceeds to be used as a grant to the Board of Directors of Victory Youth 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 818 – Delegates McDonough and Kipke

AN ACT concerning

Electricity Suppliers – Sale of Wholesale Electricity to Affiliated Companies and Disclosure of Rates

FOR the purpose of requiring certain electricity suppliers that are affiliated with an

electric company that operates in the State to offer to sell wholesale electricity to the electric company at the lowest best price that it sells electricity to certain other customers; authorizing the Public Service Commission to waive the obligation of a certain electricity supplier to offer to sell wholesale electricity to a certain electric company at the lowest best price if the Commission makes a certain determination under certain circumstances; requiring certain electricity suppliers to disclose to certain persons the rates of all electricity it sells to any customer; providing that existing obligations or contract rights may not be impaired by this Act; making the provisions of this Act severable; and generally relating to the disclosure of electricity rates by certain electricity suppliers and the sale of wholesale electricity to electric companies by affiliated electricity suppliers.

BY adding to

Article – Public Utility Companies

Section 7–510.1

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 819 – Delegates Barnes, Pena–Melnyk, and Frush

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Laurel Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 820 – Delegates Boteler and Kach

AN ACT concerning

Health Occupation Boards – Determination of Job Classifications and Grades for Staff

FOR the purpose of prohibiting the Secretary of Health and Mental Hygiene from determining certain job classifications and grades; establishing that certain staff hired after a certain date are in the executive service or management service or are special appointments; requiring certain health occupation boards to determine certain job classifications and grades for certain staff; requiring that the Department of Health and Mental Hygiene in conjunction with certain health occupation boards issue a request for proposals for an independent surveyor to conduct a certain survey on the salary, grades, recruitment, and retention of certain staff; providing that the purpose of a certain survey is to assist certain health occupation boards in determining certain job classifications and grades; requiring that a certain request for proposals specify certain information; requiring certain executive directors to review certain proposals and select a certain surveyor; requiring that a certain survey provide certain information; requiring that a certain cost be divided equally among certain health occupation boards; providing for a delayed effective date; and generally relating to the determination of job classifications and grades for staff by the health occupation boards.

BY adding to

Article – Health Occupations

Section 1–203(c) and 1–214

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 821 – Delegate Hixson

AN ACT concerning

Transportation – Tax Revenues

FOR the purpose of requiring the Comptroller to distribute certain sales and use tax collected on the sale of motor fuel to the Gasoline and Motor Vehicle Revenue Account of the Transportation Trust Fund; altering the motor fuel tax rates; 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; 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; altering the composition of the Gasoline and Motor Vehicle Revenue Account in the Transportation Trust Fund; providing for the payment of certain taxes on certain tax-paid motor fuel held as of a certain date; and generally relating to certain taxes and the distribution of certain tax revenues.

BY adding to

Article – Tax – General
Section 2–1302.2, 11–101(n–1), 11–408(d), and 11–409
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1303, 9–204, 9–214, 9–305, 11–208(c), 11–221(a), 11–601(b)(3), and
13–901(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 11–301 and 11–405
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 8–402
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 822 – Delegates Conway, Cane, Elmore, and Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – The Arrow Project of Maryland

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the

proceeds to be used as a grant to the Board of Directors of the Arrow Project of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 823 – Delegates Rosenberg and James

AN ACT concerning

Maryland Voluntary Employee Accounts Program

FOR the purpose of establishing the Maryland Voluntary Employee Accounts Program; requiring the State Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans to implement, maintain, and administer the Program and certain supplemental retirement plans for certain employees; requiring the Board of Trustees to submit certain information to certain employers and employees; authorizing the Board of Trustees to employ certain individuals; providing that certain individuals employed by the Board of Trustees are subject to certain provisions of the State Personnel and Pensions Article; providing for the method of payment of certain expenses incurred by the Board of Trustees as a result of administering the Program; establishing the fiduciary duties and responsibilities of certain individuals with certain authority or control over the Program or certain supplemental retirement plans; requiring the Governor to include certain funds in the State budget; authorizing certain assets to be deposited and invested in a certain manner; authorizing the Board of Trustees to establish certain supplemental retirement plans; providing for participation in a certain supplemental retirement plan; requiring the Board of Trustees to obtain certain approvals, rulings, opinions, and confirmations from certain federal authorities or agencies; making certain provisions of this Act contingent on receipt of certain approvals, rulings, opinions, and confirmations from certain federal authorities or agencies; defining certain terms; and generally relating to the Maryland Voluntary Employee Accounts Program.

BY adding to

Article – State Personnel and Pensions

Section 41–101 through 41–401 to be under the new title “Title 41. Maryland
Voluntary Employee Accounts Program”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 824 – Delegate Shank

AN ACT concerning

Civil Actions – Limitation of Actions – Land Surveyors

FOR the purpose of altering the time period after which a person may not seek damages incurred as a result of an error in a land survey; providing for the application of this Act; and generally relating to the limitation of actions against land surveyors.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–112
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 825 – Delegate Weldon

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a county on gross receipts derived from any admissions and amusement charge for any activities related to agricultural tourism; making a technical change; and generally relating to exemptions from the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 826 – Delegates Barve, Cardin, and Kach

AN ACT concerning

Elections – Presidential Primaries – Unaffiliated Voters

FOR the purpose of allowing a registered voter who has declined to affiliate with any political party to express a preference for a presidential candidate of any political party on the ballot in a presidential primary; providing that the expression of preference is unofficial and shall be reported separately from official election results; and generally relating to the expression of preference by unaffiliated voters in a presidential primary.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–502
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 827 – Delegates Conway, Aumann, Bates, Boteler, Bromwell, Cane, Eckardt, Elmore, Frank, Haddaway, Holmes, Kelly, Kramer, Kullen, Mathias, McKee, Miller, O'Donnell, Shank, Shewell, Sossi, Stull, and Weir

AN ACT concerning

Vehicle Laws – Right-of-Way – Penalties for Failure to Yield

FOR the purpose of establishing that, if a person is convicted of failing to yield the right-of-way in violation of certain provisions of law and the violation contributes to an accident that results in serious bodily injury to another, the person is subject to a certain fine and the Motor Vehicle Administration is required to suspend the person's license for a certain period of time; establishing the fine and period of license suspension to which a person is subject if the person is convicted of failing to yield the right-of-way in violation of certain provisions of law and the violation contributes to an accident that results in the death of another; providing that the penalties established under this Act are in addition to any other penalty provided by law; providing that a certain licensee may request a certain hearing; and generally relating to penalties for failure to yield the right-of-way.

BY adding to
Article – Transportation
Section 27–114
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 828 – Delegate Frank

AN ACT concerning

Maryland Flag Day

FOR the purpose of establishing Maryland Flag Day on a certain date each year; and generally relating to the Maryland State Flag.

BY adding to

Article – State Government

Section 13–406

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 829 – Delegates Benson, Barnes, Bobo, Burns, Cane, Costa, Davis, Gaines, Haynes, Healey, Holmes, Howard, Hubbard, Ivey, Nathan–Pulliam, Niemann, Pena–Melnik, Proctor, Ross, Stukes, Taylor, Vallario, Vaughn, and Walker

AN ACT concerning

Commercial Law – Consumer Protection – Wireless Telephone Consumer Protection Act

FOR the purpose of requiring wireless telephone service providers to provide a certain disclosure to certain customers and potential customers; specifying the contents of the disclosure; requiring a certain bill to include notice to customers of the terms on which and the time period during which service may be terminated by the customer without penalty; requiring providers to provide certain maps of their coverage area in the State and in each county; requiring wireless telephone service providers to file information on rates and charges with the Division of Consumer Protection of the Office of the Attorney General; establishing certain requirements for wireless telephone service bills; requiring wireless telephone service providers to give certain notice to customers under certain circumstances; requiring wireless telephone providers to provide customers with a certain trial period during which service can be terminated by the customer without incurring certain fees, charges, or penalties; limiting the liability of wireless telephone customers in the case of the loss or theft of wireless telephone equipment; authorizing the Division to adopt certain regulations; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is

subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to the protection of customers of wireless telephone service providers.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–3501 through 14–3506 to be under the new subtitle “Subtitle 35.
Wireless Telephone Consumer Protection Act”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 830 – Washington County Delegation

AN ACT concerning

Washington County – Board of Education – Regional Election Districts

FOR the purpose of establishing a Task Force to Study the Electoral Process for Members Serving on the Washington County Board of Education; specifying the membership of the Task Force; specifying the duties of the Task Force; providing for the staffing of the Task Force; providing that members of the Task Force may receive reimbursement for certain expenses; requiring the Task Force to hold a certain number of public hearings; requiring the Task Force to issue a certain report by a certain date to the Washington County Delegation and the Washington County Board of County Commissioners; providing for the termination of this Act; providing for the effective date of certain provisions of this Act; providing for the termination of this Act under certain circumstances; submitting this Act to a referendum of the legally qualified voters of Washington County; and generally relating to the Washington County Board of Education.

Read the first time and referred to the Committee on Ways and Means.

House Bill 831 – Delegates Hubbard, G. Clagett, and Jones

AN ACT concerning

Correctional Officers' Retirement System – Membership – Parole and Probation

FOR the purpose of providing certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services with membership in the Correctional Officers' Retirement System; requiring the Board of Trustees of the State Retirement and Pension System to transfer certain contributions to certain funds of the Correctional Officers' Retirement System; requiring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services to have a certain number of years of eligibility service to receive a normal service retirement allowance from the Correctional Officers' Retirement System; providing that certain provisions of law do not apply to certain transfers between the employees' systems and the Correctional Officers' Retirement System; and generally relating to transferring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services into the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–202, 25–401, and 37–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 25–207
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 29–410
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 832 – Delegates Anderson and Glenn

AN ACT concerning

Healthy Families and Healthy Workplaces Act

FOR the purpose of requiring an employer to provide paid sick leave to an employee

under certain circumstances; providing for the use of paid sick leave; requiring a certain employer to provide a certain amount of paid sick leave to an employee each year from the beginning of the employee's employment; requiring an employer to allow an employee to use certain paid sick leave beginning on a certain day; allowing an employer to require that an employee provide a certain notice; providing for a certain limitation; requiring a certain employer who uses certain paid sick leave for certain days to provide an employer with a certain certificate of illness or disability under certain circumstances; allowing an employee to accumulate certain paid sick leave; allowing an employee to carry over certain paid sick leave under certain circumstances; providing for the forfeiture of certain paid sick leave under certain circumstances; prohibiting an employer from taking certain actions against an employee under certain circumstances; requiring an employer to provide certain notification under certain circumstances; allowing that a certain employee may take a certain action; allowing an employee certain remedies under certain circumstances; allowing an employee to request that the Commissioner of Labor and Industry take certain actions against an employer under certain circumstances; limiting the time a certain action may be taken; allowing a court to award certain attorney's fees and costs under certain circumstances; allowing the Commissioner to bring a certain action; providing that a certain employer may be subject to a certain fine under certain circumstances; prohibiting an employer from disclosing certain information under certain circumstances; providing that certain provisions may not prohibit certain actions by employers; providing that the Commissioner adopt certain regulations; allowing the Commissioner to conduct a certain investigation under certain circumstances; defining a certain term; providing for the construction of this Act; and generally relating to paid sick leave for employees in the State.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 2–106(b) and 3–103
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 3–901 through 3–914 to be under the new subtitle “Subtitle 9. Sick Leave”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 833 – Delegate Hubbard

AN ACT concerning

Public Health – Phthalates and Bisphenol–A – Prohibitions – Toys, Child Care Articles, and Cosmetics

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain toys or child care articles containing bisphenol–A or certain phthalates; prohibiting the manufacture, sale, or distribution of cosmetics containing certain phthalates; requiring a person to use the least toxic alternative and prohibiting a person from using certain carcinogens or certain reproductive toxicants when complying with a certain provision of this Act; providing for a certain penalty; and generally relating to certain toys, child care articles, and cosmetics containing bisphenol–A or certain phthalates.

BY adding to

Article – Health – General

Section 24–304

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 834 – Delegates Sossi, Glassman, Boteler, Eckardt, Elmore, Frank, Haddaway, Jennings, Smigiel, and Walkup

AN ACT concerning

Task Force to Review the Property Tax Assessment Appeals Process

FOR the purpose of establishing a Task Force to Review the Property Tax Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; 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 be formed by a certain date; requiring that the Task Force issue a final report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review the Property Tax Assessment Appeals Process.

Read the first time and referred to the Committee on Ways and Means.

House Bill 835 – Delegates Rosenberg and Oaks

AN ACT concerning

Maryland Transit Authority Pension Plan – Transfer of Service Credit

FOR the purpose of providing that certain individuals who were members of the Employees' Retirement System and the State Contributory Employees' Pension System may transfer certain service credit to the Maryland Transit Authority Pension Plan in a certain manner; providing for a refund of certain member contributions under certain circumstances; requiring the transfer of certain employer contributions to the accumulation fund of the Maryland Transit Authority Pension Plan; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Maryland Transit Authority Pension Plan are not governed by certain provisions of law; defining a certain term; providing for the termination of this Act; and generally relating to the transfer of service credit to the Maryland Transit Authority Pension Plan.

Read the first time and referred to the Committee on Appropriations.

House Bill 836 – Delegates Montgomery, Bobo, Bronrott, Elmore, Glassman, Hubbard, Kaiser, N. King, Kramer, Lawton, Lee, Manno, Pendergrass, Ramirez, Riley, Rudolph, Shewell, F. Turner, and Waldstreicher

AN ACT concerning

Public Health – Lyme Disease – Public Awareness Campaign

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in collaboration with other State agencies, to establish and promote a certain public awareness campaign related to the prevention of Lyme disease and other tick-borne illnesses; providing for the components of the campaign; authorizing the Secretary to use certain resources to carry out the provisions of this Act; and generally relating to a public awareness campaign for Lyme disease.

BY adding to

Article – Health – General

Section 18–405

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 837 – Delegates McDonough, Impallaria, and Shewell

AN ACT concerning

Nursing Homes – Health Care Quality Disclosure Form – Requirements

FOR the purpose of requiring nursing homes to develop and make available to certain persons a certain Health Care Quality Disclosure Form; providing for the purpose of the form; requiring certain forms to be signed by certain persons; requiring a nursing home to create and maintain certain correspondence files; providing for the contents of certain files; requiring that certain information in certain records be deleted; requiring records in regulatory files to be unedited; providing that certain persons may view certain files at any time; requiring a nursing home to promptly comply with a request by a licensing authority to review certain files; requiring certain information to be entered into a certain database; requiring that certain information be deleted from certain information entered into a certain database; requiring a certain representative of a resident to be given a certain passcode to a certain database; defining a certain term; and generally relating to requirements for a Health Care Quality Disclosure Form in nursing homes.

BY renumbering

Article – Health – General
Section 19–1417
to be Section 19–1418
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 19–1417
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 838 – Delegates Ross, Barkley, Barnes, Bronrott, George, Heller, Hubbard, Hucker, Ivey, Kach, Kaiser, Levi, McDonough, Minnick, Niemann, Ramirez, Rice, Simmons, Stukes, Taylor, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Education – Character Education Fund

FOR the purpose of establishing the Character Education Fund; requiring the Governor to include a certain amount in the State budget each fiscal year for the Fund; establishing the grant eligibility requirements for the Fund; requiring the State

Department of Education to adopt criteria for approving character education programs, decide whether to approve a proposed character education program by certain dates, make certain grant awards to county boards of education with approved character education programs by certain dates and in certain amounts, host a certain conference annually, and establish certain reporting requirements; requiring the Department to report to the Governor and the General Assembly on or before certain dates; expressing the intent of the General Assembly that the Department host a certain conference at a certain time; defining a certain term; and generally relating to the Character Education Fund.

BY adding to

Article – Education

Section 7–426

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 839 – Delegates Hammen, Ali, Barnes, Barve, Bromwell, Conaway, Guzzone, Hucker, Kaiser, Lafferty, Mizeur, Morhaim, Niemann, Olszewski, Rice, Rosenberg, Schuler, and Walker

AN ACT concerning

Environment – Recycling – Bottle Deposits, Returns, and Refunds

FOR the purpose of requiring bottle deposits, returns, and refunds on certain beverage containers; requiring a certain person to pay a refund under certain circumstances; requiring a certain label for certain beverage containers; requiring the State to pay a handling fee and refund value to a redemption center under certain circumstances; providing for the duties of a certain person that accepts certain containers from consumers; prohibiting a certain person from redeeming certain containers unless a certain deposit was made; authorizing a redemption center to refuse payment for bottles returned under certain circumstances; requiring counties in the State to open at least one redemption center; authorizing certain persons to apply to be redemption centers; requiring redemption centers to be certified by the Department of the Environment; requiring the Department to maintain a certain list for public information; authorizing the Department to withdraw certification of a redemption center under certain circumstances; requiring certain persons to establish a certain account; requiring certain persons to file reports containing certain information with the Comptroller and the Department; altering the circumstances under which the State Recycling Trust Fund receives and grants moneys; repealing a certain provision that requires certain moneys from the State Recycling Trust Fund to revert to the General Fund;

requiring the Department to adopt regulations to implement the provisions of this Act by a certain date; establishing certain civil penalties for certain violations of this Act; defining certain terms; and generally relating to recycling and bottle deposits, returns, and refunds.

BY renumbering

Article – Environment

The part designation “Part III. Composting” immediately preceding Section 9–1721 to be the part designation “Part IV. Composting”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1707(f)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY adding to

Article – Environment

Section 9–1711 through 9–1720 to be under the new part “Part III. Bottle Deposit, Return, and Refund”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 840 – Delegates Haynes, Heller, Jones, and Robinson

AN ACT concerning

Correctional Officers’ Retirement System – Membership

FOR the purpose of altering the membership of the Correctional Officers’ Retirement System; providing that certain members of the Correctional Officers’ Retirement System may receive a normal service retirement or a deferred vested retirement allowance under certain circumstances; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers’ Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees’ Retirement and Pension Systems and the Correctional Officers’ Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers’ Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 841 – Delegates Boteler, Ali, Aumann, Bates, Beitzel, Frank, George, Impallaria, Kach, Krebs, McConkey, McDonough, McKee, Miller, Montgomery, Riley, Schuler, Shewell, Sossi, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Real Property – Eminent Domain – Limitation on Condemnation Authority

FOR the purpose of limiting the condemnation of private property for certain purposes; requiring a certain condemner that does not use and wants to sell certain condemned property to first offer the property at a certain price to the condemnee or the condemnee's heirs or assignees; establishing that the condemnee or the condemnee's heirs or assignees have the right to repurchase the condemned property within a certain period of time; authorizing the condemner to sell the property to any other person if the offer is not accepted; defining a certain term; making stylistic changes; and generally relating to the condemnation of private property.

BY adding to
Article – Real Property
Section 12–101 and 12–101.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–101 and 12–108
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 842 – Delegates Boteler, Aumann, Bates, Beitzel, Frank, George, Impallaria, Kach, Krebs, McConkey, McDonough, McKee, Miller, Riley, Schuler, Shewell, Sossi, Stifler, Stocksdale, Stull, and Weir

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Real Property – Eminent Domain – Limitations on Condemnation Authority

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property to public uses under certain circumstances; requiring certain enactments relating to the taking of private property to include a requirement for the issuance of a certain statement; repealing the authority of a county or municipal corporation to condemn property for urban renewal projects; defining a certain term; generally relating to the authority for private property to be taken by eminent domain; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40, 40A, 40B, 40C, and 61

BY proposing an amendment to the Maryland Constitution
Article XI–B – City of Baltimore – Land Development and Redevelopment
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–C – Off–Street Parking
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–D – Port Development
Section 1

Read the first time and referred to the Committee on Environmental Matters.

House Bill 843 – Delegates Haynes, Aumann, DeBoy, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – The Walters Art Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Trustees of the Walters Art Gallery for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the

loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 844 – Chair, Health and Government Operations Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

FOR the purpose of requiring the Health Services Cost Review Commission to include certain items in its annual report to the Governor and the General Assembly; authorizing the Secretary of Health and Mental Hygiene to assess a certain administrative charge; authorizing the Commission to use money from certain user fees to pay certain administrative costs; increasing the total amount of user fees that the Commission may assess; requiring the Board of the Maryland Health Insurance Plan to submit a certain report on or before a certain date each year; requiring that an evaluation under the Maryland Program Evaluation Act of the State Health Services Cost Review Commission be prepared on or before a certain date; requiring the Department of Health and Mental Hygiene, in consultation with the Commission, to conduct a certain assessment of Medicaid hospital day limits and report on its findings to certain committees of the General Assembly on or before a certain date; requiring the Commission, in consultation with the Maryland Hospital Association, to study certain alternatives to the annual update factor as a restriction on the budget of the Commission and report on its findings to certain committees of the General Assembly on or before a certain date; requiring the Commission to submit certain reports to certain committees of the General Assembly on or before certain dates; requiring the Commission, the Maryland Health Care Commission, and the Community Health Resources Commission to study certain items and report on their findings to certain committees of the General Assembly on or before a certain date; and generally relating to the Health Services Cost Review Commission and hospital financing.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–207(b)(6), 19–208(b), and 19–213(c)(1) and (3) and (d)(8)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–213(d)(1)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–503(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(28)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 845 – Delegate Simmons

AN ACT concerning

Mortgage Lenders – Final Mortgage Payment – Notice to Borrower

FOR the purpose of requiring certain mortgage lenders that receive payments from a borrower on a mortgage loan that includes escrowed items to send a certain notice to the borrower at a certain time; requiring the notice to be in writing and sent in a certain manner; defining certain terms; and generally relating to notices mortgage lenders are required to send to borrowers.

BY adding to
Article – Commercial Law
Section 12–109.3 and 12–1026.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 846 – Delegate Simmons

AN ACT concerning

Sales and Use Tax – Rate – Education Trust Fund

FOR the purpose of altering the rate of the sales and use tax; establishing an Education Trust Fund; requiring certain distributions from the sales and use tax revenue to the Education Trust Fund to be used for a certain purpose; and generally relating to altering the rate of the sales and use tax and distributing certain sales and use tax revenue for certain education funding.

BY adding to

Article – Education
Section 5–201.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Tax – General
Section 2–1302.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1303 and 11–104(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 847 – Delegate Bromwell

AN ACT concerning

**Discount Medical Plan Organizations and Discount Drug Plan
Organizations – Registration and Regulation**

FOR the purpose of providing for the regulation by the Maryland Insurance Commissioner of certain discount medical plan organizations and discount drug plan organizations; requiring the registration of certain entities as discount medical plan organizations or discount drug plan organizations; providing for the application and renewal process for registration; authorizing the Commissioner to deny a registration or refuse to renew, suspend, or revoke a registration under

certain circumstances; prohibiting certain actions by a discount medical plan organization and discount drug plan organization; requiring certain disclosures to be made by discount medical plan organizations and discount drug plan organizations; requiring certain reimbursement if membership in a discount medical plan or discount drug plan is canceled under certain circumstances; requiring the Commissioner, in consultation with the Office of the Attorney General, to adopt regulations that establish standards for determining a certain fee; requiring that certain information appear on certain discount cards; authorizing the examination of discount medical plan organizations and discount drug plan organizations under certain circumstances; authorizing the Commissioner to take certain actions to enforce certain provisions of law; providing for certain penalties; providing for the payment of the examinations; requiring an insurer, nonprofit health service plan, health maintenance organization, or dental plan organization to meet certain requirements; requiring the Commissioner to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to discount medical plan organizations and discount drug plan organizations.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 2–208
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance
Section 14–601 through 14–612 to be under the new subtitle “Subtitle 6. Discount Medical Plan Organizations and Discount Drug Plan Organizations”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 848 – Delegate Bromwell

AN ACT concerning

Health Insurance – Clean Claims

FOR the purpose of requiring insurers, nonprofit health service plans, and health maintenance organizations to mail or transmit in a certain manner payment for certain claims for reimbursement, or to send certain notice of receipt and status of the claim, to the person that filed the claim; and generally relating to clean claims for reimbursement under health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1005
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 849 – Delegate Bohanan

AN ACT concerning

Patient Referrals – Group Practice – Radiology Services

FOR the purpose of authorizing a multispecialty group practice located in a rural area to provide certain radiology services as in-office ancillary services; including a limited liability company in the definition of a “group practice”; and generally relating to patient referrals for radiology services.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–301
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 850 – Delegates Hammen, Oaks, Ross, and Tarrant

AN ACT concerning

Alcohol and Drug Abuse Administration – State Drug and Alcohol Abuse Council

FOR the purpose of requiring the Alcohol and Drug Abuse Administration to conduct a certain needs assessment; requiring the Administration to submit the needs assessment to the State Drug and Alcohol Abuse Council; establishing the State

Drug and Alcohol Abuse Council in the Office of the Governor; providing for the membership of the Council; requiring the Governor to designate the chair of the Council; providing for the terms of the members of the Council; specifying the terms of the initial members of the Council; authorizing members of the Council to receive a certain reimbursement; providing that a majority of the voting members of the Council is a quorum; authorizing the Council to adopt certain procedures and consult with State agencies; authorizing the chair to designate certain individuals to serve on a committee or task force of the Council; requiring the Council to meet at a least four times a year; providing for the purpose and duties of the Council; requiring the Office of the Governor to designate staff for the Council; and generally relating to the Alcohol and Drug Abuse Administration and the State Drug and Alcohol Abuse Council.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8–204
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 8–6D–01 through 8–6D–06 to be under the new subtitle “Subtitle 6D.
State Drug and Alcohol Abuse Council”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 851 – Delegates Kaiser, Barkley, Bobo, Gutierrez, Healey, Hubbard, Lee, Manno, Mizeur, Montgomery, Ross, Shewell, Sophocleus, Sossi, and Walkup

AN ACT concerning

Income Tax – Earned Income Credit – Amount

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a credit against the State income tax; and generally relating to the amount an individual may claim as a credit against the State income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 852 – Delegates Boteler, Aumann, Frank, Stocksdale, and Weir

AN ACT concerning

Alcoholic Beverages – Licensees and Permit Holders – Age Requirement

FOR the purpose of requiring that an individual who applies for an alcoholic beverages permit or a license shall be at least 21 years old before the permit or license may be issued; providing for certain exceptions; applying the requirement to individuals who apply for licenses on their own behalf or for another person; making certain stylistic changes; providing for the application of this Act; and generally relating to holders of alcoholic beverages permits or licenses.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 2–101(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(a–1) and 10–103(a–1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–101(a) and 10–102

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 853 – Delegates Boteler, Bates, George, Impallaria, Kach, Krebs, McConkey, McKee, Miller, Shewell, Sossi, Stifler, Stull, and Weir

AN ACT concerning

Family Education Tax Credit Program

FOR the purpose of allowing an individual to claim a credit against the State income tax for the costs of paying certain tuition, fees, and other educational expenses of certain qualifying students; making the credit refundable under certain circumstances; allowing the parent of certain qualifying students to assign the tax credit to a qualifying school under certain circumstances; allowing an individual or a corporation a credit against the State income tax for certain contributions to certain scholarship granting organizations, subject to certain limitations; providing for the carryover of certain unused credit under certain circumstances; requiring certain scholarship granting organizations to take certain actions to be eligible for certain donations for which a tax credit may be claimed; requiring the Comptroller to administer the Family Education Tax Credit Program; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the Family Education Tax Credit Program.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 854 – Delegates Boteler, Aumann, Beitzel, Frank, Jennings, McConkey, Riley, and Weir

AN ACT concerning

Property Tax – Homeowners’ Property Tax Credit – Income Limitations

FOR the purpose of altering the definition of “gross income” under the homeowners’ property tax credit to exclude benefits under the Social Security Act and the Railroad Retirement Act; providing for the application of this Act; and generally relating to the homeowners’ property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–104(a)(1) and (3) and (g)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–104(a)(8)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 855 – Delegates Boteler, Impallaria, Kach, McKee, Niemann, Shewell, Sossi, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Vehicle Laws – Title Service Agents – Fees

FOR the purpose of requiring the Motor Vehicle Administration to refuse to issue a certificate of title for a vehicle or to register or transfer the registration of a vehicle if the vehicle's owner fails to pay a required fee to a licensed title service agent under certain circumstances; requiring a title service agent, under certain circumstances, to provide certain notice to a motor vehicle owner regarding failure to pay a certain fee; directing the Administration to flag the records relating to a motor vehicle if the vehicle's owner fails to pay a certain fee; directing the Administration to impose flag fees on a vehicle owner who fails to pay a title service agent for services rendered; providing for the application of this Act; and generally relating to fees and title service agents.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–110 and 13–406
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 15–608
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 856 – Delegates Boteler, Beitzel, Impallaria, Kach, McKee, Miller, Niemann, Riley, Shewell, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer

FOR the purpose of providing that, under certain circumstances, a spouse may continue using on a certain vehicle certain special registration plates for armed forces veterans and recipients of certain armed forces medals after a transfer of title or ownership interest in the vehicle; and generally relating to the use of special registration plates for veterans.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–619.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 857 – Delegates Boteler, Aumann, Beitzel, Frank, George, Impallaria, Kach, Krebs, McConkey, McDonough, McKee, Stocksdale, and Weir

AN ACT concerning

Income Tax – Credit for Educational Materials – Home Instruction Program

FOR the purpose of allowing certain individuals to claim a credit against the State income tax up to a certain amount for certain educational materials purchased for use in a home instruction program; providing that the credit may not exceed the State income tax for that taxable year and that any unused credit for a taxable year may not be carried over to any other taxable year; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain educational materials purchased for use in a home instruction program.

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 858 – Delegates Boteler, Beitzel, Kach, Shewell, Stocksdale, Stull, and Weir

AN ACT concerning

Energy Companies – Net Energy Metering

FOR the purpose of removing a certain limitation on the number of eligible customer–generators that may enter into a net energy metering contract or tariff; requiring a certain net energy metering contract or tariff to require a certain electric company to purchase all excess energy generated by a certain customer–generator during each monthly cycle; repealing a limitation on the period of time that a certain customer–generator may accrue certain generation credit; repealing a limitation on the time that a certain electric company shall carry forward a certain generation credit or negative kilowatt–hour reading; requiring the amount of generation credit that a certain electric company credits to a certain customer–generator to be at a certain rate; requiring certain generation credit to appear on a customer–generator’s bill in a dollar amount; requiring a certain electric company to reimburse a certain customer–generator for the amount of a certain generation credit under certain circumstances; and generally relating to net–energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 859 – Delegates Burns, Haynes, Kirk, Nathan–Pulliam, Simmons, Taylor, and Vallario

AN ACT concerning

Public Schools – Program of Instruction – Civil Rights

FOR the purpose of authorizing the State Board of Education to make civil rights education a part of the elementary and secondary program of instruction in public schools; and generally relating to teaching civil rights in public schools.

BY repealing and reenacting, without amendments,
Article – Education
Section 2–205(a), (b), and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education

Section 2–205(h)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 860 – Delegates Glenn, Anderson, Beidle, Braveboy, Conaway, Dumais, Gaines, Gutierrez, Harrison, Haynes, Hecht, Hucker, James, Kaiser, Krysiak, Lafferty, Lee, McKee, Nathan–Pulliam, Oaks, Robinson, Rosenberg, Smigiel, and Weldon

AN ACT concerning

Criminal Law – Third Degree Sexual Offense – Person in a Position of Authority

FOR the purpose of repealing a certain statute of limitations for the prosecution of a certain misdemeanor; expanding the offense of sexual offense in the third degree to prohibit a certain person in a position of authority from engaging in sexual contact, a sexual act, or vaginal intercourse with a certain person under a certain age under certain circumstances; establishing that a certain penalty applies to a certain offense; repealing certain provisions making the prohibition on a certain person in a position of authority from engaging in sexual contact, a sexual act, or vaginal intercourse with a certain person under a certain age under certain circumstances a sexual offense in the fourth degree; defining a certain term; repealing a certain definition; making certain conforming changes; and generally relating to a sexual offense involving a person in a position of authority and a person under a certain age under certain circumstances.

BY repealing

Article – Courts and Judicial Proceedings
Section 5–106(aa)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–307 and 3–308
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 861 – Delegates Glenn, Conaway, Dumais, Harrison, Hucker, Lee, McIntosh, Robinson, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Zion Christian Middle School

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 Zion Christian Middle 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; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 862 – Delegates Glenn, Anderson, Conaway, Dumais, Hucker, Lee, McIntosh, Nathan–Pulliam, Riley, Robinson, Stukes, and Tarrant

AN ACT concerning

Economic and Community Development – Community Technology Centers

FOR the purpose of establishing the Community Technology Center Program in the Department of Business and Economic Development to provide grants to certain nonprofit organizations for the development of information technology training and support in certain communities; establishing eligibility criteria for grant recipients; establishing a limit on the grant amount; requiring the Department to adopt regulations to carry out the Program; requiring the Department to submit a certain report to the Senate Finance Committee and the House Economic Matters Committee on or before a certain date; establishing the intent of the General Assembly regarding funding for the Program; defining a certain term; and generally relating to the Community Technology Center Program.

BY adding to

Article 83A – Department of Business and Economic Development

Section 6–1001 through 6–1005 to be under the new subtitle “Subtitle 10.
Community Technology Center Program”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 863 – Delegates Bronrott, Morhaim, and Barve

AN ACT concerning

Proposed Capital Projects – Planning – High Performance Buildings

FOR the purpose of requiring certain buildings to be high performance buildings unless a unit of State government obtains a waiver from the Department of Budget and Management; requiring the Department to establish a waiver process on or before a certain date; providing for the minimum requirements of the waiver process; and generally relating to the planning and design of high performance buildings in proposed capital projects.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 864 – Delegates Benson, Anderson, Bobo, Braveboy, Burns, Conaway, Davis, Gilchrist, Glenn, Holmes, Howard, Jones, Kirk, Lawton, Montgomery, Nathan–Pulliam, Niemann, Oaks, Rosenberg, Stukes, Vaughn, and Weir

AN ACT concerning

Equal Employment Opportunity Office – Independent Unit

FOR the purpose of making the Equal Employment Opportunity Office an independent unit; clarifying that the Equal Employment Opportunity Coordinator, rather than the Secretary of Budget and Management, shall administer the Office; requiring the head of each principal unit to authorize the unit's Office of Fair Practices, or otherwise named counterparts, to submit a certain budget to the principal unit for certain funding; clarifying that the Office of the Governor, rather than the Department of Budget and Management, shall provide training, assistance, and advice for equal employment opportunity officers and fair practices officers; requiring the members of the Joint Committee on Fair Practices to be appointed by a certain date following each gubernatorial election; requiring the Joint Committee

to make certain recommendations to the Governor and the General Assembly in a certain manner; providing that the Joint Committee shall study how to eliminate certain employment disparities; creating an Equal Opportunity Advisory Board; providing for the membership and purpose of the Board; requiring the Board to meet a certain number of times per year; requiring the Board to make certain reports to the Governor and the General Assembly; and generally relating to the Equal Employment Opportunity Office.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 5–201, 5–202, 5–204, 5–205, 5–206, 5–207, and 5–213 to be under the amended subtitle, “Subtitle 2. Equal Employment Opportunity Office in the Executive Branch of State Government”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 5–216

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 347 of the Acts of the General Assembly of 1996

Section 7 1.

Read the first time and referred to the Committee on Appropriations.

House Bill 865 – Delegates Haddaway, Eckardt, Aumann, Cane, Conway, Elliott, Elmore, Frank, Jennings, Krebs, Mathias, Rudolph, Shewell, Smigiel, Sossi, Stocksdale, and Walkup

AN ACT concerning

Milk Products – Farmstead Cheese Production – Pilot Study

FOR the purpose of establishing a milk processor – farmstead cheese producer permit; authorizing the holder of a milk processor – farmstead cheese producer permit to perform certain functions and to produce farmstead cheese; requiring the Department of Health and Mental Hygiene to issue only a certain number of milk processor – farmstead cheese producer permits; establishing certain qualifications for a certain milk processor – farmstead cheese producer permit; providing for the expiration date of a milk processor – farmstead cheese producer permit; exempting

the sale of farmstead cheese from a certain prohibition on the sale of raw milk; defining a certain term; providing for the termination of this Act; and generally relating to a pilot study for the production of farmstead cheese.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–401, 21–410, 21–413, 21–416, 21–417, and 21–434

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 21–416.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 866 – Delegate McComas

AN ACT concerning

Alternate Contributory Pension Selection – Participation

FOR the purpose of providing that certain retirees of the Employees’ Pension System or the Teachers’ Pension System who retired during a certain period of time shall receive a retirement allowance based on a certain alternate contributory pension selection and certain retroactive payments; and generally relating to participation in the alternate contributory pension selection of the Employees’ Pension System and the Teachers’ Pension System.

Read the first time and referred to the Committee on Appropriations.

House Bill 867 – Delegates McComas, Impallaria, McDonough, Riley, Stull, and Weir

AN ACT concerning

Gaming – Slot Machines – Ownership and Operation by Eligible Nonprofit Organizations

FOR the purpose of making provisions that authorize eligible organizations to own or operate slot machines applicable statewide; altering the definition of “eligible organization” to make it applicable to a nonprofit organization that has been located in the State for a certain number of years before the organization applies

for a license; increasing the number of slot machines that an eligible organization may own; and generally relating to slot machine ownership and operation by eligible nonprofit organizations.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 868 – Delegates Haynes, Anderson, Aumann, Bronrott, Carter, Conaway, DeBoy, Doory, Frank, Glenn, Hucker, James, Kirk, Krysiak, McHale, Montgomery, Oaks, Rice, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

Maryland Transit Administration – Public Hearings

FOR the purpose of requiring, except under certain circumstances, the Maryland Transit Administration to hold a public hearing before changing a bus or rail route alignment or bus stop location; requiring the Administration to hold a public hearing before establishing or abandoning a rail transit station; limiting the time period during which the Administration may implement a policy change on certain matters; establishing notice requirements that must be met for a public hearing on certain matters before the Administration may implement policy changes on those matters; requiring a public hearing to be at a certain location and time; requiring the People’s Counsel to the Public Service Commission to appear at certain hearings called by the Administration; making a stylistic change; and generally relating to public hearings held by the Maryland Transit Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–506
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 869 – Delegates Rosenberg and Hubbard

AN ACT concerning

Court-Ordered Drug and Alcohol Treatment – Aftercare Planning

FOR the purpose of requiring certain individuals to prepare a certain aftercare plan under certain circumstances; requiring the aftercare plan to be prepared in collaboration with certain programs and agencies and with a certain individual; providing for the information to be included in the aftercare plan; requiring the Secretary of Health and Mental Hygiene to conduct a certain review of certain aftercare plans; requiring the Secretary to designate an existing Department employee to coordinate with certain programs and services; requiring an individual or a certain representative of an individual, who does not consent to a certain aftercare plan to sign a certain statement; requiring the staff of certain facilities to provide certain assistance in applying for certain benefits; requiring the Department of Health and Mental Hygiene, in collaboration with certain State agencies, to develop a certain funding mechanism and to report to certain committees of the General Assembly on or before a certain date; defining a certain term; and generally relating to aftercare planning for individuals who have received court-ordered drug and alcohol treatment.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 8-507
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 870 – Delegate Hubbard

AN ACT concerning

Procurement – Diesel-Powered Nonroad Vehicles – Fuel and Technology Requirements

FOR the purpose of requiring on or after a certain date that certain diesel-powered nonroad vehicles be powered by ultra-low sulfur diesel fuel; requiring on or after a certain date that a solicitation for a public work contract and a contract entered into as a result of the solicitation include a requirement to use ultra-low sulfur diesel fuel; providing for an alternative if ultra-low sulfur diesel fuel is not available; providing for certain exceptions to this Act; providing for certain exceptions to the requirement to use ultra-low sulfur diesel fuel; requiring on or after a certain date that certain diesel-powered nonroad vehicles utilize the best available technology for reducing the emission of pollutants; requiring on or after certain dates that solicitations for certain public work contracts and contracts entered into as a result of the solicitations include a requirement to use the best

available technology for reducing the emission of pollutants; requiring the Secretary of the Environment to make a determination of the best available technology for reducing the emission of pollutants for each type of diesel-powered nonroad vehicle, listing factors on which the determination shall be made, and requiring the Secretary to publish a list containing the determinations; providing for certain exceptions to the requirement to use the best available technology for reducing the emission of pollutants; requiring on or before a certain date that the Secretary submit a certain report to the General Assembly that includes certain information; prohibiting a unit from entering into a certain public work contract unless the contract authorizes certain independent monitoring; providing for certain penalties for certain violations by a contractor; prohibiting this Act from being construed to limit a unit's authority to take certain actions; defining certain terms; making the provisions of this Act severable; and generally relating to fuel and technology requirements for diesel-powered nonroad vehicles.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 14–601 through 14–609 to be under the new subtitle “Subtitle 6. Fuel and
Technology Requirements in Diesel-Powered Nonroad Vehicles”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 871 – Delegates McComas, Anderson, Bartlett, Burns, Costa, DeBoy, Dwyer, Eckardt, Elliott, Frank, George, Haddaway, McConkey, Myers, Oaks, Shewell, Smigiel, Sossi, Stocksdale, Taylor, Walkup, and Wood

AN ACT concerning

Human Hybridization Prohibition Act of 2007

FOR the purpose of prohibiting a person from performing certain acts that result in the creation of an embryo with a predominantly or partially human genetic constitution; prohibiting a person from soliciting or knowingly creating or acquiring certain organisms, tissue, or cells; establishing certain criminal

penalties; defining certain terms; and generally relating to prohibiting hybridization of humans and nonhumans.

BY adding to

Article – Criminal Law

Section 10–801 through 10–803 to be under the new subtitle “Subtitle 8. Human Hybridization Prohibition Act”

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 872 – Delegates McComas, Eckardt, Frank, Haddaway, and Kach

AN ACT concerning

Retrieval of Oocytes – Prohibition

FOR the purpose of authorizing certain persons to donate oocytes subject to certain limitations; prohibiting certain persons from performing oocyte retrieval in order to collect oocytes to be used or donated for certain purposes; providing for certain penalties for offering, soliciting, retrieving, or otherwise encouraging certain persons to donate oocytes; providing that certain violations shall be grounds for the denial of any license, permit, certification, or any other form of permission required to practice certain occupations in the State; defining a certain term; and generally relating to a prohibition against the retrieval of oocytes for research purposes.

BY adding to

Article – Health – General

Section 20–1301 to be under the new subtitle “Subtitle 13. Donation of Oocytes”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 873 – Delegates McComas, Anderson, Bates, Burns, Eckardt, Frank, Haddaway, Kach, Myers, Oaks, Robinson, Sophocleus, and Wood

AN ACT concerning

Health – Donations – Oocytes

FOR the purpose of authorizing certain individuals to donate oocytes under certain

circumstances; making certain medical histories available to certain children and certain parents or guardians; requiring certain consent for certain donations indicating certain acceptance; prohibiting certain compensation for certain donations; authorizing certain reimbursement for certain expenses related to certain donations; providing for certain penalties for certain compensation of certain persons under certain circumstances; defining a certain term; and generally relating to the donation of oocytes.

BY adding to

Article – Health – General

Section 20–1301 to be under the new subtitle “Subtitle 13. Donation of Oocytes”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 874 – Delegates Haynes, Anderson, Aumann, Bobo, Carter, Conaway, DeBoy, Doory, Frank, Glenn, Hucker, James, Kirk, Krysiak, Lafferty, McHale, Rosenberg, Shewell, Stukes, and Tarrant

AN ACT concerning

**Maryland Transit Administration – Baltimore Metropolitan Transit District
Advisory Council**

FOR the purpose of establishing the Baltimore Metropolitan Transit District Advisory Council; requiring the Advisory Council to study, investigate, monitor, and make recommendations to the Maryland Transit Administration with respect to bus and rail transit in the Baltimore Metropolitan Transit District; providing for the membership, terms, chair, and staff of the Advisory Council; requiring State and local agencies to comply with certain requests of the Advisory Council; providing for reimbursement for the expenses of a member of the Advisory Council; defining a certain term; and generally relating to the establishment of the Baltimore Metropolitan Transit District Advisory Council.

BY adding to

Article – Transportation

Section 7–309

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 875 – Delegates Lawton, Ali, Barkley, Barnes, Benson, Bronrott, Elmore, Frush, Gaines, Gilchrist, Gutierrez, Holmes, Hubbard, Hucker, Ivey, Kaiser, N. King, Lee, Levi, Love, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Rice, Ross, Shank, Simmons, Sossi, Stein, Stifler, Stull, Waldstreicher, and Weldon

AN ACT concerning

Local Government – Street Lighting Equipment

FOR the purpose of authorizing a local government to purchase certain street lighting equipment from an electric company; requiring a local government to pay fair market value for the purchase of certain street lighting equipment; providing that a local government that purchases certain street lighting equipment is responsible for the maintenance of the street lighting equipment and may contract with an outside entity for the maintenance of the street lighting equipment; requiring a person that controls the right to use space on certain poles, lampposts, or other mounting surfaces to allow a certain local government to assume the rights and obligations of an electric company under certain circumstances; prohibiting a local government from restricting or prohibiting universal access for electricity or any other service under certain circumstances; providing that certain provisions of law regarding high voltage lines do not apply to the maintenance of street lighting equipment under certain circumstances; defining a certain term; and generally relating to street lighting equipment.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 5–101 to be under the new title “Title 5. Street Lighting Equipment”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 6–102
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 876 – Delegates Lawton, Dumais, Ali, Barkley, Beidle, Bronrott, Dwyer, Frank, Frush, Gilchrist, Gutierrez, Healey, Hecht, Hixson, Hucker, James, Kaiser, Kelly, N. King, Kullen, Lee, Love, Manno, McComas, McConkey, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ramirez, Ross, Shank, Shewell, Simmons, Stein, Tarrant, Valderrama, and Waldstreicher

AN ACT concerning

Human Trafficking and Involuntary Servitude

FOR the purpose of prohibiting a person from knowingly soliciting or attempting to solicit another person for prostitution, a sexually explicit performance, labor, or services by certain means; prohibiting a person from knowingly soliciting or attempting to solicit a minor for prostitution or a sexually explicit performance; establishing certain penalties; establishing that a business entity that knowingly aids or participates in a certain violation is subject to certain penalties; defining certain terms; and generally relating to trafficking of persons and involuntary servitude.

BY adding to

Article – Business Occupations and Professions
Section 1–209
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation
Section 1–211
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–324
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law
Section 3–1001 and 3–1002 to be under the new subtitle “Subtitle 10. Trafficking of Persons and Involuntary Servitude”
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 877 – Delegates Impallaria, Boteler, Costa, Elmore, Kach, J. King, Kipke, McDonough, and Smigiel

AN ACT concerning

Vehicle Laws – Issuance of Driver’s Licenses – Driving Records

FOR the purpose of requiring an applicant for a driver’s license who was previously licensed to drive in another jurisdiction to provide the Motor Vehicle Administration with a copy of the applicant’s driving record from the other jurisdiction; exempting an applicant for a driver’s license who was previously licensed to drive in another jurisdiction from the requirement to provide the applicant’s driving record from the other jurisdiction under certain circumstances; clarifying language; defining a certain term; and generally relating to the issuance of driver’s licenses to individuals previously licensed to drive in another jurisdiction.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–106(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 878 – Delegates Taylor, Anderson, Benson, Burns, Conaway, Davis, Glenn, Haynes, Holmes, Howard, Kirk, Manno, Oaks, Rice, Stukes, Tarrant, and Vaughn

AN ACT concerning

Procurement – Commercial Nondiscrimination Policy – Modifications

FOR the purpose of requiring the staff of the Maryland Commission on Human Relations to review certain complaints and make certain determinations; altering the responsibilities of the Commission and Commission staff; requiring the Commission to protect certain confidential information; altering the standard for certain findings made by Commission staff; altering the procedures to obtain a contested case hearing; requiring certain parties in a contested case hearing to provide notice on all other parties; providing the Commission with the discretion to designate the venue for a contested case hearing; authorizing an administrative law judge to affirm or reject all or part of a statement of charges; altering the scope of evidence that an administrative law judge may consider in a contested case hearing; requiring all false or frivolous allegations to be knowingly false or frivolous; authorizing the Commission to adopt certain regulations; altering certain terms; defining certain terms; making technical changes; making stylistic changes; and generally relating to the Maryland Commission on Human Relations and the Commercial Nondiscrimination Policy.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19–103, 19–106 through 19–110, 19–116, and 19–119
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 879 – Delegates Anderson, Ali, Barnes, Carter, Conaway, Dumais, Glenn, Hammen, Healey, Howard, Hucker, Kirk, Krysiak, Lee, Manno, Mizeur, Oaks, Pena–Melnyk, Ramirez, Rosenberg, Ross, Schuler, Smigiel, Taylor, Vallario, Waldstreicher, and Walker

AN ACT concerning

Forensic Laboratories – Standards and Oversight

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations that set certain standards and requirements; specifying the required contents of certain regulations; requiring an individual who examines or analyzes forensic specimens on behalf of a certain laboratory to demonstrate satisfactory performance in a certain proficiency testing program; requiring the Secretary to adopt certain regulations for a certain proficiency testing program; requiring a certain employee to review certain proficiency tests and proficiency test results at certain times; requiring the Secretary to conduct certain inspections for a certain purpose; requiring the Secretary to make certain information available to the public within a certain time of a written request; requiring the Secretary to adopt regulations that set qualifications for certain personnel; requiring the Secretary to set certain fees; authorizing the Secretary to set a certain fee; requiring a person to hold a certain license before the person may offer or perform certain tests, examinations, or analyses in the State on or after a certain date; requiring an applicant to provide certain evidence to qualify for a certain license; requiring a certain applicant to submit an application to the Secretary on a certain form; specifying the required contents of an application for a certain license; requiring a certain applicant to pay a certain fee to the Department of Health and Mental Hygiene; requiring the Secretary to issue a certain license to a certain applicant; specifying the required contents of a certain license; requiring a certain license to designate the tests, examinations, or analyses that may be offered or performed by the laboratory; prohibiting a certain laboratory from operating in a manner not designated by its license; providing that a certain license is not transferable; providing that a certain license expires on a certain date, unless the license is renewed in accordance with this Act; authorizing a certain licensee to renew its license for an additional term under certain circumstances; requiring the Secretary

to renew the license of each licensee who meets certain requirements; authorizing the Secretary to deny a certain license or suspend, revoke, or limit a certain license or the authority of a certain licensee to offer or perform tests that a certain license sets forth under certain circumstances; requiring the Secretary to take certain actions if the Secretary finds that a certain laboratory no longer meets certain standards and requirements and the Secretary does not suspend or revoke the laboratory's license; requiring the Secretary to undertake a certain due diligence review under certain circumstances; requiring the Secretary to order a certain laboratory to take certain actions if the Secretary finds that the laboratory provided erroneous or questionable reports, analyses, examinations, or test results; providing for certain penalties; requiring the Secretary to give a certain applicant or licensee notice and an opportunity for a hearing under certain circumstances; requiring a certain laboratory to post a certain notice in a certain place; specifying the required contents of a certain notice; requiring the Secretary to specify the form of a certain notice; prohibiting a certain laboratory from discriminating or retaliating against a certain employee for a certain reason; authorizing a certain employee to initiate judicial action under certain circumstances; providing that a certain employee who prevails in a certain judicial action is entitled to certain remedies; limiting the time in which a certain judicial action may be filed; establishing a Forensic Laboratory Advisory Committee; specifying the membership of the Advisory Committee; requiring the Secretary to designate a chair of the Advisory Committee and appoint members of the Advisory Committee at certain times; establishing the Maryland Forensic Laboratory Improvement Fund as a special fund; providing for the funding of a certain fund; requiring the Governor's Office of Crime Control and Prevention to administer a certain fund; specifying the purposes for which grants shall be made from a certain fund; providing that certain proceedings, records, and files of a certain organization or agency are not discoverable and are not admissible in a certain criminal case; providing that certain reports, findings, recommendations, and corrective actions issued by a certain organization or agency are discoverable and admissible to a certain extent; requiring the Governor to include certain funds in the State budget for a certain purpose for certain years; requiring the Secretary to make certain appointments on or before a certain date; requiring the Secretary to adopt certain regulations on or before a certain date; defining certain terms; modifying a certain definition; providing that this Act does not apply to a certain type of testing; and generally relating to standards and oversight for forensic laboratories.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(c) and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 17–2A–01 through 17–2A–16 to be under the new subtitle “Subtitle 2A.
Forensic Laboratories”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–401

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations
and the Committee on Judiciary.

House Bill 880 – Delegates Aumann, Bates, Boteler, Burns, Dwyer, Frank, Haddaway,
Haynes, Jennings, Kach, Lafferty, O’Donnell, Olszewski, Smigiel, Stocksdale, and Weir

AN ACT concerning

**Senior Citizen Activities Centers – Capital Improvement Grants Program
– Maximum Grant Amount**

FOR the purpose of increasing the maximum amount the State may grant for a capital
improvement project through the Senior Citizen Activities Centers’ Capital
Improvement Grants Program; and generally relating to the Senior Citizen
Activities Centers’ Capital Improvement Grants Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–504

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of
2007)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 881 – Howard County Delegation

AN ACT concerning

**Howard County – Certificated and Noncertificated Public School Employees –
Service or Representation Fee**

Ho. Co. 11-07

FOR the purpose of authorizing the Howard County Board of Education to negotiate with employee organizations a reasonable service fee to be charged to nonmember certificated employees for representing the employees in certain matters; requiring the Howard County Board of Education to negotiate with certain employee organizations a reasonable service fee to be charged to nonmember noncertificated employees for representing the employees in certain matters; and generally relating to a service or representation fee for nonmembers of certain employee organizations in Howard County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6-407(c) and 6-504(b)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 882 – Delegate Weldon

AN ACT concerning

**Maryland Historical Trust – Maryland Advisory Council on Historic Preservation
and Review of State Undertakings**

FOR the purpose of altering the composition of the Maryland Advisory Council on Historic Preservation; requiring a certain consultation to occur at a certain time; requiring a certain consultation to include a certain discussion and consideration of the views of certain interested parties and an attempt to reach a certain agreement under certain circumstances; altering a time frame within which the Council is required to submit certain comments to a certain person; requiring that certain comments by the Council recommend feasible alternatives under certain circumstances; altering the amount of time a certain person is prohibited from proceeding on a certain project under certain circumstances; authorizing a certain person to bring a certain cause of action within a certain time period after the Director of the Maryland Historical Trust makes a certain determination; providing that a certain determination is prima facie evidence in a certain mandamus action under certain circumstances; providing that failure by a certain State unit to comply with certain provisions of law does not create a private cause of action for money damages or equitable relief under certain circumstances;

requiring that certain timely steps taken by a State unit under certain circumstances must be consistent with certain guidelines; limiting who may make a certain appeal of a certain condition under certain circumstances; requiring the Trust to incorporate certain review processes in certain regulations; authorizing a certain provision of law to be applied to certain undertakings in accordance with certain regulations; defining certain terms; altering the definitions of certain terms; making certain stylistic changes; and generally relating to the Maryland Historical Trust.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–301, 5A–324, 5A–325, and 5A–326
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 883 – Delegates Rosenberg and Hubbard

AN ACT concerning

Teen Pregnancy – Prevention – Grant and Aid Programs

FOR the purpose of requiring the Department of Health and Mental Hygiene to make certain grants to certain applicants either establishing or expanding certain teen pregnancy prevention programs; providing for the amount of certain grants; providing for the eligibility of certain applicants; requiring certain applications to be directed to a certain review panel; providing for the duties of a certain review panel; requiring the Secretary of Health and Mental Hygiene to approve certain applications under certain circumstances; providing for the use of certain grants; authorizing the State to recover disbursed grants under certain circumstances; requiring the Secretary to adopt certain regulations; requiring the Department of Education and the Department of Human Resources to conduct a certain study regarding the feasibility of expanding or replicating a certain teen pregnancy program in Washington County; requiring the Department of Education and the Department of Human Resources to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to teen pregnancy prevention programs.

BY adding to
Article – Health – General
Section 20–1301 through 20–1304 to be under the new subtitle “Subtitle 13. Teen Pregnancy Prevention Grant Program”

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 884 – Delegates F. Turner, Anderson, Cane, Dumais, Manno, and Miller

AN ACT concerning

Vehicle Laws – Misdemeanors – Penalty

FOR the purpose of altering the penalty for certain misdemeanor violations of the Maryland Vehicle Law; and generally relating to vehicle laws.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 885 – Delegates McDonough, Aumann, Bartlett, Beitzel, Boteler, Bromwell, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Glassman, Impallaria, Jennings, Kach, Kelly, J. King, Kipke, Krebs, McComas, McKee, Minnick, O’Donnell, Schuh, Shank, Shewell, Smigiel, Sossi, Stocksdale, Weir, and Wood

AN ACT concerning

English Language – Formal Recognition

FOR the purpose of designating the English language as the official language of the State of Maryland; making provisions of this Act severable; and generally relating to the formal recognition of English as the official language of the State of Maryland.

BY adding to
Article – State Government
Section 10–1301 to be under the new subtitle “Subtitle 13. Official Language of the State of Maryland”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 886 – Delegate Holmes

AN ACT concerning

Every Vote Counts Act

FOR the purpose of requiring the State Board of Elections to ensure that required training manuals and related materials are distributed to local boards of elections by a certain date prior to an election; requiring a local board to create an additional precinct with a separate polling place under certain circumstances; altering the period before an election when voter registration is closed; altering the deadline for the filing of a certificate of candidacy by a write-in candidate; requiring each local board to provide a certain number of voting units at each polling place for certain elections; requiring certain voting units to be accessible to individuals with disabilities; prohibiting the State Board from altering a voting system within a certain time period before an election, subject to conditions; requiring a local board to begin sending absentee ballots to qualified voters on a certain date before an election; requiring certain law enforcement officers to monitor and inspect activities, in accordance with certain regulations and guidelines, at certain polling places on election day; making the provisions of this Act severable; and generally relating to election administration in Maryland.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–102, 2–303, 3–302, 5–303, 9–101, 9–306, and 16–903

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 887 – Delegates Healey, Bobo, Boteler, Cane, Elliott, Frush, Goldwater, Heller, Holmes, Howard, Hubbard, Kaiser, Love, McKee, Nathan–Pulliam, Ross, and Sossi

AN ACT concerning

Department of the Environment – Licensing and Regulation of Tanning Facilities

FOR the purpose of requiring certain persons to obtain a certain license to operate a tanning facility; requiring a separate license for each tanning facility; requiring the Secretary of the Environment to issue certain licenses and adopt certain regulations concerning tanning facilities; requiring the Secretary to set certain fees; requiring the fees to be set to produce funds to approximate certain costs; providing for the scope of a certain license; providing for the term, renewal, and

display of licenses for tanning facilities; requiring a tanning facility to post certain signs in certain locations including certain information; establishing certain requirements for the operation of tanning facilities; requiring tanning facilities to maintain certain tanning devices; requiring a certain inspection of certain tanning devices each year; providing a certain penalty for failing a certain inspection; requiring adult customers of tanning facilities to sign a certain statement of warnings; prohibiting certain minors from using certain tanning devices except in certain circumstances; requiring that certain customer records be kept; providing a certain penalty for violation of certain provisions of law; defining certain terms; stating the intent of the General Assembly that certain funds be included in the State budget for certain purposes and that when certain special funds become available, the special funds be used to reimburse the General Fund; requiring the Department of the Environment to make certain efforts to educate certain persons about the requirements of this Act; providing for the effective dates of this Act; and generally relating to the licensing and regulation of tanning facilities by the Department of the Environment.

BY renumbering

Article – Environment

Section 8–601 and the subtitle “Subtitle 6. Short Title”

to be Section 8–701 and the subtitle “Subtitle 7. Short Title”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 8–301(a) and 8–501

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 8–301(b)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY adding to

Article – Environment

Section 8–601 through 8–613 to be under the new subtitle “Subtitle 6. Tanning Facilities”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 888 – Delegate Kaiser

AN ACT concerning

Consumer Protection – Used Motor Vehicle Warranty Enforcement Act

FOR the purpose of prohibiting a certain dealer from selling a used motor vehicle to a consumer without providing a written warranty for certain warranty periods; requiring a warranty to include certain provisions; requiring a dealer to repurchase a used motor vehicle and refund a certain amount to a consumer if, during the warranty period, the dealer is unable to repair or correct certain nonconforming defects or conditions of the used motor vehicle; establishing a certain affirmative defense to a certain claim; providing for the extension of a warranty under certain circumstances; authorizing a consumer to waive a dealer's obligation to provide a warranty for a used motor vehicle under certain circumstances; providing that if a dealer fails to provide a consumer with a warranty as required under this Act, it shall be presumed that the dealer provided the consumer with a warranty as a matter of law, unless a certain waiver has been signed by the consumer; requiring the Motor Vehicle Administration to develop and make available a certain notice; requiring the Administration to adopt certain regulations; clarifying that this Act does not limit certain other rights of or remedies available to a consumer; prohibiting a dealer from engaging in certain acts; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; authorizing a court to award certain damages to a consumer under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the Used Motor Vehicle Warranty Enforcement Act.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3509 to be under the new subtitle “Subtitle 35. Used Motor Vehicle Warranty Enforcement Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 889 – Delegates Burns, Anderson, Aumann, Cane, Elmore, Frank, Jennings, Nathan–Pulliam, Smigiel, Stukes, and Vaughn

AN ACT concerning

Commercial Truck Warranty Enforcement

FOR the purpose of requiring a manufacturer to replace or accept the return of commercial trucks under certain circumstances; establishing certain affirmative defenses; requiring a consumer to notify a manufacturer under certain circumstances; requiring certain nonconformities, defects, or conditions to be corrected within certain periods of time; requiring certain repairs to be performed free of charge under certain circumstances; requiring a dealer to notify a manufacturer of certain nonconformities, defects, or conditions under certain circumstances; requiring a manufacturer to notify certain persons under certain circumstances; requiring the return of certain excise taxes to a consumer under certain circumstances; providing that a consumer may resort to certain informal dispute settlement procedures without prejudice to the consumer's legal rights; providing that a manufacturer or dealer may be liable for certain damages under certain circumstances; requiring the Motor Vehicle Administration to develop a certain notice and make it available to certain dealers that sell new commercial trucks in the State; requiring certain dealers to provide a copy of the notice to purchasers of new commercial trucks at a certain time; requiring the Administration to adopt certain regulations; providing that it is an unfair or deceptive trade practice under the Maryland Consumer Protection Act to violate this Act; providing certain penalties; defining certain terms; providing for the application of this Act; and generally relating to commercial trucks and warranty enforcement.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–101.1 and 13–301(14)(xxii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxiii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxiv); and 14–15A–01 through 14–15A–06 to be under the
new subtitle “Subtitle 15A. Commercial Truck Warranty Enforcement”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 890 – Delegates Barve, Ali, Beidle, Bobo, Bromwell, Bronrott, Cane, Cardin, V. Clagett, Doory, Dumais, Gilchrist, Guzzone, Healey, Hecht, Hixson, Hubbard, Hucker, Kaiser, N. King, Kullen, Lafferty, Lawton, Lee, Love, Manno, McIntosh, Montgomery, Morhaim, Olszewski, Pendergrass, Rice, Ross, Simmons, Stein, Stukes, Tarrant, Taylor, and Waldstreicher

AN ACT concerning

Global Warming Solutions – Reductions in Greenhouse Gas Emissions

FOR the purpose of establishing certain limits on emissions of greenhouse gases; requiring the Department of the Environment to determine the statewide greenhouse gas emissions level from a certain year and establish a statewide greenhouse gas emissions limit based on that level; requiring the Department to provide public notice and opportunity for public comment on certain determinations; requiring the Department to identify and evaluate certain technologies; requiring the Department to publish a list of certain available early action measures and adopt regulations in order to implement these measures; requiring the Department to prepare a certain plan that identifies and recommends certain measures after consulting with certain agencies; requiring certain public workshops to include certain communities to discuss the proposed plan; requiring the Department to adopt regulations, in accordance with certain requirements, on or before a certain date to implement the emissions limits and reduction measures; requiring the reduction measures to be verifiable and enforceable; authorizing the Department to develop a certain trading system for emissions limits; authorizing the Department to establish certain allowances that meet certain requirements; requiring the Department to adopt regulations for certain reporting and monitoring requirements; establishing the Greenhouse Gas Emissions Reduction Fund; providing for the administration and funding sources of the Fund; requiring sources of greenhouse gas emissions to pay a certain fee and establishing that the revenue from a certain fee be deposited into a certain fund; providing for certain penalties for certain violations; creating the Office of Climate Change within the Department; requiring the Office to administer the provisions of this Act; authorizing the Department to create certain committees; authorizing the Governor to alter certain deadlines under certain circumstances; declaring the legislative intent and findings of the General Assembly as they relate to global warming solutions; defining certain terms; making the provisions of this Act severable; and generally relating to the reduction of greenhouse gas emissions.

BY adding to

Article – Environment

Section 2–1101 through 2–1113 to be under the new subtitle “Subtitle 11. Greenhouse Gas Emissions Reductions”

Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

House Bill 891 – Delegates Myers, Bates, Beitzel, Kelly, McKee, Shank, and Stull

AN ACT concerning

Postmortem Examiners Commission – Rate for the Transportation of a Body

FOR the purpose of requiring that a certain appropriation from the State budget include a provision for a certain rate per mile for the transportation of a body from the scene of death to a certain location; and generally relating to a provision for transportation of a body.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–305(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 892 – Delegates Bates and Miller

AN ACT concerning

Property Tax – Tax Credit for Replacement Home

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain residential real property owned by certain homeowners under certain circumstances; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit, subject to certain limitations; authorizing the county or municipal corporation to provide, by law, for certain provisions necessary to carry out this Act; defining certain terms; providing for the application of this Act; and generally relating to authorization for the counties and municipal corporations to grant, by law, a property tax credit for certain replacement homes.

BY adding to

Article – Tax – Property
Section 9–246
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 893 – Delegate James

AN ACT concerning

Bay Restoration Fund – Wastewater Treatment Facilities Upgrades – Reporting Requirements

FOR the purpose of requiring the Department of the Environment and the Department of Planning annually to make a certain joint report to certain persons on or before a certain date regarding the impact of certain upgraded wastewater treatment facilities on growth, schools, hospitals, and other public facilities in certain municipalities; and generally relating to upgraded wastewater treatment facilities in the State.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 9–1605.2(k)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(k)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 894 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Housing Opportunities Commission – Service Contracts**MC 707–07**

FOR the purpose of prohibiting the Housing Opportunities Commission of Montgomery County from soliciting a certain service contract unless the Executive Director of the Commission provides certain certification, the Commission submits a certain plan, and the Commission bargains in good faith with a certain certified representative under certain circumstances; authorizing the certified representative of an adversely affected Commission employee to submit a proposal in response to a certain solicitation; specifying that noncompliance with the provisions of this Act may not invalidate certain contract awards or proposed contract awards; authorizing a certified representative to file an action in a certain court on behalf of a Commission employee if the Commission fails to comply with certain provisions of this Act; providing for the application of this Act; providing for a certain remedy; defining certain terms; and generally relating to Montgomery County Housing Opportunity Commission service contracts.

BY adding to

Article – Housing and Community Development

Section 16–401 through 16–407, inclusive, to be under the new subtitle “Subtitle 4. Service Contracts”

Annotated Code of Maryland
(2006 Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 895 – Delegates James, Ali, Barkley, DeBoy, George, Griffith, Guzzone, Hubbard, Kaiser, Manno, McDonough, Morhaim, Robinson, Tarrant, and F. Turner

AN ACT concerning

**Higher Education – Scholarship Program for Youth at Risk of Joining
a Criminal Gang**

FOR the purpose of establishing the Scholarship Program for Youth at Risk of Joining a Criminal Gang; requiring the Governor to include a certain amount of funds in the budget for the scholarship program; requiring the Office of Student Financial Assistance within the Maryland Higher Education Commission to publicize the availability of the scholarships and to make scholarship awards, not to exceed a certain amount per recipient, which may be used for certain expenses at certain public institutions of higher education; requiring a scholarship recipient to meet certain eligibility criteria to obtain and retain an award; requiring the Commission

to adopt certain regulations; authorizing the Office to enter into certain reciprocal scholarship agreements; requiring funds to be retained by the Commission under certain circumstances; establishing a certain scholarship fund to receive money and other property; defining certain terms; requiring the Office to report scholarship recipients' names to certain legislative members on or before a certain date; requiring the Commission to report to the General Assembly on or before a certain date; and generally relating to the establishment of the Scholarship Program for Youth at Risk of Joining a Criminal Gang.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–107

Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 18–2801 through 18–2812, inclusive, to be under the new subtitle
“Subtitle 28. Scholarship Program for Youth at Risk of Joining a Criminal
Gang”

Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 896 – Delegates James, Barkley, Bronrott, DeBoy, Donoghue, Dumais, Frank, Griffith, Guzzone, Heller, Hubbard, Kullen, McDonough, Montgomery, Morhaim, Niemann, Riley, Robinson, Shewell, Sossi, Stifler, and Tarrant

AN ACT concerning

Public Safety – Criminal Gang Task Force and Database

FOR the purpose of requiring the Department of State Police to create and oversee a Criminal Gang Task Force within the Department; establishing the purpose of the Task Force; authorizing certain law enforcement agencies to participate in the Task Force; requiring the Department to develop and manage a statewide Criminal Gang Database to facilitate the exchange of information among federal, State, and local law enforcement agencies related to the location, membership, and activities of certain criminal gangs operating in the State; requiring the Department to utilize certain technology in developing the Database; requiring the Secretary of State Police to adopt certain regulations; requiring a certain law enforcement officer to enter certain information into the Criminal Gang Database in certain circumstances; requiring the law enforcement officer to enter the information

within a certain time period; defining certain terms; and generally relating to the Criminal Gang Task Force and Database.

BY adding to

Article – Public Safety

Section 2–901 through 2–906 to be under the new subtitle “Subtitle 9. Criminal Gang Task Force and Database”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 897 – Delegates Elmore, Barkley, Cane, Costa, Eckardt, George, Haddaway, Mathias, McConkey, Smigiel, and Sossi

AN ACT concerning

Financial Institutions – Designation as a State Lender

FOR the purpose of authorizing certain financial institutions to request, within a certain period of time, the State Treasurer to make certain designations; requiring the Treasurer to issue certain requests for proposals by a certain date and distribute those requests for proposals to certain financial institutions; defining a certain term; and generally relating to the Treasurer designating financial institutions as State lenders.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–205 and 6–229

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–230

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 898 – Delegates Simmons and Vallario

AN ACT concerning

Motor Carrier Transportation Contracts – Indemnity Agreements Void

FOR the purpose of providing that certain indemnity agreements, collateral to, or affecting certain motor carrier transportation contracts that purport to indemnify the promisee against certain liability resulting from certain conduct by the promisee are against public policy and are void and unenforceable; defining certain terms; and generally relating to certain indemnity agreements in certain motor carrier transportation contracts.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–401
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 899 – Delegate Bronrott

AN ACT concerning

Vehicle Laws – Security Lapses and Point Assessments – Penalties

FOR the purpose of authorizing the Secretary of Budget and Management to authorize the Motor Vehicle Administration to enter into certain contracts for the procurement of billing and collection services for certain fees imposed under this Act; requiring a certain amount of revenues from certain fees to be deposited in a certain manner; altering a certain definition to establish that certain fees collected under this Act may not be altered by the Administration; requiring an individual holding a driver's license to pay a certain fee annually for each point over a certain number of points that is assessed against the individual's driving record; requiring the Administration to send a notice to an individual subject to a fee under this Act a certain number of days after a certain event; requiring the suspension of an individual's driver's license unless the individual pays a fee under this Act except under certain circumstances; authorizing an individual to request a certain hearing; limiting the issue that can be considered at a certain hearing; authorizing the Administration to establish a certain schedule for payment of fees charged under this Act; prohibiting the Administration from suspending and requiring the

Administration to renew an individual's driver's license under certain circumstances; authorizing a licensee to prepay a certain fee; authorizing the Administration to adopt certain regulations; altering the penalties for a certain lapse of security on a vehicle during a registration year; altering the distribution of funds that are collected from a certain penalty; defining certain terms; repealing certain obsolete provisions; providing for the effective date of certain provision of this Act; providing for the termination of certain provisions of this Act; and generally relating to the assessment of fees against certain drivers and certain funding.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–302
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–120(a) and 17–106(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–1001 to be under the new subtitle “Subtitle 10. Assessment of Fees”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 900 – Delegate Bronrott

AN ACT concerning

First Responders Fund

FOR the purpose of establishing the First Responders Fund; establishing that the purpose of the Fund is to provide grants to counties and municipal corporations to pay for equipment and personnel for fire, rescue, and emergency medical services entities and local law enforcement agencies; requiring the Director of the Maryland Emergency Management Agency to administer the Fund; establishing the composition of the Fund; limiting the uses of the Fund; providing for investment of money in the Fund; establishing a certain intent of the Fund; authorizing the Director to make grants from the Fund to counties or municipal corporations to be

used for fire, rescue, and emergency medical services entities and local law enforcement agencies in the county or municipal corporation; establishing that grants from the Fund may be used for certain purposes; requiring the Director to establish certain procedures and guidelines; establishing that grants are for a certain duration and require certain matching funds; prohibiting a county or municipal corporation from reducing money to fire, rescue, and emergency medical services entities or local law enforcement agencies because of money provided from the Fund; requiring a county or municipal corporation that receives a grant to use the grant in accordance with certain terms and comply with certain requirements; and generally relating to funding for first responders.

BY adding to

Article – Public Safety

Section 4–401 through 4–403 to be under the new subtitle “Subtitle 4. First Responders Fund”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 7–101(b)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 901 – Delegates Bronrott, Barve, and Morhaim

AN ACT concerning

Education – New School Construction – Price Preference for High Performance Buildings

FOR the purpose of providing a price preference as an incentive for the construction of new school buildings as high performance buildings; requiring the Board of Public Works to adopt certain regulations; prohibiting the State or a county board of education from authorizing an appropriation for the preliminary planning of a proposed capital project for new school construction for a high performance building until a certain program is submitted to the Department of Budget and Management; defining a term; and generally relating to a price preference as an incentive for the construction of new school buildings as high performance buildings.

BY repealing and reenacting, with amendments,

Article – Education
Section 5–112 and 5–301
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 902 – Delegate Niemann

AN ACT concerning

Task Force to Promote Nonviolent and Peaceful Ways to Resolve Conflict

FOR the purpose of establishing a Task Force to Promote Nonviolent and Peaceful Ways to Resolve Conflict; establishing the membership of the Task Force; providing staff support for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to be reimbursed for certain expenses; providing for the duties of the Task Force; requiring the Task Force to issue its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to ways to promote nonviolent and peaceful ways to resolve conflict.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 903 – Delegates Davis, Impallaria, N. King, Montgomery, Myers, and Taylor

SECOND PRINTING

AN ACT concerning

Vehicle Laws – Consumer Access to Replacement Key Information

FOR the purpose of requiring a manufacturer of a motor vehicle sold or leased in the State on or after a certain date to implement a system for providing certain replacement key information to certain locksmiths on or before a certain date; requiring a motor vehicle manufacturer to make a certain key replacement system available to certain individuals at all times; establishing procedures for a certain

locksmith and a certain motor vehicle manufacturer to follow to provide a replacement key to a certain motor vehicle owner or lessee; providing for exemption from liability for theft for certain locksmiths and certain motor vehicle manufacturers under certain circumstances; requiring a manufacturer of certain motor vehicles to operate a certain telephone or electronic system for providing a replacement key to a certain vehicle owner or lessee at all times at a reasonable cost and within a certain period of time; authorizing a motor vehicle manufacturer to enter into a contract with another entity to provide the services required under this Act; providing for the severability of this Act; providing for the effective date of certain provisions of this Act; defining certain terms; and generally relating to requirements and procedures for motor vehicle manufacturers and locksmiths to provide replacement keys to motor vehicle owners or lessees.

BY adding to

Article – Transportation

Section 15–210.1

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – Transportation

Section 15–210.1(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 15–210.1(g)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Economic Matters.

House Bill 904 – Delegate Olszewski

EMERGENCY BILL

AN ACT concerning

Homeowner’s Insurance – Action for Bad Faith Settlement of or Bad Faith Failure to Settle a Claim

FOR the purpose of establishing certain procedures for certain insureds to bring a certain action against a certain insurer for a bad faith settlement of or bad faith failure to settle a claim made under a policy of homeowner's insurance; requiring an insured to send a certain written notice of the insured's intent to file a certain action to a certain insurer within a certain time period; authorizing an insurer to request that an insured allow an inspection of the insured property and provide certain evidence; prohibiting an insurer from alleging that an insured has denied reasonable access to an insurer or its agent under certain circumstances; requiring an insurer to send a written response to an insured within certain time periods; requiring the written response to offer to settle the claim and state the amount of the settlement offer or to state that the insurer refuses to settle the claim; requiring an insured to send a certain notice to an insurer stating that the insured rejects the insurer's settlement offer and the reason for the rejection or that the insured accepts the settlement offer; authorizing an insured to bring a certain civil action against an insurer if the insurer fails to take a certain action or refuses to settle a claim; requiring a certain claimant to send a copy of a certain notice and a certain complaint to the Maryland Insurance Commissioner and People's Insurance Counsel; providing that if an insurer is found to have settled a claim in bad faith or, in bad faith, failed to settle a claim, the insurer is liable to a claimant for certain losses, consequential damages, punitive damages, and reasonable attorney's fees; defining certain terms; providing for the application of this Act; making this Act an emergency measure; and generally relating to homeowner's insurance and the bad faith settlement of or bad faith failure to settle a claim.

BY adding to

Article – Insurance

Section 19–208

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 905 – Frederick County Delegation

AN ACT concerning

Frederick County – Procurement Contracts – Architectural and Engineering Services

FOR the purpose of authorizing the Board of County Commissioners of Frederick County to award certain procurement contracts for architectural and engineering services based on an evaluation of the technical proposals and qualifications of at least a certain number of persons; requiring that the contracts be fair, competitive, and reasonable; making stylistic changes; and generally relating to contracts for

architectural and engineering services awarded by the Board of County Commissioners of Frederick County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 3(1)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(1)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 906 – Delegates Lawton, Ali, Barkley, Cane, V. Clagett, Dumais, Gilchrist, Glassman, Glenn, Gutierrez, Healey, Hucker, Ivey, Jennings, Lafferty, Love, Malone, Manno, McConkey, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Ross, Sossi, Stein, Stull, Tarrant, Taylor, Waldstreicher, and Weir

AN ACT concerning

Procurement – Public Schools and Facilities – Preference for Locally Grown Foods

FOR the purpose of providing a certain price preference for locally grown foods under certain circumstances; requiring each county board of education to adopt certain regulations concerning the establishment of a certain percentage price preference; requiring county boards to review certain procurement specifications and, to the extent practicable, require the use of a percentage price preference in their purchase of food; defining certain terms; and generally relating to a percentage price preference for the procurement of locally grown food for public schools and facilities.

BY adding to
Article – Education
Section 5–112.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 907 – Cecil County Delegation

AN ACT concerning

Cecil County – Bridge or Road Construction or Repair Contracts

FOR the purpose of altering the threshold amount of certain expenditures that are required to be made by competitively bid contracts in Cecil County; repealing a limitation on the amount of certain contracts that a contractor may be awarded during a certain period; and generally relating to bridge or road construction or repair contracts in Cecil County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 37A
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 908 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Safety Surcharge – Increased Distribution of Revenue to Municipal Corporations

PG 414–07

FOR the purpose of increasing to a certain amount the percentage of revenue from the public safety surcharge on construction located in a municipal corporation that is distributed to the municipal corporation’s police department; and generally relating to the distribution of revenue from the public safety surcharge to municipal corporations.

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George’s County
Section 10–192.11(e)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 594 of the Acts of the General Assembly of 2005)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 909 – Delegates Bronrott, Ali, Barkley, Barnes, Barve, Beidle, Bobo, Burns, Cane, Cardin, V. Clagett, Dumais, Elmore, Feldman, Frush, Gaines, George, Gilchrist, Glenn, Goldwater, Gutierrez, Guzzone, Harrison, Healey, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Kaiser, N. King, Kirk, Kramer, Krysiak, Lafferty, Lawton, Lee, Love, Manno, Mizeur, Montgomery, Morhaim, Niemann, Pena–Melnik, Pendergrass, Riley, Rosenberg, Shewell, Stein, Taylor, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

FOR the purpose of requiring the Public Service Commission to adopt certain regulations concerning the purchase of certain equipment by electric companies; requiring the Maryland Energy Administration to adopt regulations by a certain date to establish certain minimum energy efficiency standards for certain new products sold in the State; prohibiting certain new products from being sold or offered for sale in the State on or after certain dates unless the products meet the minimum energy efficiency standards; authorizing the Administration to adopt regulations to exempt compliance with certain standards; requiring the Administration, in consultation with the Attorney General, to make certain determinations; requiring the Administration to apply for certain waivers of federal preemption under certain circumstances; prohibiting certain new products from being installed in the State on or after a certain date unless the products meet or exceed the minimum energy efficiency standards; authorizing the Administration to adopt regulations to establish increased energy efficiency standards for certain new products sold in the State under certain circumstances; authorizing the Administration to adopt regulations to establish energy efficiency standards for certain other products under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to energy efficiency standards for certain products.

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 1–101(a)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 1–101(p) through (pp)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies
Section 1–101(p) and (oo) and 7–212
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government
Section 9–2006
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 910 – Delegates Barkley, Ali, Aumann, Bates, Bohanan, Branch, Bronrott, Carter, G. Clagett, Conway, DeBoy, Dumais, Dwyer, Frank, Gutierrez, Guzzone, Heller, Jones, N. King, Kramer, Lee, McComas, McConkey, Montgomery, Proctor, Ramirez, Robinson, Schuler, Shank, Sophocleus, Stocksdale, Valderrama, Waldstreicher, and Wood

AN ACT concerning

Public Safety – Correctional Officers – Minimum Age

FOR the purpose of requiring the Secretary of Public Safety and Correctional Services to adopt certain regulations establishing a certain minimum age for a correctional officer hired for employment in any unit within the Division of Correction; and generally relating to correctional officers within the Division of Correction.

BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 2–109
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 911 – Delegates Barkley, Carter, G. Clagett, Gutierrez, and Jones

AN ACT concerning

Correctional Officers' Retirement System – Retirement Allowance

FOR the purpose of altering the formula for computing the retirement allowance of

members of the Correctional Officers' Retirement System; and generally relating to the retirement allowance of members of the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–401
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 912 – Delegates Barkley, Aumann, Bates, Branch, Bronrott, G. Clagett, DeBoy, Gaines, Gutierrez, Guzzone, Haynes, Heller, Jones, Lawton, Levy, Myers, Proctor, Robinson, Sophocleus, Stocksdale, F. Turner, and Wood

AN ACT concerning

Education – Retirees of a County Board of Education – Health Benefits

FOR the purpose of requiring certain county boards of education to provide certain health benefits to certain retired employees; requiring certain county boards to develop and implement certain plans in consultation with certain associations; authorizing a county board of education to establish different cost-sharing ratios for certain individuals; and generally relating to health benefits for retired principals, teachers, and other certificated and noncertificated employees of a county board of education.

BY adding to
Article – Education
Section 4–103.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 913 – Delegates Kullen, Hubbard, Montgomery, Nathan–Pulliam, and Oaks

AN ACT concerning

Maryland Medical Assistance Program – Atypical Antipsychotic Medication

FOR the purpose of providing that certain Maryland Medical Assistance Program enrollees who are prescribed certain medications shall be automatically dispensed

a certain supply of medication and may not be subject to a certain waiting period; repealing a certain termination provision; repealing an exemption from prior authorization for certain medications; making certain technical corrections; and generally relating to the Maryland Medical Assistance Program and atypical antipsychotic medication.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a), (h), and (i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–119
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Chapter 444 of the Acts of the General Assembly of 2005
Section 41

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 914 – Delegates Smigiel, Dwyer, Eckardt, Elmore, Haddaway, and Sossi

AN ACT concerning

Transportation Study – Monorail System from Annapolis to Kent Island and Points South on the Eastern Shore

FOR the purpose of requiring the Department of Transportation to examine the feasibility of preserving and acquiring rights-of-way for a future monorail transit system extending from Annapolis to Kent Island and points south on the Eastern Shore and to report its findings and recommendations to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to a study of a monorail system from Annapolis to Kent Island and points south on the Eastern Shore.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 915 – Delegate Smigiel

AN ACT concerning

Cecil County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$31,405,000 in order to finance the cost of the construction and improvement of certain public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds in like amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; and relating generally to the issuance and sale of the bonds by Cecil County.

Read the first time and referred to the Committee on Appropriations.

House Bill 916 – Delegates Dwyer, Beidle, Beitzel, Elmore, George, Ivey, J. King, Krebs, Love, McComas, Ross, Schuh, Shank, Shewell, Sossi, Stull, and Weldon

AN ACT concerning

Secretary of State – Notary Public – Fees

FOR the purpose of increasing the maximum fees that the Secretary of State may establish by regulation for a notary public to charge for each notarial act; and generally relating to the establishment of fees for notarial acts.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–112(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 917 – Delegates Lee, Ali, Barkley, Bronrott, DeBoy, Dumais, Goldwater, Healey, Heller, Hixson, Hubbard, Impallaria, James, Jones, Kaiser, Krebs, Lawton, Manno, McComas, McDonough, Minnick, Mizeur, Montgomery, Nathan–Pulliam,

Pendergrass, Ramirez, Robinson, Schuler, Shank, Shewell, Sophocleus, Stocksdale, F. Turner, Valderrama, Waldstreicher, and Walkup

AN ACT concerning

Criminal Law – Identity Fraud Victims – Judicial Determinations of Innocence and Victim Database

FOR the purpose of authorizing a person who has learned or reasonably suspects that the person has been the victim of identity fraud to petition a court on the motion of the person or on application of a certain prosecuting attorney for an expedited judicial determination of factual innocence with respect to certain offenses; establishing that a certain judicial determination of factual innocence may be heard and determined on certain evidence; requiring a court to make a certain finding after making a certain determination; requiring the court to issue a certain order certifying a certain determination; requiring the court to provide a certain victim with certain written documentation of a certain order; authorizing a court to order certain records, files, and indexes deleted, sealed, or labeled in a certain manner under certain circumstances; authorizing the court to vacate a certain order under certain circumstances; requiring the Administrative Office of the Courts to develop a certain form; requiring the Office to establish and maintain a certain database of certain victims of identity fraud; requiring the Office to provide certain persons access to the database for certain purposes; restricting access to a certain database; requiring a certain identity fraud victim to submit a certain order, fingerprints, and other information to the Office; requiring the Office to verify a certain identity in a certain manner; requiring the Office to establish and maintain a certain toll-free telephone number; defining a certain term; and generally relating to the establishment of an identity fraud victim database.

BY adding to

Article – Criminal Law

Section 8–306

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 918 – Delegates Lee, Dumais, Feldman, Glenn, Gutierrez, Hixson, Hucker, N. King, Lawton, Montgomery, Rice, Simmons, Taylor, and F. Turner

AN ACT concerning

Election Law – Regulation of Local Campaign Finance Activity – County Authority

FOR the purpose of authorizing a county governing body to enact laws to govern campaign finance activity for county elective officers and candidates for election to those offices; specifying certain parameters and limitations applicable to any laws enacted by a county to regulate campaign finance activity; and generally relating to the regulation of campaign finance activity of county elective officers and candidates for election to those offices.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–101
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 13–504
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 919 – Delegates Dwyer, Aumann, Bartlett, Bates, Beitzel, Boteler, Burns, Costa, Elliott, Elmore, Frank, George, Glassman, Haddaway, Jennings, J. King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Minnick, Myers, O’Donnell, Schuh, Shank, Shewell, Sossi, Stifler, Stocksdale, Stull, Walkup, Weir, and Wood

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland’s Marriage Protection Act

FOR the purpose of adding a new section to the Maryland Constitution to establish that only a marriage between a man and a woman is valid in this State; establishing that certain unions or relationships between individuals of the same sex are not valid in this State and are against the public policy of this State; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article XV – Miscellaneous
Section 8

Read the first time and referred to the Committee on Judiciary.

House Bill 920 – Delegates Barkley, Aumann, Bohanan, Branch, Bronrott, G. Clagett, Conway, DeBoy, Gutierrez, Guzzone, Haynes, Heller, James, Jones, Levy, Myers, Proctor, Sophocleus, Stocksdale, F. Turner, and Wood

AN ACT concerning

Local Police Protection – Funding Restoration

FOR the purpose of repealing a requirement that certain payments to subdivisions and municipalities related to law enforcement be reduced by a certain amount; repealing certain definitions relating to the calculation of the amount by which a certain payment to subdivisions and municipalities related to law enforcement be reduced; providing for the application of this Act; and generally relating to certain payments to subdivisions and municipalities related to law enforcement.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 921 – Delegate Kullen

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

FOR the purpose of allowing certain members of the military a motor vehicle excise tax credit under certain circumstances for a vehicle previously titled and registered in another state; defining a certain term; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–809(c)(3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 922 – Delegates Hucker, Ali, Lafferty, Lawton, McConkey, Pena–Melnik, Sossi, Stein, and Tarrant

AN ACT concerning

Landlord and Tenant – Expiration of Warrant – Striking Judgment for Possession

FOR the purpose of providing that under certain circumstances, if a judgment for possession of leased premises is stricken, the judgment shall be counted in the number of judgments necessary to foreclose a certain right of redemption; providing that under certain circumstances, if a warrant of restitution expires and the judgment for possession is stricken, the judgment shall be counted in the number of judgments necessary to foreclose a certain right of redemption; and generally relating to a judgment for possession of leased premises for failure to pay rent.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–401
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 923 – Delegates Kullen, Gutierrez, Hucker, Lafferty, Manno, and Proctor

AN ACT concerning

Secondary School – Graduation Requirements – Weighted Numerical Assessment System

FOR the purpose of requiring the State Board of Education to establish a certain weighted numerical assessment system to calculate a certain score that certain students are required to achieve to graduate from certain schools; requiring a certain assessment system to include a certain category that may not be more than a certain percentage value of a certain total score; and generally relating to high schools and a weighted numerical assessment system for calculating achievement of graduation requirements.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–205
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 924 – Delegates Benson, Barkley, G. Clagett, DeBoy, Feldman, Frush, Gaines, Gutierrez, Hecht, Heller, Holmes, Hubbard, Hucker, Kaiser, Kirk, Kullen, Lafferty, Lawton, Lee, Manno, Mizeur, Nathan–Pulliam, Niemann, Oaks, Pendergrass, Ramirez, Rice, Riley, Ross, Schuler, Taylor, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Health Care Disclosure Act

FOR the purpose of requiring an applicant for certain State health programs to identify the employer of a proposed beneficiary or the employer of a certain family member of a proposed beneficiary; requiring the Department of Health and Mental Hygiene to publish a report identifying certain employers and providing certain information; requiring the report to protect the confidentiality of individuals in the State health programs; requiring the Department to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the disclosure of information regarding employers of individuals enrolled in State health programs.

BY adding to

Article – Health – General

Section 15–103.5

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 925 – Delegate Simmons

AN ACT concerning

Credit Regulation – Mortgage Brokers – Required Disclosures

FOR the purpose of requiring a mortgage broker, before undertaking to assist a borrower in obtaining a loan or advance of money, to provide the borrower with a certain disclosure form; specifying the contents of the disclosure form; requiring the disclosure form to be signed and dated by the borrower and the mortgage broker; requiring the mortgage broker to attach the disclosure form to a certain application and maintain the form in certain records; establishing a certain penalty for a violation of certain provisions of this Act; clarifying a certain defined term; providing for the application of this Act; and generally relating to required

disclosures by mortgage brokers.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 12–801 and 12–807 to be under the amended subtitle “Subtitle 8. Loans –
Finder’s Fees and Required Disclosures”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 12–805(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Commercial Law

Section 12–805.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Financial Institutions

Section 11–501(a), (h), and (i)(1)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 926 – Delegate Rosenberg

AN ACT concerning

Job Skills Advancement Training Program

FOR the purpose of establishing a Job Skills Advancement Training Program in the Department of Labor, Licensing, and Regulation; establishing the purposes of the Program; requiring the Department to provide grants to local workforce investment boards to fund certain programs and services; requiring that the Program be funded in a certain manner; requiring the Department to establish and administer the Program and develop certain eligibility criteria; requiring the Department to ensure that a certain percentage of funds provided under the Program is utilized for certain purposes; requiring an applicant for a Program grant to apply to the Department in a certain manner; requiring the Department to

evaluate applications, adopt certain evaluation standards, establish certain financial procedures and reporting mechanisms, establish certain data maintenance procedures, and assist in providing certain technical assistance; authorizing the Department to adopt certain regulations; requiring local workforce investment boards that receive grants under the Program to meet certain requirements; requiring certain approved programs to meet certain requirements; requiring the Department to submit a certain report on or before certain dates; establishing the intent of the General Assembly regarding funding for the Program; defining certain terms; and generally relating to the Job Skills Advancement Training Program.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–501 to be under the new part “Part I. General Provisions”

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 11–511 through 11–516 to be under the new part “Part II. Job Skills Advancement Training Program”

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 927 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

Public Safety – Emergency Management – Essential Goods and Services

FOR the purpose of prohibiting a person from selling or offering to sell certain goods or services for a certain price during a state of emergency; prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency; creating a certain exception; providing for certain criminal penalties; providing that certain provisions may be extended by certain officials for certain time periods under certain circumstances; providing that certain remedies are cumulative to certain remedies or penalties; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; providing that nothing in this subtitle shall preempt a certain ordinance; defining certain terms; making this Act

an emergency measure; and generally relating to the sale of goods or services during or following a state of emergency.

BY adding to

Article – Public Safety

Section 14–1101 through 14–1105 to be under the new subtitle “Subtitle 11. Essential Goods and Services”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 928 – Delegate Morhaim

AN ACT concerning

Procurement – Environmentally Preferable Products and Equipment – Report and Purchase

FOR the purpose of requiring each State unit to purchase certain environmentally preferable products and equipment under certain circumstances; providing for the application of certain dispute resolution procedures; requiring the Board of Public Works to adopt certain regulations by a certain date and to create, update, and make available a certain listing; requiring the Secretary of General Services to review, evaluate, and report to certain persons by a certain date regarding certain aspects of the procurement and use of certain environmentally preferable products and equipment; requiring the Secretary to seek certain information and recommendations from certain persons regarding a certain impact of State procurement of certain environmentally preferable products and equipment; requiring each State unit to provide certain information at a certain time, to establish certain objectives and goals by a certain date, and to initiate certain processes; expressing certain findings of the General Assembly; providing for the application of this Act; defining certain terms; providing for the delayed effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the procurement of environmentally preferable products and equipment.

BY repealing

Article – State Finance and Procurement

Section 14–402, 14–405, and 14–406

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Finance and Procurement
Section 14–402
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 929 – Delegates Costa and Kipke

AN ACT concerning

Motor Homes and Travel Trailers – Vehicle Excise Tax – Definitions – Repeal of Sunset

FOR the purpose of repealing the termination of certain provisions that alter the definitions of “fair market value” and “total purchase price” for purposes of the motor vehicle excise tax imposed on a motor home or a travel trailer to exclude from the computation of the tax, subject to a certain limitation, the value of a motor home or travel trailer traded in as part of the consideration for the sale; repealing the termination of certain provisions that provide that certain definitions do not apply to the calculation of the vehicle excise tax imposed on a motor home or a travel trailer until certain bonds are no longer outstanding and unpaid; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–809(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Chapter 361 of the Acts of the General Assembly of 2001
Section 3

BY repealing and reenacting, with amendments,
Chapter 361 of the Acts of the General Assembly of 2001, as amended by Chapter
545 of the Acts of the General Assembly of 2004
Section 5

Read the first time and referred to the Committee on Ways and Means.

House Bill 930 – Delegates Shank, Barnes, Bartlett, Bates, Beidle, Beitzel, Bronrott, Conaway, Costa, Dwyer, Elliott, Elmore, Frank, George, Haddaway, Hecht, Kach, Kelly, J. King, Kipke, Krebs, Kullen, Levi, Levy, Love, McComas, McConkey, O’Donnell,

Pena–Melnyk, Robinson, Schuh, Shewell, Smigiel, Sossi, Stifler, Stocksdale, Stukes, Stull, Valderrama, Waldstreicher, and Weldon

AN ACT concerning

Jessica’s Law – Sexual Offenses – Parole Eligibility and Mandatory Minimum Sentences

FOR the purpose of providing that persons who are convicted of certain sexual offenses are not eligible for parole during certain mandatory minimum sentences; prohibiting a certain person from engaging in certain sexual contact with a child who is under a certain age; establishing a certain penalty; prohibiting a court from suspending any part of a sentence for a certain sexual offense committed against a child under a certain age; requiring the State to provide a certain notification if the State intends to seek a certain sentence under certain circumstances; creating a certain exception; and generally relating to sexual offenses involving children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–303 through 3–307
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 931 – Delegates Kipke, Beidle, Beitzel, Benson, V. Clagett, Costa, Dwyer, Eckardt, Elmore, Frank, Frush, Gaines, Hubbard, Ivey, Kach, J. King, Kullen, Love, McComas, Mizeur, Montgomery, Pena–Melnyk, Schuh, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stukes, Stull, and Tarrant

AN ACT concerning

Identity Fraud – Victim – Expungement of False Criminal Record

FOR the purpose of authorizing a court to order a defendant who pleads guilty or is found guilty of using another person’s name or other identification without consent or authorization to make restitution to the victim for certain costs associated with an expungement proceeding that arose because of the identity fraud; allowing a person to request that the Office of the Attorney General file a petition for expungement of certain records if the records resulted from the arrest of another using the person’s name or other identification without consent or authorization; requiring the Office of the Attorney General to create a certain form for requests for the filing of a petition for the expungement of certain records and requiring that the form be made available over the Internet; authorizing the Office of the

Attorney General to charge a certain fee for processing a certain request; requiring the court, if it finds the person is entitled to expungement, to note in writing that expungement is ordered because the person is the victim of identity fraud; clarifying a certain provision concerning not being entitled to expungement of criminal records for certain reasons; and generally relating to identity fraud.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 8–301(a), (b), and (c)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–301(f)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–105(a), (d), and (e)

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 932 – Delegates Howard, Benson, Griffith, Healey, Ivey, Jones, Proctor, F. Turner, and Vaughn

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Delta Alumnae Community
Development 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 County Delta Alumnae Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 933 – Delegates Braveboy, Robinson, Benson, Frush, Glenn, Griffith, Howard, Hucker, Ivey, Jameson, Manno, McComas, Mizeur, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Rice, Tarrant, and Valderrama

AN ACT concerning

Criminal Procedure – Domestic Violence – Mandatory Anger Management or Batterer Intervention

FOR the purpose of requiring certain persons charged with or convicted of certain crimes involving domestic violence to participate in an anger management program or a batterer intervention program under certain circumstances; authorizing the Maryland Parole Commission to require certain parolees to participate in an anger management program or a batterer intervention program as a condition of parole under certain circumstances; authorizing a court or a District Court Commissioner to require certain defendants to participate in an anger management program or a batterer intervention program as a condition of pretrial release under certain circumstances; authorizing a court to require certain defendants to participate in an anger management program or a batterer intervention program as a condition of probation under certain circumstances; adding mandatory participation in an anger management program or a batterer intervention program to the list of relief that may be included in a final protective order; defining a certain term; and generally relating to domestic violence perpetrators.

BY adding to

Article – Correctional Services
Section 7–309
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY adding to

Article – Criminal Procedure
Section 5–201(c) and 6–225.1
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law
Section 4–506(d)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 934 – Delegate Hubbard

AN ACT concerning

**State Board of Dental Examiners – Committee on Dental Hygiene –
Recommendations**

FOR the purpose of requiring the State Board of Dental Examiners to implement certain recommendations made by a committee on dental hygiene to the Board unless the Board makes certain findings or a certain number of members vote to overturn the recommendations; and generally relating to recommendations made by a committee on dental hygiene to the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 935 – Delegate Hubbard

AN ACT concerning

**Health Insurance – Disabled Individuals – Eligibility for the Maryland Health
Insurance Plan**

FOR the purpose of requiring that certain disabled individuals who meet certain requirements be eligible for the Maryland Health Insurance Plan; requiring that certain disabled individuals eligible for the Plan be charged a certain monthly premium equal to or less than a certain amount; authorizing certain disabled individuals eligible for the Plan to be charged certain deductibles and coinsurance equal to or less than a certain amount; requiring that an individual enrolled in the Plan under certain eligibility guidelines be automatically disenrolled from the Plan under certain circumstances; requiring the Maryland Insurance Commissioner, in cooperation with the Board for the Plan, to adopt certain regulations; and generally relating to health insurance coverage for disabled individuals.

BY adding to
Article – Insurance
Section 14–508.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 936 – Delegate Elmore

AN ACT concerning

Creation of a State Debt – Somerset County – Teackle Mansion Restoration and 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 Friends of Teackle Mansion, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 937 – Delegates Shank, Hecht, Kelly, McComas, Myers, Stifler, and Weldon

AN ACT concerning

Criminal Law – Crimes of Violence – Sexual Abuse of a Minor and Continuing Course of Conduct with a Child

FOR the purpose of adding the crimes of sexual abuse of a child under a certain age and continuing course of conduct with a child to the list of crimes of violence for which certain enhanced penalties are applied to certain offenders; and generally relating to crimes of violence.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 14–101
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 938 – Delegates Kach, Impallaria, Boteler, Costa, Elmore, J. King, Kipke, and McDonough

AN ACT concerning

Criminal Procedure – Sexual Offenders – Supervision, Notifications, and Penalties

FOR the purpose of requiring the inclusion of certain additional information in a registration statement for the Offender Registry; requiring a supervising authority to verify certain information for a certain person; altering certain deadlines for a supervising authority to send certain information; expanding the types of child care entities that may be notified by a local law enforcement unit of the filing of a registration statement under certain circumstances; altering the penalty for a person convicted of knowingly failing to register as an offender for certain crimes, knowingly failing to provide a certain written notice to the Department of Public Safety and Correctional Services, and knowingly providing false information of a material fact on a certain registration statement; prohibiting a person from knowingly assisting a person who is subject to certain registration requirements and fails to comply with those requirements, in eluding a law enforcement agency or certain supervising authority by withholding information regarding the whereabouts of the person under certain circumstances or by providing false information; establishing a certain penalty; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–706, 11–708, 11–709, and 11–721
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–721.1
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 939 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Waterfront
Entertainment Retail Complex**

PG 312–07

FOR the purpose of establishing in Prince George’s County certain alcoholic beverages

licenses to be issued for use in a waterfront entertainment retail complex, as defined by the County Executive; making a certain hotel issued a Class BH license exempt from a certain definition; making a certain hotel issued a special Sunday on-sale permit exempt from a certain requirement and penalty; establishing a special Class B (convention hotel) (on- and off-sale) beer, wine and liquor license, a special Class B (entertainment venue) (on-sale) beer, wine and liquor license, and a Class A (entertainment district) (off-sale) beer, wine and liquor license; requiring that the licenses be issued for use within a waterfront entertainment retail complex; providing for fees, restrictions on, and requirements for the licenses; authorizing the Board of License Commissioners to transfer or issue certain licenses to a supermarket or grocery store within a waterfront entertainment retail complex; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(4)(i) and (5)(i) and (iii)3.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(4)(iii)2.C. and (5)(iv) and 9–102(a–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(4)(viii) and (5)(vi), 8–217.1, and 9–102(a–2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 940 – Delegates Valderrama, Braveboy, Frush, Holmes, Howard, Kramer, Proctor, V. Turner, Vallario, Vaughn, and Walker

AN ACT concerning

Creation of a State Debt – Prince George's County – National Philippine Cultural 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 Philippine

Cultural Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 941 – Delegates Kach, Boteler, Bromwell, Frush, George, Hucker, Impallaria, Schuler, Shewell, Stull, and Weir

AN ACT concerning

Radio Communications – Regulation of Amateur Radio Equipment – Limitations

FOR the purpose of requiring local zoning authorities to comply with certain federal regulations governing amateur radio service; prohibiting certain homeowners associations from restricting or prohibiting the design, placement, screening, height, or use of certain amateur radio equipment; prohibiting certain homeowners associations from amending certain governing documents under certain circumstances; requiring certain homeowners associations to provide certain written notice to their lot owners within a certain amount of time; defining a certain term; and generally relating to the regulation of amateur radio equipment.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02, 2.13, and 4.01(b)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01(b)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 11B–111.5
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 942 – Delegates Bronrott, Barve, and Morhaim

AN ACT concerning

High Performance Buildings Act

FOR the purpose of requiring certain buildings to be high performance buildings; requiring certain buildings that are renovated to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; providing for the applicability of this Act; defining a term; and generally relating to high performance buildings.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 943 – Delegate Simmons

AN ACT concerning

Statute of Limitations – Campaign Loans Deemed Contributions

FOR the purpose of clarifying the calculation of time in which a prosecution must be initiated for a criminal or civil violation resulting from an election campaign loan that is deemed to be a contribution; and generally relating to the statute of limitations.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 5–106(a), (f), (g), and (h)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings
Section 5–106(h–1)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 944 – Delegate Heller

AN ACT concerning

Task Force to Study the Needs and Expenditures of State Programs

FOR the purpose of establishing the Task Force to Study the Needs and Expenditures of State Programs; establishing the membership and staff of the Task Force; requiring the President of the Senate and the Speaker of the House to designate the chair of the Task Force; requiring the Task Force to examine and make findings and recommendations on certain issues related to the needs and expenditures of State programs; requiring the Task Force to submit certain reports by certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Needs and Expenditures of State Programs.

Read the first time and referred to the Committee on Appropriations.

House Bill 945 – Delegates Jones, Ali, Barkley, Barnes, Feldman, Gilchrist, Gutierrez, Hixson, Holmes, Hubbard, Hucker, Kaiser, Lawton, Lee, Manno, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Ramirez, Rice, Schuler, Simmons, F. Turner, and Waldstreicher

AN ACT concerning

**Human Relations – Sexual Orientation and Gender Identity and Expression
– Antidiscrimination**

FOR the purpose of prohibiting discrimination based on gender identity and expression with regard to public accommodations, housing, and employment; prohibiting discrimination based on sexual orientation or gender identity and expression with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity and expression; requiring certain State personnel actions to be made without regard to gender identity and expression or sexual orientation; defining the term “gender identity and expression”; and generally relating to discrimination

based on sexual orientation and gender identity and expression.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 5(a), (b), and (c), 8(a), 8A, 14, 16, 19(a), 20(t), 21(a), 22(a), 23, and 37(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 15(k) and 20(k–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 946 – Delegate Walkup

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Sample Collection on Arrest

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest for a felony or certain burglary offenses; altering a certain definition; requiring a DNA sample to be collected at the facility where a certain arrest is processed; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 947 – Delegates Kach, Kipke, Kullen, Morhaim, Nathan–Pulliam, and Riley

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement by Carriers

FOR the purpose of prohibiting certain carriers from requiring certain health care providers that deliver health care services through a group practice or other health care entity to accept the reimbursement fee schedule applicable under the contract between the group practice or other health care entity and the carrier for certain health care services delivered by the health care provider; and generally relating to reimbursement of health care providers by carriers.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–112(a)(1), (3), (4), and (6)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–112(o)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 948 – Delegate Carter

AN ACT concerning

Election Law – Task Force on Instant Voter Registration and Voting by Mail

FOR the purpose of establishing a Task Force on Instant Voter Registration and Voting by Mail to study and assess certain aspects of registration and voting for elections in the State; providing for the membership and staffing of the Task Force; authorizing the reimbursement of certain expenses; requiring a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force on Instant Voter Registration and Voting by Mail.

Read the first time and referred to the Committee on Ways and Means.

House Bill 949 – Delegates Stein, Beitzel, Bromwell, Costa, Kach, Kipke, Malone, Mizeur, Oaks, Riley, and Tarrant

AN ACT concerning

Military Health Care Personnel – Staffing Initiative

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in conjunction with the Governor's Workforce Investment Board and certain regulatory boards to identify certain barriers to licensing or certifying individuals who have certain training and experience in providing health care through military service that is equivalent to certain requirements for licensure or certification; requiring certain regulatory boards to draft certain regulations and legislation that will expedite certain licensure and certification of individuals who have certain training and experience in providing health care through military service that is equivalent to certain requirements for licensure or certification; requiring certain regulatory boards to adopt certain regulations on or before a certain date; requiring the Secretary and certain regulatory boards to make certain recommendations to the General Assembly for implementation of certain legislation; requiring that certain identifications, regulations, and legislation have a certain focus; determining certain identifications, regulations, and legislation in consultation with certain interest groups; and generally relating to a health care staffing initiative for military medical personnel.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 950 – Delegate Krysiak

AN ACT concerning

Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors – Criminal Background Checks

FOR the purpose of requiring an applicant for a heating, ventilation, air-conditioning, and refrigeration license to apply for a national and State criminal history records check in a certain manner; requiring the Criminal Justice Information System of the Department of Public Safety and Correctional Services to provide the Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors with a certain criminal history record of an applicant, an update to the criminal history records check, and a certain receipt; requiring an applicant to submit to the Central Repository a complete set of legible fingerprints taken in a certain manner; requiring an applicant to pay certain fees; specifying that certain information obtained by the Board shall be confidential and may be disseminated only to certain individuals; requiring the Board to periodically verify the continued licensure of individuals requiring criminal history records checks in accordance with certain regulations; requiring a licensee to submit proof of an update of a certain criminal history records check as a condition for the renewal of a license;

requiring the Board to allow an applicant to operate in a temporary licensing status under certain circumstances; requiring the temporary licensing to expire at a certain time; requiring an applicant obtaining a temporary license to meet certain requirements; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to licensure of heating, ventilation, air-conditioning, and refrigeration contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A-302(a) and 9A-309(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 9A-302.1 and 9A-309.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 9A-310(a)(1)(v) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10-221(b)(7)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 951 – Delegates Valderrama, Barnes, Braveboy, Frush, Howard, Hucker, Ivey, Mizeur, Pena-Melnyk, Stukes, Vaughn, and Walker

AN ACT concerning

Health – General – Food Establishment – Letter Grades

FOR the purpose of requiring a representative of the Department of Health and Mental Hygiene to post, and requiring a food establishment to display, a certain card in a certain location; authorizing certain food establishments to post a certain card in certain alternate locations; prohibiting a person from damaging, removing, or

obscuring a certain card in certain ways; prohibiting a food establishment from operating unless a certain card is in place; requiring a food establishment to maintain certain records that relate to a certain card; specifying certain penalties; requiring the Department to conduct certain inspections of food establishments and adopt certain regulations for issuing certain letter grades to food establishments based on certain inspections; specifying a certain period for validity of a letter grade; and generally relating to the inspection and grading of food establishments by the Department.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–312 and 21–316
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 21–312.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–313
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 952 – Delegates Montgomery, Bronrott, Lawton, and Shewell

AN ACT concerning

Department of Energy

FOR the purpose of redesignating the Maryland Energy Administration as the Department of Energy; establishing the Department of Energy as a principal department of State government; establishing the Secretary of Energy as the head of the Department of Energy; providing for the appointment, powers, duties, and salary of the Secretary; requiring the Attorney General to assign a certain number of assistant attorneys general to perform certain duties and functions in the Department of Energy; providing that all rights, obligations, and policies of the Maryland Energy Administration shall continue in effect under the Department of Energy, except as provided by law; providing for the transfer of the employees of

the Maryland Energy Administration to the Department of Energy without any diminution of their rights, benefits, or employment and retirement status; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct agency names and titles in the Code to conform to the changes that are made by this Act; defining certain terms; and generally relating to the Department of Energy.

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–201; 9–2001 through 9–2005, 9–2006(c)(1) and (e) through (k), 9–2007, and 9–2008 to be under the amended subtitle “Subtitle 20. Department of Energy”; and 9–20A–01, 9–20A–02, 9–20A–04 through 9–20A–09, 9–2102, and 9–2104 through 9–2109

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 9–2002.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–2006(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 953 – Delegate Feldman

AN ACT concerning

**Maryland Automobile Insurance Fund – Payment of Fees for Motor Vehicle
Records – Required**

FOR the purpose of requiring the Maryland Automobile Insurance Fund to pay to the Motor Vehicle Administration a certain fee for motor vehicle records provided by the Administration to the Fund; and generally relating to fees payable by the Maryland Automobile Insurance Fund.

BY adding to

Article – Insurance

Section 20–305
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 954 – Delegates Carter and Anderson

AN ACT concerning

Baltimore City Board of School Commissioners – Membership

FOR the purpose of altering the membership of the Baltimore City Board of School Commissioners; providing for the appointment of certain members of the Board by the Governor and by the Mayor of Baltimore City, subject to the approval of a certain organization; providing for the election of certain members of the Board; providing for a certain nonvoting member of the Board; altering the student membership of the Board; providing for the reimbursement of a member's expenses under certain circumstances; specifying qualifications and requirements for members of the Board; specifying the term of members, including a probationary term; providing for the removal of members of the Board under certain circumstances; requiring the Mayor and City Council of Baltimore City to establish certain Board of Education districts; specifying certain powers and duties of the Board; specifying the use of certain funds for the payment of salaries, expenses, and other benefits of the members of the Board; providing for the termination of the terms of certain members of the Board; and generally relating to the Baltimore City Board of School Commissioners.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108.1, 3–114(a), and 4–303
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 3–114(d)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.1
Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–802
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 955 – Delegate Carter

AN ACT concerning

Employees' Pension System – Purchase of Service Credit

FOR the purpose of providing that certain members of the Employees' Pension System may purchase certain service credit in a certain manner; requiring the Board of Trustees to hold certain contributions made by certain members of the Employees' Pension System in trust earning regular interest; and generally relating to the purchase of service credit in the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–307
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 956 – Delegates Jones, Anderson, Aumann, Bohanan, Bronrott, G. Clagett, Conway, Gaines, Griffith, Haynes, Myers, and Stocksdale

AN ACT concerning

Primary and Secondary Education – School Facilities – Aging Schools Program

FOR the purpose of increasing the amount of the grants the State is required to distribute to county boards of education for the Aging Schools Program beginning in a certain fiscal year; and generally relating to the calculation and amount of grants under the Aging Schools Program.

BY repealing and reenacting, with amendments,
Article – Education

Section 5–206(f)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 957 – Delegates Montgomery, Bronrott, Healey, Heller, Kaiser, Lawton, Lee, Mizeur, and Taylor

AN ACT concerning

State Board of Education – Insect and Food Allergies – Guidelines

FOR the purpose of requiring the State Board of Education to adopt certain regulations that establish certain guidelines for providing emergency medical care to certain students who have an anaphylactic reaction to insect stings or the ingestion of or exposure to certain food items; providing for the content of certain guidelines; and generally relating to State Board of Education guidelines for care of students with insect and food allergies.

BY adding to
Article – Education
Section 7–426
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 958 – Delegates Vaughn, Anderson, Barnes, Braveboy, Davis, Feldman, Howard, Ivey, Levi, Love, Manno, Minnick, Proctor, Rice, Ross, Taylor, Valderrama, and Walker

AN ACT concerning

Department of Business and Economic Development – Maryland Small Business Development Financing Authority – Small Business Investment Companies

FOR the purpose of authorizing the Department of Business and Economic Development to contract with two or more private companies to administer the programs of the Maryland Small Business Development Financing Authority; specifying that, if the Department contracts with companies to administer certain programs, the Department is required to contract with at least one company in the Baltimore metropolitan region and at least one company in the Maryland portion of the Washington metropolitan region and is required to ensure that each company with

which it contracts administers all of the programs of the Authority; authorizing the Department to extend and renew certain contracts with certain companies under certain circumstances; repealing a certain definition; and generally relating to the Maryland Small Business Development Financing Authority.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1001 and 5–1009
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 5–1003
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 959 – Delegate Valderrama

AN ACT concerning

Banking Institutions – Dishonored Checks – Fees

FOR the purpose of prohibiting certain banking institutions from charging a fee to a customer for an overdraft on the customer's checking account that results from the customer's reasonable reliance on a certain representation made by an employee or agent of the banking institution; and generally relating to fees charged by banking institutions.

BY adding to
Article – Financial Institutions
Section 5–514
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 960 – Delegates Bartlett, Feldman, Haddaway, Hecht, Impallaria, Manno, Miller, Stifler, Taylor, Vaughn, and Walkup

AN ACT concerning

Solar and Geothermal Energy Grant Program

FOR the purpose of altering the Solar Energy Grant Program in the Maryland Energy Administration to be the Solar and Geothermal Energy Grant Program; providing certain grants to individuals, local governments, and businesses for certain portions of the costs of acquiring and installing geothermal property; altering the amounts of certain grants awarded under the Program; limiting the amount of certain grants awarded under the Program for geothermal property; defining a certain term; repealing certain provisions relating to geothermal property; and generally relating to the Solar and Geothermal Energy Grant Program.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – State Government
Section 9–2008
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 961 – Delegate Vallario

AN ACT concerning

Maryland Uniform Power of Attorney Act

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the Maryland Uniform Power of Attorney Act; establishing certain exceptions to the application of this Act; establishing that a power of attorney created under this Act is durable unless the power of attorney contains a certain provision; requiring a power of attorney to be signed by the principal or a certain other individual; providing that the signature on a power of attorney is presumed genuine under certain circumstances; providing for the validity of certain powers of attorney under certain circumstances; providing that a certain photocopy or electronically transmitted copy of an original power of attorney has a certain effect; providing for the meaning and effect of a certain power of attorney in certain circumstances; authorizing a principal, in a power of attorney, to make a certain nomination; requiring a court to make a certain appointment; establishing the accountability of a certain agent under certain circumstances; establishing that,

with certain exceptions, a certain court appointment does not terminate a power of attorney; establishing that a power of attorney is effective under certain circumstances; authorizing a principal in a power of attorney to authorize certain persons to make a certain determination; establishing that a certain power of attorney may become effective on a certain determination by a certain individual; establishing certain circumstances under which a certain person may act as the principal's personal representative for certain purposes; establishing certain circumstances under which a power of attorney terminates; providing that a certain agent's authority remains exercisable, notwithstanding certain circumstances; establishing that the termination of an agent's authority or a power of attorney is not effective as to certain persons under certain circumstances; establishing that certain persons are bound by certain acts; establishing that the incapacity of a certain principal in a power of attorney does not have a certain effect; establishing that the execution of a power of attorney does not revoke a previously executed power of attorney, with certain exceptions; authorizing a principal in a power of attorney to designate a certain number of coagents for certain purposes; authorizing a principal in a power of attorney to make certain designations and grant a certain authority; establishing the authority of a certain successor agent in certain circumstances; limiting the liability of a certain agent for the actions of another agent in certain circumstances; requiring a certain agent with certain knowledge to take certain actions; establishing liability of a certain agent for failure to take certain actions in certain circumstances; establishing the entitlement of a certain agent to a certain reimbursement in certain circumstances; providing for the acceptance of a certain appointment by an agent under certain circumstances; requiring a certain agent that has accepted a certain appointment to act in a certain manner; providing for the liability of a certain agent under certain circumstances; establishing that a certain agent is not required to disclose certain information, with certain exceptions; requiring a certain agent to comply with a certain request within a certain time period, under certain circumstances; establishing that a certain provision in a power of attorney is binding on certain persons; authorizing certain persons to petition a court for certain purposes; requiring a court to dismiss a certain petition; providing for the liability of a certain agent for a certain amount; authorizing a certain agent to resign by giving a certain notice; authorizing a certain person to rely on a certain presumption concerning a certain signature; authorizing a certain person to rely on a certain power of attorney; authorizing a certain person to request and rely on a certain certification, translation, or opinion, without further investigation; establishing that a certain person is without actual knowledge of a certain fact under certain circumstances; establishing that this Act does not supersede and is controlled by certain other laws; authorizing a certain agent to do certain acts only under certain circumstances; prohibiting an agent that is not an ancestor, spouse, or descendent of the principal from exercising a certain authority; providing that a certain power of attorney provides a certain agent with certain authority; subjecting a certain grant of authority to certain limitations of this Act; providing for a certain

controlling authority under certain circumstances; establishing certain circumstances under which a certain authority is exercisable with respect to certain property; establishing that a certain act performed by a certain agent has a certain effect and inures to the benefit of and binds certain persons; establishing that a certain agent has authority described in this Act under certain circumstances; providing that a certain reference in a power of attorney incorporates a certain provision of this Act as if set out in full; authorizing a certain principal to modify a certain authority; providing that a principal, by executing a certain power of attorney, authorizes an agent to do certain acts; establishing that certain language authorizes a certain agent to do certain acts; establishing that certain language in a power of attorney, subject to the terms of a certain document or agreement, authorizes the agent to do certain acts; establishing that certain language in a power of attorney authorizes the agent to do only certain acts; establishing that a document substantially in a certain form may be used to create a certain statutory form power of attorney; establishing that a certain optional form may be used by an agent to certify certain facts concerning a power of attorney; authorizing the use of the title of this Act in certain circumstances; requiring that, in applying and construing this Act, a certain consideration be given; establishing that this Act modifies, limits, and supersedes a provision of a certain federal law, but not certain other provisions; providing for the application of this Act; defining certain terms; and generally relating to powers of attorney.

BY repealing

Article – Estates and Trusts

Section 13–601 through 13–603 and the subtitle “Subtitle 6. Powers of Attorney”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Estates and Trusts

Section 17–101 through 17–404 to be under the new title “Title 17. Maryland
Uniform Power of Attorney Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 962 – Delegates Conway, Anderson, Branch, Braveboy, G. Clagett, Eckardt, Griffith, Guzzone, Haynes, Hixson, James, Jones, Levy, Love, Mathias, McIntosh, Niemann, Proctor, Rosenberg, Rudolph, and Stocksdale

AN ACT concerning

Teachers' Retirement System and Teachers' Pension System – Reemployment of Retirees

FOR the purpose of altering the total number of certain retirees of the Teachers' Retirement System or Teachers' Pension System that certain school districts may rehire; altering the criteria for hiring certain retirees of the Teachers' Retirement System or the Teachers' Pension System who are exempt from a certain offset of a retirement allowance; and generally relating to the reemployment of retirees in the Teachers' Retirement System or the Teachers' Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 22–406(c)(5) and 23–407(c)(5)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(8) and 23–407(c)(8)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 963 – Delegates Weir, Beidle, Boteler, Donoghue, Holmes, McConkey, McKee, Minnick, Shank, Sossi, and Stull

AN ACT concerning

Vehicle Laws – Off–Highway Vehicles – Titling and Registration

FOR the purpose of creating an Off–Highway Vehicle Fund in the Department of Natural Resources; establishing the purpose of the Fund; requiring the Secretary of Natural Resources to administer the Fund; providing that the Fund is a continuing, nonlapsing special fund not subject to certain provisions of law; requiring the Fund to be administered in a certain manner; providing for the composition of the Fund; providing that expenditures from the Fund may only be used in accordance with the State budget; creating an Off–Highway Vehicle Trails Advisory Committee; providing for the membership and duties of the Committee; providing for the appointment of the Chair and Vice Chair of the Committee; providing for the staffing of the Committee; prohibiting a member of the Committee from receiving certain compensation or reimbursement; defining “off–highway vehicle”; providing that an off–highway vehicle that is purchased before a certain date does not need a certificate of title until after a certain date unless the vehicle

is transferred to a new owner; requiring an off-highway vehicle to be registered with the Motor Vehicle Administration; exempting certain off-highway vehicles from registration requirements; requiring that certain information be included with an application for registration of an off-highway vehicle; requiring the dealer of an off-highway vehicle to take certain actions if the vehicle is transferred to someone other than a licensed dealer; requiring the Administration to issue to the owner of a registered off-highway vehicle a registration decal; requiring that certain information be included on the registration decal; prohibiting a person from operating an off-highway vehicle unless a registration decal and any validation tab issued is attached to and displayed on the vehicle; providing for the expiration of registration decals; requiring the Administration to adopt regulations to govern the issuance, display, and expiration of registration decals; requiring registration decals to be issued and displayed in accordance with a schedule established by the Administration; requiring the Administration to refund a registration fee under certain circumstances; authorizing the Administration to design temporary registration decals and provide them to certain licensed dealers; authorizing certain entities to electronically transmit titling and registration information and issue permanent registration decals; authorizing the Administration to establish the amount of the registration fee for an off-highway vehicle; requiring the Administration to retain a certain portion of the revenues from the registration of an off-highway vehicle; requiring the Administration to remit certain funds to the Comptroller for deposit into the Off-Highway Vehicle Fund; requiring a certain person who sells an off-highway vehicle to provide certain information to the buyer; prohibiting an individual from operating an off-highway vehicle on a highway with a certain exception; prohibiting an individual from operating an off-highway vehicle on a controlled access highway; establishing certain requirements for the operation of an off-highway vehicle on private property; providing that an off-highway vehicle is not required to be inspected when ownership is transferred; repealing certain provisions of law that authorize counties to regulate the operation of, require registration for, and impose a registration fee for off-the-road motorcycles; providing that, for purposes of determining a certain excise tax, the fair market value of a new or used off-highway vehicle is the total purchase price as verified to the satisfaction of the Administration by certain documents; requiring the Department of Transportation and the Department of Natural Resources to submit certain reports; providing for the construction of this Act; 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 off-highway vehicles.

BY adding to

Article – Natural Resources
Section 5–209.1 and 5–209.2
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 11–140.1, 13–411.2, 13–937.2, and 21–1127

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–101.1, 13–402(b), and 13–808

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–102, 13–402(a) and (c), 13–403, 13–410(a) and (b), 13–412, 13–413,
13–601, 13–610, 13–809, 15–112, and 23–106

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – Transportation

Section 25–102.1

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–809

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

(As enacted by Chapters 361 and 362 of the Acts of the General Assembly of
2001)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 964 – Delegates Conway and Mathias

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

FOR the purpose of prohibiting the use of dredging to catch or attempt to catch oysters

and clams in the Atlantic Coastal Bays area; prohibiting the use of a hydraulic clam dredge, power dredge or other mechanical means of clamming and oystering in the Atlantic Coastal Bays; providing for the application of certain provisions of this Act; and generally relating to oyster and clam dredging.

BY renumbering

Article – Natural Resources

Section 4–1021.1

to be Section 4–1021.2

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–215(h), 4–1012(a), 4–1037, 4–1038, and 4–1039

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Natural Resources

Section 4–1002 and 4–1021.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 965 – Delegates Conway, Cane, Donoghue, Elmore, and Mathias

AN ACT concerning

Department of Health and Mental Hygiene – Respite Bed Study – Extension

FOR the purpose of extending the date by which the Department of Health and Mental Hygiene shall provide a certain report to certain committees of the General Assembly; and generally relating to a study of respite beds in the State by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Chapter 178 of the Acts of the General Assembly of 2004

Section 3

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 966 – Delegate Davis

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; specifying that a preliminary evaluation is not required for the next full evaluation of the Office; requiring that an evaluation of the Office, and the statutes and regulations that relate to the Office, be performed on or before a certain date; authorizing a designee of the Director of the Office to conduct a certain investigation and inspection, commence proceedings on a complaint, and review a complaint and attempt to negotiate a settlement of a complaint; requiring the Director to maintain a list of all for-profit and nonreligious-nonprofit cemeteries associated with a registrant or permit holder for each fiscal year; requiring the Director to maintain a list of all bona fide religious-nonprofit cemeteries, veterans' cemeteries, and local government-owned cemeteries that have filed a certain statement or report; requiring that all lists maintained by the Director be open to inspection by any person; requiring the Director to conduct an inventory of all known burial sites in the State and to update the inventory periodically and to report, beginning on a certain date, to the General Assembly on the number of certain types of cemeteries; requiring the Director, beginning on a certain date, to annually assess the rate of compliance with certain registration, permit, and reporting requirements in a certain manner; requiring the Director to report annually to the General Assembly on the implementation of a certain action plan; repealing the Cemetery Oversight Fund; requiring the Office to pay all money collected under the Maryland Cemetery Act into the General Fund of the State; requiring the Director, on or before a certain date each year, to report to the General Assembly on the nature of certain complaints, the manner in which certain complaints are resolved, the number of complaints against certain persons, and any disciplinary or enforcement actions taken against certain persons; altering the scope of certain limitations on burial land; specifying that a certain certificate of ownership, under seal of certain persons, has the same effect as a certain conveyance of real property; repealing an exemption for certain cemeteries from certain provisions of law relating to perpetual care requirements; altering certain requirements relating to perpetual care; requiring that any moneys remaining in the Cemetery Oversight Fund after a certain date revert to the General Fund of the State; requiring the Office to provide status reports on the implementation of certain recommendations to certain committees of the General Assembly and the Department of Legislative Services on or before certain dates; requiring the Advisory Council on Cemetery Operations to study the issue of abandoned and neglected cemeteries in a certain manner and develop a legislative proposal; defining a certain term; making certain conforming, clarifying, and technical

changes; and generally relating to the Office of Cemetery Oversight and the operation of cemeteries and burial goods businesses in the State.

BY renumbering

Article – Business Regulation

Section 5–603, 5–605, 5–606, and 5–607, respectively
to be Section 5–604, 5–606, 5–607, and 5–608, respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–102(a), 5–204, 5–205, 5–311, 5–501, 5–502, 5–504, 5–601, 5–602,
5–604, 5–608, and 5–1002
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation

Section 5–601
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(11)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 967 – Delegate O’Donnell

AN ACT concerning

**Program Open Space – Capital Improvements – Maryland Historical Trust and
Historic St. Mary’s City Commission**

FOR the purpose of providing that certain Program Open Space funds available for capital improvements on State land may be appropriated for use by the Maryland Historical Trust for certain purposes or the Historic St. Mary's City Commission; and generally relating to funding for capital improvements for the Maryland Historical Trust and the Historic St. Mary's City Commission.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–903(a)(2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 968 – Delegates Ivey, Anderson, Barnes, Bartlett, Barve, Carter, Conaway, Doory, Dwyer, Elmore, Frank, George, Gilchrist, Howard, Jennings, Kaiser, N. King, Kramer, Krebs, Levi, McComas, McKee, Mizeur, Murphy, Oaks, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Simmons, Smigiel, Stukes, F. Turner, Valderrama, Vallario, and Walker

AN ACT concerning

Family Law – Flex Funds – Adopted Children

FOR the purpose of requiring that a child who is eligible for certain funds before adoption remains eligible after adoption; defining a certain term; and generally relating to funding for adopted children.

BY adding to
Article – Family Law
Section 5–413
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 969 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Metropolitan Commission – Fee Schedule

FOR the purpose of requiring the St. Mary's County Metropolitan Commission to impose and collect a certain connection fee for certain water or sewer connections under certain circumstances; providing for the calculation of a certain connection fee; requiring the Commission to impose and collect certain capital contribution charges for certain equivalent dwelling units connected to the water and sewerage system; repealing the authority for the Commission to apply certain revenue from the connection fees above the actual cost for certain maintenance and operating expenses or for paying the principal of and interest on certain bonds; requiring that certain capital contribution charges be used for paying certain capital costs and certain bonds issued for certain construction costs; providing for the calculation of a certain capital contribution charge; requiring that the capital contribution charge be assessed in a certain manner as a uniform charge for all sanitary districts; providing for the due date, late charges, and collection procedures for the connection fee and capital contribution charge; providing for an additional cost to be paid by certain property owners who defer a connection under certain circumstances; repealing certain provisions of law relating to benefit charges used for payment of costs for certain water and sewerage systems; requiring the Commission to impose and collect a certain system improvement charge for certain purposes on certain equivalent dwelling units under certain circumstances; requiring the system improvement charges to be assessed and payable monthly, to be uniform, and to be applied to every equivalent dwelling unit equally; requiring the system improvement charge to be used for paying certain capital costs and certain bonds issued for certain purposes; requiring the system improvement charges to be placed in a certain account to be used for certain purposes; providing for the calculation of certain system improvement charges; requiring the Commission to classify property and impose and collect the system improvement charge in a certain manner; requiring the Commission to provide certain notice to certain property owners regarding the system improvement charge; providing for the alteration of the classification of certain property; requiring the system improvement charge to be imposed for both water and sewerage facilities and be assessed in a certain manner; stating procedures for correcting any errors in imposing the system improvement charge; providing for certain exemptions to the system improvement charge; providing that the system improvement charge does not apply to property used for a certain purpose; requiring that the rate of a certain system improvement charge be based on a certain capital improvement plan of the Commission in a certain manner; authorizing the Commission to establish certain financial criteria to determine the eligibility of certain homeowners for a deferral of the system improvement charge; providing for procedures relating to the deferral of the system improvement charge; providing that the Commission may only implement a deferral process through adoption of a resolution in accordance

with certain notice and hearing requirements; authorizing the connection with a water main or sewer of certain property that does not abut a water main or sewer under certain circumstances; authorizing the Commission to classify certain property as property in a remote area and to construct certain water or sewer lines and impose and collect a certain system improvement charge under certain circumstances; authorizing certain system improvement charges to be imposed on certain benefited properties for certain improvements; providing for the due date, late charges, and collection procedures for system improvement charges; requiring that certain system improvement charges be set aside in a certain fund; requiring a certain amount of money to be raised for certain bonds to be certified for collection by taxation under certain circumstances; providing for the payment of the system improvement charge when property is acquired by certain public entities; defining certain terms; and generally relating to the imposition of certain connection fees, capital construction charges, and system improvement charges imposed by the St. Mary's County Metropolitan Commission.

BY repealing

The Public Local Laws of St. Mary's County
Section 113-9
Article 19 – Public Local Laws of Maryland
(2002 Edition, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of St. Mary's County
Section 113-12 and 113-14
Article 19 – Public Local Laws of Maryland
(2002 Edition, as amended)

BY adding to

The Public Local Laws of St. Mary's County
Section 113-29
Article 19 – Public Local Laws of Maryland
(2002 Edition, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 970 – Delegates Hubbard, Benson, Bromwell, Costa, Elliott, Kipke, Kullen, Mizeur, Montgomery, Oaks, Pena-Melnyk, Tarrant, Taylor, and Weldon

AN ACT concerning

Rosewood Transition Plan

FOR the purpose of requiring the Department of Health and Mental Hygiene, on or

before a certain date, to develop a Rosewood transition plan; requiring the Rosewood transition plan to provide, on or before a certain date, for the transition of all residents to certain services and settings; requiring certain residents to transition to certain services and settings in accordance with a certain assessment; requiring certain residents to transition to certain services in accordance with a certain plan; requiring the Rosewood transition plan to include certain elements; requiring the Department to complete implementation of the Rosewood transition plan on or before a certain date; requiring the Department to report, on or before certain dates, to the Governor and the General Assembly on the Rosewood transition plan; requiring the Comptroller to transfer certain moneys from the Developmental Disabilities Administration account of the Community Services Trust Fund over certain fiscal years; prohibiting the moneys transferred from supplanting certain funds; requiring the Department to seek certain federal funds; requiring the moneys transferred to be repaid over certain fiscal years; and generally relating to a Rosewood transition plan.

BY adding to

Article – Health – General

Section 7–520 to be under the new part “Part IV. Rosewood Transition Plan”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 24–1101 through 24–1104

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 24–1105

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 5–101(a) and (b) and 5–310(a), (b), and (c)(2) through (6)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 971 – Delegates Jones, Barkley, G. Clagett, DeBoy, Gutierrez, Guzzone, Haynes, and Heller

AN ACT concerning

**State Personnel – Collective Bargaining – State Institutions of Higher Education –
Employee Information**

FOR the purpose of requiring certain State institutions of higher education to provide certain employee information to certain exclusive representatives under certain circumstances; requiring the State institutions of higher education to give certain notice to certain employees at a certain time; prohibiting the State institutions from providing certain employee information to an exclusive representative under certain circumstances; authorizing the State institutions of higher education to charge a certain fee; establishing certain limitations on the number of requests for employee information that may be made and the uses of employee information by exclusive representatives of employees of the State institutions of higher education; and generally relating to employee information provided to exclusive representatives by State institutions of higher education in connection with collective bargaining.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–208
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 972 – Delegates Love, Dwyer, and Hecht

AN ACT concerning

Nursing Facilities – Electronic Monitoring

FOR the purpose of requiring certain nursing facilities to install and use electronic monitoring devices in resident rooms and certain common areas for a certain purpose; requiring the nursing facility to post a certain notice in a conspicuous location; requiring the area in the nursing facility that receives the signals from the electronic monitoring devices to meet certain criteria; requiring that certain nursing facilities retain certain recordings for a certain period of time and, at the request of certain residents and legal representatives, provide certain residents and legal representatives with access to certain recordings; providing that the electronic monitoring of residents shall be noncompulsory and with the written permission of certain persons and funded by the nursing facility; requiring the nursing facility to develop and implement certain policies related to the privacy

rights of certain residents and visitors; prohibiting a nursing facility from refusing residency of certain persons and from removing certain residents because of a refusal to accept electronic monitoring; requiring the administrator of a nursing facility to maintain certain records; establishing certain penalties; requiring that videotapes created from video camera monitoring be admissible in criminal and civil actions brought in Maryland courts, subject to the Maryland Rules of Evidence; defining a certain term; providing for the application of this Act; and generally relating to electronic monitoring of nursing facilities.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(o)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 19–343.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 973 – Delegates Proctor, Anderson, Aumann, Bartlett, Beidle, Bohanan, Bromwell, Cane, Conaway, Conway, Davis, DeBoy, Donoghue, Dumais, Elmore, Frank, Frush, Gaines, George, Glassman, Glenn, Guzzone, Hammen, Haynes, Healey, Heller, Holmes, Ivey, James, Jameson, Jennings, Krebs, Krysiak, Levi, Levy, Malone, Mathias, McHale, McIntosh, McKee, Minnick, Oaks, O’Donnell, Pena–Melnyk, Ramirez, Robinson, Schuler, Shank, Sophocleus, Stocksdale, Stukes, Tarrant, Taylor, Valderrama, Vallario, Vaughn, Weir, and Wood

AN ACT concerning

Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit

FOR the purpose of allowing a credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational grant 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 or an eligible innovative educational grant organization by a certain date each year; requiring an eligible educational scholarship organization or an eligible innovative educational grant 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 grant organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; 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; 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 grant organization.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–205(a) and 10–306(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–205(j), 10–306(f), and 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 974 – Delegates Stocksdales, Bartlett, Bates, Beitzel, Elliott, George, Jennings, Krebs, Kullen, McKee, Shewell, Sossi, and Wood

AN ACT concerning

Agricultural Land Preservation – Easements – Future Dwelling House

FOR the purpose of authorizing a landowner of a certain property, on which there is no existing dwelling house, to reserve the right to construct a future dwelling house under certain circumstances; requiring the Maryland Agricultural Land Preservation Foundation and local governing body to provide certain written notice before a certain date; prohibiting the Foundation from restricting the landowner's right to build a future dwelling house under certain circumstances;

authorizing the landowner to build a future dwelling house on certain land at any time, but requiring the landowner to obtain written approval from the Foundation before constructing the dwelling house; requiring the location of the future dwelling house to meet certain conditions; requiring a landowner to forfeit the right to reserve certain acreage for a future dwelling house under certain circumstances; prohibiting the subdivision of certain acreage from the agricultural land preservation easement under certain circumstances; and generally relating to agricultural land preservation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 975 – Delegate Ross

AN ACT concerning

Income Tax – Community Assistance Program Tax Credit

FOR the purpose of altering the maximum total contributions that may be approved as eligible for a certain tax credit for any fiscal year; providing for the application of this Act; and generally relating to tax credits allowed for contributions to an approved project under the Neighborhood and Community Assistance Program of the Department of Housing and Community Development.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–404
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–405(c)
Annotated Code of Maryland
(2006 Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 976 – Delegate Ross

AN ACT concerning

Income Tax Credit – Qualified Homes

FOR the purpose of providing certain individuals a credit against the State income tax in a certain amount for the purchase of certain owner-occupied residential real property; defining certain terms; providing for the carryforward of certain unused credit to certain taxable years; providing for the application of this Act; and generally relating to a tax credit for the purchase of certain homes.

BY adding to

Article – Tax – General

Section 10-726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 977 – Delegate Costa

AN ACT concerning

Task Force on a Statewide Stormwater Management and Sediment Control Initiative

FOR the purpose of establishing a Task Force on a Statewide Stormwater Management and Sediment Control Initiative; establishing the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a final report to the Governor and General Assembly regarding the recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on a Statewide Stormwater Management and Sediment Control Initiative.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 978 – Delegates Stein, Cardin, V. Clagett, George, Lawton, Mizeur, and Morhaim

AN ACT concerning

Maryland Energy Administration – Renewable Energy Small Business Grant Program

FOR the purpose of establishing the Renewable Energy Small Business Grant Program in the Maryland Energy Administration to provide grants to certain small businesses for the usage of renewable energy resources; requiring the Maryland Energy Administration to administer the Program, establish certain procedures, and award grants from the Program in a certain manner; establishing the intent of the General Assembly regarding funding for the Program; defining certain terms; and generally relating to the Renewable Energy Small Business Grant Program and renewable energy resources.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 1–101(aa)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–2009
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 979 – Delegates Pendergrass, Barve, Bates, Benson, Bobo, Bromwell, Bronrott, Costa, Donoghue, Eckardt, Elliott, Frank, Goldwater, Guzzone, Hammen, Harrison, Hecht, Hubbard, Hucker, Kach, Kelly, Kipke, Kirk, Krysiak, Kullen, Love, Manno, Miller, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Riley, Rosenberg, Stukes, F. Turner, and Weldon

AN ACT concerning

Regional Health Data Exchange

FOR the purpose of altering the uses of the Community Health Resources Commission Fund to provide funding for a regional health data exchange; limiting the amount of annual funding from the Fund for a regional health data exchange; requiring the Health Services Cost Review Commission to provide funding of at least a certain amount each year for a certain period beginning in a certain fiscal year for a regional health data exchange; establishing certain eligibility requirements for an organization to receive funding; requiring the Department of Health and Mental

Hygiene to encourage all health care practitioners and hospitals to take certain actions; requiring the Maryland Health Care Commission, the Health Services Cost Review Commission, and the Maryland Patient Safety Center to support the regional health data exchange as a patient safety initiative; providing for the termination of this Act; and generally relating to a regional health data exchange.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–2201(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–2201(e) and (f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 980 – Delegates Nathan–Pulliam, Benson, Kullen, Mizeur, and Tarrant

AN ACT concerning

HIV Testing, Education, and Treatment for Inmates

FOR the purpose of requiring inmates in a correctional institution to be tested for the presence of human immunodeficiency virus (HIV) at certain times; requiring the correctional institution to test the inmates for HIV by a certain test and test procedure; requiring certain inmates to be notified of certain test results in a certain manner; requiring the correctional institution to provide certain education and treatment to inmates who test positive for HIV; requiring the Division of Correction, in consultation with the Department of Health and Mental Hygiene, to establish certain education programs; requiring all correctional institutions to develop certain written procedures; providing that certain health care providers may not be held liable for certain actions; defining certain terms; and generally relating to HIV testing, education, and treatment of inmates.

BY renumbering

Article – Health – General

Section 18–338.1, 18–338.2, and 18–338.3, respectively

to be Section 18–338.2, 18–338.3, and 18–338.4, respectively

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 18–338
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 18–338.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.2(b) and 18–338.4(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 981 – Delegates Walkup, Smigiel, and Sossi

AN ACT concerning

Northern Bay Crossing

FOR the purpose of repealing certain authority of the State Roads Commission concerning the construction and financing of a northern crossing of the Chesapeake Bay between Millers Island in Baltimore County and Kent County; prohibiting the Maryland Department of Transportation, the Maryland Transportation Authority, or any unit in the Department, from including in certain plans and other documents any reference or statement with respect to a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; providing that a certain provision of this Act may not be construed in a certain manner; providing that bonds or other financing mechanisms authorized by law may not be used to finance the planning, design, or construction of a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; requiring the Department, the Authority, and any unit of the Department, if it is in possession of any plan or other document prepared on or after a certain date, that has a reference or statement with respect to a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County, to remove or cause the removal of that reference or statement from

the plan or document; amending a provision of law to prohibit the Authority from condemning property in connection with the construction of a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; stating certain findings and declarations of the General Assembly; requiring the Department and the Authority to consider certain options to a northern bridge across the Chesapeake Bay; stating the intent of the General Assembly; and generally relating to prohibitions concerning a northern Chesapeake Bay crossing that has a terminus in Kent County.

BY repealing and reenacting, with amendments,
Chapter 608 of the Acts of the General Assembly of 1976
Section 3. 1.

BY adding to
Article – Transportation
Section 2–112
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–206
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 236
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 982 – Delegates Kach and Boteler

AN ACT concerning

Energy – Peak Sharing – Electricity Supply from Standby Generators

FOR the purpose of authorizing certain standby generators to produce electricity for distribution on the grid during a period of peak demand; requiring electric companies to pay a certain rate to a standby generator that distributes electricity during a period of peak demand; authorizing an electric company to request that a standby generator distribute electricity to the grid for a certain period under certain

circumstances; prohibiting a standby generator that agrees to participate in the peak sharing program from being levied certain charges; requiring the Public Service Commission to adopt regulations to implement this Act; stating the findings of the General Assembly; defining certain terms; and generally relating to electricity supply during a period of peak demand.

BY adding to

Article – Public Utility Companies

Section 7–212

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 983 – Delegates Jones, Barkley, Bobo, Cane, Cardin, G. Clagett, DeBoy, Frush, Gaines, Gilchrist, Gutierrez, Haynes, Hecht, Heller, Hixson, Holmes, Howard, Hubbard, Huckler, Ivey, Jameson, Kaiser, N. King, Kirk, Kullen, Lafferty, Lawton, Lee, Malone, Manno, Niemann, Olszewski, Pendergrass, Ramirez, Rice, Riley, Ross, Schuler, Stukes, Taylor, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Economic Development and Tax Incentive Act

FOR the purpose of requiring the State Department of Assessments and Taxation to submit a Unified Property Tax Exemption and Credit Report on or before a certain date each year; specifying the contents of the property tax report; requiring the State Department of Assessments and Taxation to publish the property tax report in both written and electronic formats; requiring the Department of Business and Economic Development to submit a Unified Economic Development and Tax Incentive Report on or before a certain date each year; specifying the contents of the report; requiring the Department of Business and Economic Development to publish the economic development report in both written and electronic formats; providing an exception to certain tax information confidentiality requirements; requiring all State agencies to cooperate and assist in the preparation of certain reports; requiring the State Department of Assessments and Taxation to have access to certain information for the preparation of certain reports; defining certain terms; and generally relating to the Unified Property Tax Exemption and Credit Report and the Unified Economic Development and Tax Incentive Report.

BY adding to

Article – Tax – Property

Section 2–301 through 2–307 to be under the new subtitle “Subtitle 3. Unified Property Tax Exemption and Credit Report”

Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article 83A – Department of Business and Economic Development
Section 7–101 through 7–106 to be under the new title “Title 7. Unified Economic
Development and Tax Incentive Report”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 984 – Delegates Conway, Cane, G. Clagett, DeBoy, Donoghue, Jones,
Mathias, and Rudolph

AN ACT concerning

Correctional Officers’ Retirement System – DROP

FOR the purpose of establishing a Deferred Retirement Option Program (DROP) for certain members in the Correctional Officers’ Retirement System; requiring the State Retirement Agency to request certain documentation from the Internal Revenue Service; making this Act subject to a certain contingency; and generally relating to establishing a DROP for members of the Correctional Officers’ Retirement System.

BY renumbering

Article – State Personnel and Pensions
Section 25–401.1
to be Section 25–401.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 25–401.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 985 – Delegates Conway, Cane, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Creation of a State Debt – Wicomico County – Epilepsy Association Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$325,000, the proceeds to be used as a grant to the Board of Directors of the Epilepsy Association of the Eastern Shore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 986 – Delegates Rosenberg, George, Gilchrist, Holmes, Hucker, Kaiser, N. King, and Oaks

AN ACT concerning

Lead Safe Income Tax Credit

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax under certain circumstances for certain costs incurred for an approved lead hazard reduction project with respect to certain property; providing for calculation of the credit; disallowing the credit for costs for which the taxpayer has received a grant or loan under certain State programs; providing for the carryover of unused credit; providing for submission of proposals for lead hazard reduction projects to the Department of Housing and Community Development for approval; limiting the total amount of credits that the Department may approve for any fiscal year; prohibiting the Department from approving lead hazard reduction projects for a credit after a certain date; prohibiting certain false statements; providing a certain penalty for certain violations; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain approved lead hazard reduction projects.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 987 – Delegates Valderrama, V. Turner, and Walker

AN ACT concerning

Creation of a State Debt – Prince George’s County – Forest Heights Municipal Building

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 Mayor and Town Council of the Town of Forest Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 988 – Delegate Nathan–Pulliam

AN ACT concerning

State Board of Dental Examiners – Restructuring and Licensee Protection

FOR the purpose of prohibiting certain boards from taking or refusing to take certain action as reprisal against certain licensees or certificate holders under certain circumstances; establishing that certain protection only applies if a licensee or certificate holder has a certain reasonable, good faith belief; authorizing certain individuals to institute certain civil actions in certain counties within certain periods of time; authorizing certain courts to provide certain relief under certain circumstances; providing for a certain defense; requiring the Department of Health and Mental Hygiene to submit a certain list of names of individuals for nomination for membership on the State Board of Dental Examiners to the Governor; requiring that a certain list of names be compiled by the Department in consultation with certain academies, associations, organizations, or societies; requiring that individuals on a certain list reflect certain diversity of the State; requiring that certain members appointed to the Board reflect certain diversity of this State; requiring that the Maryland State Dental Association and the Maryland Dental Society invite certain representatives to a certain meeting; requiring that certain terms of membership on the Board be staggered as provided for on a certain date; requiring the Governor to appoint a president of the Board from among certain Board members; requiring the Secretary to appoint a certain executive director of the Board; repealing provisions authorizing the Board to initiate or file certain complaints; establishing the terms of office of members of the Board appointed on a certain date; requiring a certain board to adopt certain regulations by a certain date; requiring the Office of the Attorney General to provide a rotation process for certain assistant attorney generals; requiring the

Inspector General to conduct certain audits of certain complaint files; requiring the Board to submit a certain report; defining certain terms; and generally relating to the restructuring of the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–501 through 1–506, 4–202 through 4–204, and 4–316
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 989 – Delegates Harrison, Branch, and Conway

AN ACT concerning

**Maryland Small Business Development Financing Authority – Financing
Limitations**

FOR the purpose of altering certain limitations on lending, guarantees, and equity participation financing by the Maryland Small Business Development Financing Authority in certain transactions; altering the maximum amount of a loan guarantee that the Authority may make using the Contract Financing Fund; altering the maximum amount of a loan guarantee that the Authority may make using the Guaranty Fund; altering the scope of contracts for which the Authority may act as a surety and guarantee losses incurred by certain sureties under the Small Business Surety Bond Program and certain limitations; altering certain limitations on the amount of equity and investment that the Authority may own in certain businesses and franchises under the equity participation financing program; altering certain limitations on the qualifications of certain enterprises and principals seeking to acquire certain existing businesses in connection with equity participation financing provided by the Authority; providing for the effective date of certain provisions of this Act; and generally relating to the Maryland Small Business Development Financing Authority.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1022(a), 5–1024(a), 5–1029(a), 5–1035(a) and (d)(1), and 5–1046
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1035(a)

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Economic Matters.

House Bill 990 – Frederick County Delegation

AN ACT concerning

Frederick County – Employees’ Pension System – Alternate Contributory Pension Selection

FOR the purpose of allowing the employees of Frederick County who are members of the Employees’ Pension System to become subject to the Alternate Contributory Pension Selection that alters the benefits those members receive and requires a certain member contribution; authorizing the purchase of service credit under certain circumstances; requiring Frederick County to pay for certain additional pension liabilities according to a certain amortization schedule approved by the Board of Trustees for the State Retirement and Pension System; making this Act subject to a certain contingency; requiring the State Retirement Agency to verify certain information; and generally relating to participation in the Alternate Contributory Pension Selection part of the Employees’ Pension System by certain employees of Frederick County.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–307(k), 23–221, and 23–307.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 991 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Glenn, Kirk, Krysiak, McHale, and Stukes

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated for certain purposes; requiring that the required appropriation be made to a certain association; repealing certain obsolete

language; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (40)(e)
(2006 Edition)

Read the first time and referred to the Committee on Ways and Means.

House Bill 992 – Delegates Anderson, Carter, Conaway, Lee, Love, and Rosenberg

AN ACT concerning

Criminal Procedure – Drug–Related Offenses – Repeal of Mandatory Minimum Sentences

FOR the purpose of repealing certain mandatory minimum sentences for certain drug–related offenses; specifying that a person convicted of certain drug–related offenses is not prohibited from participating in a certain drug treatment program; providing that a person who is serving a term of confinement that includes a mandatory minimum sentence imposed on or before a certain date is entitled to be granted a certain hearing and a certain sentence review; requiring that a person who seeks to be granted a hearing or sentence review submit an application on or before a certain date; altering certain penalties; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of certain drug–related offenses; and generally relating to penalties for drug–related offenses.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–602, 5–603, 5–604, 5–605, and 5–606
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–607, 5–608, and 5–609
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 5–133(c)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 993 – Delegates Walker, V. Turner, and Valderrama

AN ACT concerning

Creation of a State Debt – Fort Washington Medical Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the proceeds to be used as a grant to the Board of Directors of Fort Washington Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 994 – Delegates Walker, Benson, Boteler, Cane, DeBoy, Frush, Gilchrist, Howard, Hucker, Krysiak, Manno, Niemann, O'Donnell, Olszewski, Ramirez, Rice, Ross, Stukes, Tarrant, Taylor, and F. Turner

AN ACT concerning

Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation

FOR the purpose of establishing the Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to certain reimbursement; authorizing the Task Force to invite certain experts and other witnesses to submit testimony, hold certain hearings, and in consultation with the Department of Budget and Management, contract with certain experts and consultants; requiring the Task Force to review and evaluate the use of the high school assessment as a Maryland diploma requirement, develop certain strategies and interventions, develop certain cost projections, and make certain findings and recommendations; requiring the

Task Force to report certain findings and recommendations to the State Department of Education, the Governor, and the General Assembly on or before a certain date; requiring the Governor to ensure regional, ethnic, economic, and gender diversity in making certain appointments; providing for the termination of this Act; and generally relating to the policy and funding implications of requiring passage of the high school assessment for graduation.

Read the first time and referred to the Committee on Ways and Means.

House Bill 995 – Delegates Walker, Healey, Lafferty, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Income Tax – Subtraction Modification – Donations to Public Schools

FOR the purpose of providing a subtraction modification under the Maryland income tax for donations made by a business entity to a public school; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for donations made by a business entity to a public school.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a) and 10–308(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–308(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 996 – Delegate Jameson

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Sexual Offenses and Kidnapping – Sample Collection on Arrest

FOR the purpose of altering certain provisions to require the collection of a DNA sample from an individual under arrest for certain sexual offenses or kidnappings instead of from an individual convicted of a felony or certain burglary offenses; altering a certain definition; defining a certain term; requiring a DNA sample to be collected at the facility where a certain arrest is processed; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; repealing a certain provision that permits the expungement of a DNA sample; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 997 – Delegates Valderrama, Ali, Ivey, Kramer, Lee, and Rice

AN ACT concerning

Maryland Children’s Health Program – Expansion of Eligibility

FOR the purpose of altering the income eligibility requirements for the Maryland Children’s Health Program; authorizing the Department of Health and Mental Hygiene to determine the amount of a certain family contribution; repealing provisions of law that require the Department to set certain family contributions at certain amounts; requiring the Department to provide a certain report to certain committees of the General Assembly on or before a certain date; altering a certain definition; making certain technical changes; and generally relating to the Maryland Children’s Health Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–301 and 15–301.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 998 – Delegates Krysiak, Ali, Anderson, Bobo, Burns, Feldman, Hucker, Kirk, Love, Manno, McHale, McIntosh, Minnick, Taylor, and Vaughn

AN ACT concerning

Maryland Tax Preparers Act

FOR the purpose of creating the State Board of Tax Preparers in the Department of Labor, Licensing, and Regulation; providing for the composition, appointment, terms, and expenses of the Board members; specifying the terms of the initial members of the Board; establishing certain powers and duties of the Board; requiring certain persons to be licensed by the Board as tax preparers before performing certain work; establishing certain education and experience requirements for tax preparers; establishing certain licensing and license renewal requirements for tax preparers; establishing certain examination requirements for tax preparers; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; providing for certain criminal penalties; requiring certain fees and penalties collected by the Board to be paid into the General Fund of the State; requiring that an evaluation of the State Board of Tax Preparers and the statutes and regulations that relate to the State Board be performed on or before a certain date; defining certain terms; and generally relating to the State Board of Tax Preparers.

BY renumbering

Article – Business Regulation
Section 2–108(a)(23) through (33), respectively
to be Section 2–108(a)(24) through (34), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY renumbering

Article – State Government
Section 8–403(b)(66) through (69), respectively
to be Section 8–403(b)(67) through (70), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 19.5–101 through 19.5–502 to be under the new title “Title 19.5. Tax Preparers”
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation

Section 2–108(a)(23)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(66)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 999 – Delegate McConkey

AN ACT concerning

Real Property – Common Ownership Community Ombudsman

FOR the purpose of establishing the office of Common Ownership Community Ombudsman in the Department of Labor, Licensing, and Regulation; providing for the appointment, service, qualifications, and salary of the Ombudsman; authorizing the Ombudsman to employ a staff; requiring the Ombudsman to perform certain duties; authorizing the Ombudsman to adopt and enforce certain regulations; requiring a common ownership community to register by a certain date with the Ombudsman; requiring the registration form to include certain information; providing that a common ownership community is exempt from registration if it is required to register under a certain local common ownership community registration system; requiring the Ombudsman to charge a fee for registration; providing that the fee may not exceed a certain amount; establishing a Common Ownership Community Ombudsman Fund; providing for the purpose of the Fund; providing that the Fund is a special, nonlapsing fund that is not subject to a certain provision; requiring the Treasurer to hold the fund separately and the Comptroller to account for the Fund; providing for the contents of the Fund; providing for the use of the Fund; requiring the Treasurer to invest the Fund in a certain manner; providing that expenditures from the Fund may be made in a certain manner; requiring the Office of Legislative Audits to audit the accounts and transactions of the Fund; defining certain terms; and generally relating to establishing the office of Common Ownership Communities Ombudsman.

BY adding to

Article – Real Property

Section 11C–101 through 11C–402 to be under the new title “Title 11C. Common Ownership Community Ombudsman”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1000 – Delegate Stocksdale

AN ACT concerning

Public Safety – DNA Collection – From Arrested Persons

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest for a felony or certain burglary offenses; altering a certain definition; requiring a DNA sample to be collected at the facility where a certain arrest is processed; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–501, 2–504, and 2–511

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1001 – Delegate Vallario

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

FOR the purpose of requiring the Comptroller to distribute all unclaimed money from certain judgments to the State Victims of Crime Fund for a certain purpose; requiring the State Board of Victim Services to ensure that the money obtained from unclaimed restitution is used for certain grants; providing that it is the intent of the General Assembly that if certain funding is terminated or reduced below a certain level, the Governor shall include a certain appropriation in the annual budget bill; and generally relating to disbursements and use of unclaimed restitution.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 17–101(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–919
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1002 – Delegate Stocksdale

AN ACT concerning

Education – Scholarship Program for Children in Foster Care

FOR the purpose of establishing a Scholarship Program for Children in Foster Care; authorizing a certain foster parent or legal guardian of a child in foster care to enroll the child in foster care in a noncollegiate educational institution and use scholarship funds to offset certain costs relating to the attendance at the noncollegiate educational institution of the child in foster care; establishing eligibility to participate in the Program; providing for the administration of funds for the Program; establishing the amount of a scholarship; prohibiting a noncollegiate educational institution from refunding, rebating, or sharing scholarship moneys with a certain child in foster care or a certain foster parent or legal guardian; establishing certain criteria a noncollegiate educational institution must meet to be eligible to participate in the Program; authorizing a certain noncollegiate educational institution to accept or deny admission to a certain qualifying student under certain circumstances; requiring certain noncollegiate educational institutions and certain county boards to provide certain notices and information at certain times; requiring a certain financially responsible county to provide transportation services to a certain child in foster care; requiring the State Department of Education to reimburse a certain financially responsible county for transportation services; prohibiting the Department from regulating the

educational curriculum or program of a certain participating school and imposing certain regulations beyond those necessary to enforce the requirements of the Program; requiring the Department to develop a certain application, certify certain schools, debar certain schools under certain circumstances, ensure the annual distribution of certain information, and adopt certain regulations; requiring the Department to conduct a review of the Program or contract with a private consulting firm to conduct a review of the Program on or before a certain date; establishing requirements for the review of the Program; requiring a certain report on or before a certain date; defining certain terms; and generally relating to the establishment of a Scholarship Program for Children in Foster Care.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–122(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 4–122.2
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1003 – Delegate Vallario

AN ACT concerning

Criminal Injuries Compensation – Claims by Victims

FOR the purpose of requiring the Criminal Injuries Compensation Board to reduce the amount of a certain award or deny a certain claim if the Board finds that the victim contributed to the victim's own injury under certain circumstances; repealing a provision authorizing the Board to disregard the responsibility of the victim for the victim's own injury under certain circumstances; repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge; repealing a provision prohibiting a claimant from receiving an award under certain circumstances; repealing a reference to a certain schedule of benefits as it existed on a certain date and providing that the effective schedule of benefits applies; modifying certain definitions; providing that certain limitations regarding eligibility for an award do not apply with respect to certain victims; and generally relating to claims by victims for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801, 11–808(a), 11–810(a) and (d), and 11–811(a)(1)(i)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1004 – Delegate Donoghue

AN ACT concerning

**Department of Health and Mental Hygiene – Family Health Administration –
Maryland Medbank Program**

FOR the purpose of transferring the Maryland Medbank Program to the Family Health Administration within the Department of Health and Mental Hygiene; and generally relating to the Maryland Medbank Program.

BY renumbering
Article – Health – General
Section 15–124.2
to be Section 13–2501
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–2501 to be under the new subtitle “Subtitle 25. Maryland Medbank Program”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1005 – Delegate Kach

AN ACT concerning

State Retirement and Pension System – Qualifying Hours – Eligibility Service

FOR the purpose of providing that members of certain State pension systems who have

completed a certain number of hours of employment in any fiscal year, may petition the Board of Trustees of the State Retirement and Pension System to receive a certain amount of eligibility service; requiring the Board of Trustees to adopt certain regulations; requiring the Board of Trustees to adjust the eligibility service and creditable service of certain members of the Teachers' Pension System under certain circumstances; and generally related to eligibility service in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–302, 26–302, and 28–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 1006 – Delegate Kach

AN ACT concerning

Workers' Compensation – Benefits – Cost of Living Adjustment

FOR the purpose of requiring certain employers to provide a certain annual cost of living adjustment for compensation paid for claims arising from events occurring before a certain date; authorizing certain employers to provide a certain annual cost of living adjustment for compensation paid for claims arising from events occurring before a certain date; defining a certain term; providing for the application of this Act; and generally relating to cost of living adjustments made for workers' compensation benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–638
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 9–638.1
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1007 – Delegate Feldman

AN ACT concerning

Biotechnology Investment Tax Credits

FOR the purpose of authorizing certain investors and venture capital firms to claim a certain tax credit against the State premium tax in a certain manner; authorizing certain venture capital firms to allocate certain tax credits to certain persons in a certain manner; requiring the Department of Business and Economic Development to issue and send a certain certificate to certain investors or venture capital firms; altering the limits on the maximum tax credit that may be claimed; making certain excess credits refundable under certain circumstances; making certain excess credits eligible for use in any future taxable year; prohibiting certain insurers from being required to pay any additional retaliatory tax under certain circumstances; prohibiting certain insurers from being required to reduce the amount of premium tax liability under certain circumstances; altering the definition of investment to mean the contribution of cash, as opposed to property, in exchange for certain ownership interests and to include the issuance of a certain debt instrument; altering the definition of qualified investor to exclude certain persons; making certain technical changes; and generally relating to credits against certain State taxes based on certain investments in certain biotechnology companies.

BY adding to

Article – Insurance

Section 6–122

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–725

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.**House Bill 1008** – Delegate Feldman

AN ACT concerning

Commercial Law – Internet Auction Sales Act

FOR the purpose of prohibiting a person from knowingly publishing or causing to be

published in an Internet auction offer to sell a product in violation of this Act; prohibiting a person from selling or offering to sell, by means of an Internet auction, infant formula or baby food that is subject to certain expiration dating requirements, any nonprescription drug, cosmetic, or infant formula or baby food that is not subject to certain expiration dating requirements, certain value loaded cards, manufacturer or store coupons, and products containing pseudoephedrine sold in certain quantities; authorizing a person to sell or offer to sell, by means of an Internet auction, any nonprescription drug, cosmetic, or infant formula or baby food that is not subject to certain expiration dating requirements if the person provides certain written or electronic records and certain information to the Internet auctioneer at a certain time; authorizing a person to sell or offer to sell, by means of an Internet auction, certain value loaded cards if the person provides certain written or electronic records and certain information to the Internet auctioneer and the general counsel of a certain retailer; requiring an Internet auctioneer to notify a certain retailer of the sale or offer of a certain number of value loaded cards and provide certain information to the retailer at a certain time; providing that an Internet auctioneer is not in violation of certain provisions of this Act relating to value loaded cards if the Internet auctioneer can demonstrate affirmatively compliance with certain provisions of this Act; requiring an Internet auctioneer to immediately terminate an Internet auction on receipt of information that provides a reasonable basis on which to conclude that the Internet auction violates certain provisions of this Act or the products offered for sale are stolen; providing that an Internet auctioneer is not in violation of certain provisions of this Act if the Internet auctioneer can demonstrate affirmatively receipt of a certain record or document and termination of an Internet auction; providing that a person who violates any provision of this Act is liable to the person affected by the violation for certain damages, a certain fine, and reasonable attorney's fees; authorizing a certain person to bring an action for an injunction and seek certain remedies; establishing a certain short title; defining certain terms; and generally relating to Internet auctions.

BY adding to

Article – Commercial Law

Section 11–1501 through 11–1507 to be under the new subtitle “Subtitle 15.
Internet Auction Sales Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–101(e)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1009 – Delegates Hubbard and Hammen

AN ACT concerning

**Task Force on the Structural Under–Funding of Community Services for
Individuals with Developmental Disabilities**

FOR the purpose of establishing the Task Force on the Structural Under–Funding of Community Services for Individuals with Disabilities; providing for the membership of the Task Force; requiring the Task Force to elect a chair; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing for the duties of the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing members of the Task Force to receive certain assistance upon approval of the Secretary of Health and Mental Hygiene; requiring the Task Force to report to the Governor, the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee; providing for the termination of this Act; and generally relating to the Task Force on the Structural Under–Funding of Community Services for Individuals with Disabilities.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1010 – Delegates Love, V. Clagett, George, Hammen, Holmes, Hubbard, Ivey, Jennings, Kipke, Levi, McConkey, McIntosh, Montgomery, Pena–Melnyk, Sophocleus, and Weir

AN ACT concerning

Milk Products – Direct Sale to Consumer – Exemption from Regulation

FOR the purpose of exempting from certain regulation the sale of milk and milk products from certain producers directly to the final consumer; establishing that the exemption does not apply to certain sales of milk and milk products; providing that the prohibition on the sale of raw milk for human consumption is subject to the exemption; and generally relating to the regulation of the sale of milk and milk products for human consumption.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–403 and 21–434

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1011 – Delegate Kach

AN ACT concerning

Consumer Protection – Advertisement of Rebate for Consumer Goods

FOR the purpose of prohibiting merchants from advertising rebates for consumer goods by displaying the net price of the consumer goods in the advertisement unless the amount of the rebate is provided to the consumer by the merchant at the time of the purchase of the consumer goods; providing that a merchant need not provide the amount of a rebate for consumer goods to a consumer if the advertisement for the consumer goods states that a rebate is available without displaying the net price of the consumer goods; defining a certain term; and generally relating to the advertisement of rebates for consumer goods by merchants.

BY adding to

Article – Commercial Law

Section 13–319

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1012 – Delegate Proctor

AN ACT concerning

Real Property – Home Builders – Disclosures in Contracts of Sale

FOR the purpose of requiring that a home builder that agrees to provide a community amenity to a community development must include certain information in the contract of sale; providing that a home builder that fails to include certain information in the contract of sale or fails to make a certain community amenity available by a certain date shall return 10% of the contract price to the home purchaser; and generally relating to the disclosure of certain information by a home builder.

BY adding to

Article – Real Property

Section 10–705

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1013 – Delegate James

AN ACT concerning

Governor’s Pension Plan – Surviving Spouse Benefits

FOR the purpose of providing certain death benefits to surviving spouses of former Governors; and generally relating to death benefits for surviving spouses of former Governors.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–405
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Appropriations.

House Bill 1014 – Delegates Hecht, Krysiak, and McHale

AN ACT concerning

Maryland Nonprofit Development Center Program

FOR the purpose of establishing the Maryland Nonprofit Development Center Program in the Department of Business and Economic Development; requiring the Program to provide certain training and technical assistance services to nonprofit entities; establishing the Maryland Nonprofit Development Center Program Fund; establishing certain moneys and fees to be distributed to the Fund; providing for the purpose of the Fund; requiring the Department to designate a certain number of organizations to implement the Program and providing certain criteria for the designations; defining certain terms; increasing the amount of a certain annual fee paid by certain charitable organizations under certain circumstances and requiring a portion of the annual fee to be credited to the Fund; increasing the amount of a certain processing fee paid by certain nonstock corporations under certain circumstances and requiring a portion of the processing fee to be credited to the Fund; and generally relating to the Maryland Nonprofit Development Center Program.

BY adding to

Article 83A – Department of Business and Economic Development
Section 6–601 through 6–605 to be under the new subtitle “Subtitle 6. Maryland
Nonprofit Development Center Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 6–407(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations
Section 1–203(a), (b)(10), and (d)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 1–203(b)(1)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Corporations and Associations
Section 1–203(b)(11) and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1015 – Delegate Howard

AN ACT concerning

Eminent Domain – Limitations on the Condemnation of Private Property

FOR the purpose of prohibiting certain governmental units from acquiring private property by condemnation for certain purposes or if the property is intended to be transferred to a private person under certain circumstances; providing that the limitation in this Act does not apply to certain condemnations of private property under certain circumstances; defining a certain term; and generally relating to the

condemnation of private property.

BY adding to

Article – Real Property

Section 12–101.1

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1016 – Delegates Hecht, Barkley, Barnes, Bartlett, Beidle, Bobo, Bohanan, Bronrott, Cane, G. Clagett, V. Clagett, Conaway, Conway, Davis, DeBoy, Donoghue, Doory, Elliott, Feldman, Gilchrist, Gutierrez, Guzzone, Harrison, Heller, Hubbard, Hucker, James, Jones, Kaiser, N. King, Kirk, Kramer, Krysiak, Kullen, Lawton, Levy, Love, Malone, Manno, Mathias, McHale, McIntosh, Minnick, Mizeur, Montgomery, Pena–Melnyk, Pendergrass, Rice, Riley, Robinson, Rudolph, Stull, Taylor, F. Turner, Walker, and Weldon

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy

FOR the purpose of altering a certain renewable energy portfolio standard by requiring that certain portions of electricity in the standard be derived from solar energy; extending the deadlines within the renewable energy portfolio standard for certain requirements; repealing a certain provision that provided for an electricity supplier to receive a double credit toward meeting a certain renewable energy portfolio standard for energy derived by solar energy sources under certain circumstances; requiring an electricity supplier to enter into certain contracts for not less than a certain term of years; altering certain compliance fees to include fees for a shortfall from the requirement for solar energy within a certain time frame; authorizing an electricity supplier to request a delay in implementing certain requirements under certain circumstances; requiring the Public Service Commission to make certain considerations when deciding to grant a certain request; altering the use of a certain fund; requiring the Commission to designate a certain individual to have certain responsibilities; altering certain amounts of net energy metering available under certain circumstances; requiring the Commission to begin and complete a revision of the State’s interconnection standards to be consistent with certain standards of the Interstate Renewable Energy Council by certain dates; altering the time frame within which a certain qualified energy facility may place certain energy resources in service for a certain tax credit for renewable energy; extending the period over which a certain tax credit may be claimed; altering the expiration date of a certain tax credit certificate; providing for the application of this Act; and generally relating to the use of renewable

energy and increasing the use of solar energy in the State.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306, 7–703(b), 7–705, 7–707(f), and 7–711
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing
Article – Public Utility Companies
Section 7–704(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–704(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–720(a), (b), and (c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1017 – Delegates Walker, Tarrant, Anderson, Barnes, Benson, Braveboy, Carter, Conaway, Davis, Doory, Gaines, Glenn, Hammen, Harrison, Haynes, Healey, Holmes, Howard, Hucker, Ivey, Kirk, Krysiak, Levi, Manno, McHale, McIntosh, Oaks, Pena–Melnyk, Proctor, Ramirez, Rice, Robinson, Rosenberg, Ross, Schuler, Stukes, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

**Baltimore City and Prince George’s County – Parent–Teacher Association
Matching Fund Pilot Program**

FOR the purpose of establishing the Parent–Teacher Association Matching Fund Pilot Program; providing for the purpose of the Program; requiring the State to provide a dollar–for–dollar match up to a certain amount for funds raised by parent–teacher associations in public high schools in Baltimore City and Prince George’s County; providing for Program funds; defining a certain term; requiring

certain persons to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Parent–Teacher Association Matching Fund Pilot Program.

BY adding to

Article – Education
Section 7–116
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1018 – Delegates Bobo, Frush, Holmes, and Lawton

AN ACT concerning

Real Property – Priority of Liens – Condominium and Homeowners Associations

FOR the purpose of providing that certain condominium unit owners or lot owners within homeowners associations are liable for certain fees, assessments, and charges; authorizing a homeowners association to enforce the payment of certain fees, assessments, and charges by imposition of a lien under certain circumstances; providing that a certain portion of a condominium or homeowners association lien has priority over a first mortgage or deed of trust under certain circumstances; providing that certain provisions of this Act do not limit or affect certain mortgages or deeds of trust; providing for the abrogation of certain provisions of this Act upon the occurrence of certain contingencies; and generally relating to liens on condominium units and lots within homeowners associations.

BY renumbering

Article – Real Property
Section 11B–115
to be Section 11B–116
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 11–110(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 11B–115
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1019 – Delegates Vaughn, Burns, Feldman, Jameson, Kirk, and Manno

AN ACT concerning

Home Improvement Contracts – Exception to Limit on Deposits

FOR the purpose of authorizing a person to receive a deposit of more than one–third of a home improvement contract price before or at the time of execution of the home improvement contract if that person provides a certain bond or bond equivalent and includes a certain notice in the home improvement contract; and generally relating to an exception to the limit on deposits before or at the time of execution of a home improvement contract.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–617
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1020 – Delegates Oaks, Glenn, Hubbard, Morhaim, and Rosenberg

AN ACT concerning

Lead Poisoning Prevention Act of 2007

FOR the purpose of requiring an applicant for a contractor license to meet a certain accreditation or training requirement under certain circumstances; requiring a certain licensee applying for a license renewal to submit to the Maryland Home Improvement Commission proof of compliance with certain lead training requirements; prohibiting a certain licensee from violating certain lead paint abatement accreditation requirements; clarifying the requirements of certain lead risk reduction standards relating to certain changes in occupancy; requiring a person who intends to use certain funds to purchase a house to complete certain counseling; providing that a qualified offer made under certain provisions of law that relate to the reduction of lead risk in housing may provide a housing subsidy and other relocation expenses for the permanent relocation of the household;

requiring an owner of a certain property who fails to comply with certain standards, on written request of a tenant, to release a tenant from a certain lease and pay to the tenant certain relocation expenses not to exceed a certain amount; providing a tenant with a certain action in district court under certain circumstances; altering certain definitions; and generally relating to eliminating lead risk in housing.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 8–301 and 8–620
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–302.2, 8–308, and 8–611
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–801(m), (r), and (s), 6–815(a) and (b), 6–839, and 6–840
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–1002
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 8–215
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1021 – Delegates Taylor, Holmes, and Manno

AN ACT concerning

Property Tax – Assessment Growth Limit

FOR the purpose of limiting the annual increase in the property tax assessment of certain owner-occupied residential real property owned by an individual who has resided in the property for a certain period under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a limit on increases in property tax assessments of certain owner-occupied residential real property.

BY adding to

Article – Tax – Property

Section 8–241

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1022 – Delegate Ross

AN ACT concerning

Sales and Use Tax – Services

FOR the purpose of altering the definition of “taxable service” under the sales and use tax to impose the tax on certain services; and generally relating to the sales and use taxation of certain services.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–101(m)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1023 – Delegates Ramirez, Barnes, Cane, Frush, Glenn, Healey, Lawton, Manno, Montgomery, Pena–Melnyk, Stein, Valderrama, and Vallario

AN ACT concerning

Education – School Attendance

FOR the purpose of requiring certain individuals to take certain action and provide certain notice regarding school attendance; requiring a county school attendance

review board to take certain actions under certain circumstances; authorizing a certain school system representative to provide certain information to certain agencies upon certain findings by a county school attendance review board; requiring each county board of education to establish a school attendance review board; providing for the membership, terms, chair, and staffing of a review board; providing that the members of a review board shall serve without compensation or reimbursement; authorizing a review board to take certain actions in certain cases; requiring a review board to develop certain strategies and evaluate and make certain recommendations regarding school attendance; requiring a county superintendent or chief executive officer to meet with a review board at certain times; requiring a review board to make certain reports; requiring a review board to post a certain agenda and certain minutes on a certain website; authorizing a review board to adopt certain rules and regulations; making stylistic changes; defining certain terms; and generally relating to school attendance and county school attendance review boards.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–302
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 7–302.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1024 – Delegate Ross

AN ACT concerning

Income Tax – Credit for Low Impact Development

FOR the purpose of allowing a credit against the State income tax for the costs of using certain conservation techniques and practices in construction projects; allowing certain unused credit amounts to be carried forward to certain taxable years; requiring the Department of the Environment to adopt certain regulations establishing certain eligibility standards; providing for issuance of certain initial credit certificates by the Department; limiting the aggregate amount of initial credit certificates that the Department may issue and limiting the amounts of initial credit certificates that may be issued with respect to certain taxable years;

prohibiting the Department from issuing an initial credit certificate after a certain date; requiring a taxpayer claiming a credit to obtain and file with the income tax return a certain eligibility certificate from an architect or professional engineer regarding compliance with certain requirements; authorizing the Comptroller and the Department of the Environment to adopt certain regulations; requiring the Comptroller and the Department to submit certain reports to the Governor and the General Assembly by certain dates; requiring the Department to establish a certain advisory committee to study certain conservation techniques and practices and develop certain criteria for building projects to qualify for the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for low impact development techniques.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1025 – Delegate Rudolph

AN ACT concerning

Maryland Rx Program – Modifications

FOR the purpose of authorizing an individual that satisfies the conditions established by the Department of Budget and Management to be eligible for participation in the Maryland Rx Program; requiring an individual that participates in the Program to be responsible for the cost of drugs purchased by or on behalf of the individual; authorizing the State to recoup any start-up funds from savings achieved for participating individuals; authorizing the Department to charge an administrative fee to an individual sufficient to offset the individual's participation in the Program; and generally relating to modifications to the Maryland Rx Program.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–502.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1026 – Delegate Rudolph

AN ACT concerning

Maryland Transportation Authority – Susquehanna River Region E–Z Pass

FOR the purpose of requiring the Maryland Transportation Authority to provide for a Susquehanna River Region E–Z Pass that is valid only at the Thomas J. Hatem Memorial Bridge and a certain portion of the John F. Kennedy Memorial Highway; providing for the purchase of a Susquehanna River Region E–Z Pass; limiting use of the Susquehanna River Region E–Z Pass to certain types of motor vehicles; requiring registration for the Susquehanna River Region E–Z Pass and establishing certain registration procedures; establishing a maximum fee for the Susquehanna River Region E–Z Pass; authorizing the Authority to adopt certain regulations; and generally relating to the use of a Susquehanna River Region E–Z Pass on the Thomas J. Hatem Memorial Bridge and the John F. Kennedy Memorial Highway.

BY adding to

Article – Transportation

Section 4–406

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1027 – Delegates Gilchrist, Beidle, Ivey, and Ross

AN ACT concerning

Real Property – Release of Mortgage, Security Instrument, or Deed of Trust

FOR the purpose of authorizing a security instrument to be released in a certain manner; altering the procedures by which a mortgage, security instrument, or deed of trust may be released when the party whose debt is satisfied fails to provide a release; altering the persons who are authorized to prepare and record a certain release and affidavit; authorizing, under certain conditions, the release of a mortgage, security instrument, or deed of trust when the debt secured by the mortgage or deed of trust is paid fully or satisfied by wire transfer; providing a form for a certain affidavit; and generally relating to recording of releases of mortgages, security instruments, and deeds of trust.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–105(a) and (d)(3)

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1028 – Delegate Rudolph

AN ACT concerning

Task Force on Improving Local Stormwater Management Practices

FOR the purpose of establishing a Task Force on Improving Local Stormwater Management Practices; establishing the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a report to the Governor and General Assembly regarding the recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force on Improving Local Stormwater Management Practices.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1029 – Delegates Taylor, Holmes, and Krebs

AN ACT concerning

Courts and Judicial Proceedings – Civil Court Cases – Filing Fees

FOR the purpose of establishing certain fee schedules for certain courts; altering certain filing fees by a certain amount; and generally relating to the altering of filing fees for civil court cases.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–202
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(c)

Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 516 of the Acts of the General Assembly of 2005)

Read the first time and referred to the Committee on Judiciary.

House Bill 1030 – Delegate Montgomery

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

FOR the purpose of altering the requirements for obtaining a wholesale distributor's permit to include a certain inspection and the posting of a certain bond; requiring a certain pedigree for prescription drugs or devices distributed in the State; requiring the State Board of Pharmacy to adopt regulations regarding certain pedigree and inspection requirements; defining a certain term; and generally relating to permit requirements for wholesale drug distribution.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1031 – Delegate Taylor (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

FOR the purpose of reestablishing the Joint Committee on Unemployment Insurance Oversight; establishing the membership and staffing of the Committee; requiring the President of the Senate and the Speaker of the House of Delegates to designate the cochairs of the Committee; requiring the Committee to examine certain issues; authorizing the Committee to examine certain issues; requiring the Committee to issue a certain report by a certain date; prohibiting a member of the Committee from receiving certain compensation, but authorizing a member of the Committee to receive certain reimbursements; providing for the termination of this Act; and generally relating to the reestablishment of the Joint Committee on Unemployment Insurance Oversight.

BY adding to

Article – State Government
Section 2–10A–11
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1032 – Delegates Oaks, Carter, and Rosenberg

AN ACT concerning

Creation of a State Debt – Baltimore City – The Mount

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 Progressive Horizons, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey an easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 1033 – Delegates Taylor, Gutierrez, Kaiser, N. King, Manno, Montgomery, Oaks, Rice, and Vaughn

AN ACT concerning

Health Insurance – Prescription Drugs and Devices – Copayment or Coinsurance

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a copayment or coinsurance requirement for a covered prescription drug or device that exceeds the retail price of the prescription drug or device.

BY adding to

Article – Insurance
Section 15–842
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1034 – Delegates Oaks, Glenn, and Rosenberg

AN ACT concerning

Maryland Healthy Places Act

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish an Interagency Working Group to discuss certain environmental health concerns; providing for the membership, appointments, and duties of the group; requiring the group to meet a certain number of times each year; requiring the Secretary to sponsor an annual conference on environmental health and health disparities; requiring the Secretary to establish a certain pilot program; requiring that a certain pilot program be funded through a certain appropriation; requiring the Secretary in coordination with the group to develop guidance and adopt regulations for certain health impact assessments; requiring that a certain pilot program provide certain funding and technical assistance to certain eligible entities to prepare certain health impact assessments; establishing that applications for certain grants include certain information; providing for the purpose and content of certain health impact assessments; requiring certain eligible entities to follow certain guidelines and establish a certain balance while preparing certain health impact assessments; requiring certain eligible entities to take into consideration certain comments and include certain responses in certain health impact assessments; requiring the Secretary to establish and maintain a certain database; requiring a certain pilot program to award certain levels of grants to certain eligible entities to conduct environmental health improvement activities; requiring certain eligible entities to submit a certain application for a certain grant; establishing that certain grants may be used for certain purposes; requiring that certain funds be used to establish certain planning and prioritizing councils; requiring that certain councils perform certain acts to assist the environmental health assessment process and environmental health promotion activities of certain eligible entities; providing for the membership of certain councils; requiring that certain grants be awarded to certain eligible entities that have already established certain broad-based collaborative partnerships and completed certain environmental assessments; requiring that the Secretary submit a certain report on or before a certain date each year; requiring the Governor to include a certain appropriation in a certain budget; providing that a certain subtitle may be cited by a certain name; defining certain terms; and generally relating to the Maryland Healthy Places Act.

BY adding to

Article – Health – General

Section 13–2501 through 13–2508 to be under the new subtitle “Subtitle 25.

Maryland Healthy Places Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1035 – Delegates Rudolph, Conway, and McKee

EMERGENCY BILL

AN ACT concerning

Maryland Tort Claims Act – Employee or Official of the Maryland Agricultural and Resource–Based Industry Development Corporation

FOR the purpose of expanding the definition of State personnel under the Maryland Tort Claims Act to include an employee or official of the Maryland Agricultural and Resource–Based Industry Development Corporation; making this Act an emergency measure; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)(2)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1036 – Delegates Lee, Stein, Ali, Barkley, Bronrott, DeBoy, Dumais, Glenn, Goldwater, Healey, Heller, Hixson, Hubbard, Impallaria, James, Jones, Kramer, Krebs, Lawton, Manno, McComas, McDonough, Minnick, Montgomery, Nathan–Pulliam, Pendergrass, Ramirez, Robinson, Schuler, Shank, Shewell, Simmons, Smigiel, Sophocleus, Stocksdale, F. Turner, Valderrama, and Walkup

AN ACT concerning

Identity Fraud – Inducing Another to Provide Identifying Information – Prohibited

FOR the purpose of prohibiting the act of claiming to be another person without the knowledge and consent of that person with the intent of soliciting, requesting, persuading, or otherwise inducing another person to provide the personal identifying information or payment device number of another person without the knowledge and consent of that person; establishing a penalty; expanding the definition of “personal identifying information”; and generally relating to the

unauthorized disclosure of personal identifying information or payment device numbers and identity fraud.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1037 – Delegates Ramirez, Anderson, Barnes, Cane, Frush, Glenn, Healey, Lawton, Manno, Pena–Melnyk, Stein, Valderrama, and Vallario

AN ACT concerning

Maryland School Attendance Performance Program

FOR the purpose of establishing the Maryland School Attendance Performance Program to reward schools that show substantial improvement in attendance rates; requiring the Program to include certain financial rewards based on certain criteria; requiring the State Board of Education to establish certain guidelines; requiring a school attendance improvement team of a recipient school to determine how certain awards will be used, based on certain conditions; requiring certain principals to file certain reports; and generally relating to the Maryland School Attendance Performance Program.

BY adding to
Article – Education
Section 5–219
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1038 – Delegate Haynes

AN ACT concerning

Crimes – Victim and Witness Intimidation

FOR the purpose of expanding the categories of crimes for which a certain type of evidence is admissible at trial under certain circumstances; expanding the list of crimes applicable to certain provisions that provide a greater penalty if certain acts

are committed against certain persons relating to the crimes; and generally relating to victim and witness intimidation.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–901
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–302, 9–303, and 9–305
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1039 – Delegate Kach

AN ACT concerning

Baltimore County – Vehicle Laws – Speed Monitoring Systems

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Baltimore County; making certain provisions of law concerning the enforcement of speed limit laws with certain speed monitoring systems applicable in Baltimore County; authorizing a person who receives a citation under this Act to pay the civil penalty to the Baltimore County Office of Budget and Finance or elect to stand trial; requiring the Baltimore County Office of Budget and Finance, in consultation with local police departments and the Chief Judge of the District Court to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under this Act; altering a certain definition; requiring revenues generated from the enforcement of speed limit laws with the use of speed monitoring systems to be used to increase local expenditures for public safety purposes; providing that certain expenditures under this Act are supplemental to certain existing expenditures; and generally relating to the use of speed monitoring systems in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1040 – Delegates Oaks, Anderson, Carter, Glenn, McIntosh, Rosenberg, and Smigiel

AN ACT concerning

Maryland Compassionate Use Act

FOR the purpose of allowing the medical use of marijuana under certain circumstances; repealing certain criminal provisions that allow the imposition of a certain fine for use or possession of marijuana or use or possession of drug paraphernalia related to marijuana under certain circumstances; establishing a Compassionate Use Registry Program; requiring the Department of Health and Mental Hygiene to issue registry identification cards to certain qualifying patients who submit certain documents under certain circumstances in order to qualify for use of marijuana for certain medical conditions; requiring the Department to verify application information and approve or deny an application or renewal within a certain time period or the application shall be deemed granted after a certain time period; allowing judicial review of an approval or denial of a petition or the denial of an application or renewal; specifying the duration of and the information that is required to be contained on the registry identification card; allowing the use in the State of a registry identification card issued by another state under certain circumstances; providing that a qualifying patient may not be subject to arrest or other penalty or disciplinary action for medical use of marijuana under certain circumstances; providing that a primary caregiver may not be subject to arrest or other penalty or disciplinary action for assisting with medical use of marijuana under certain circumstances; providing that a practitioner may not be subject to arrest or other penalty or disciplinary action for providing certifications of qualifying patients' debilitating medical conditions or other information under certain circumstances; providing that certain persons are not subject to arrest or criminal prosecution under certain circumstances; providing that a nurse practitioner or pharmacist may not be subject to arrest or other penalty or disciplinary action solely for discussing the benefits or health risks of medical marijuana or other information under certain circumstances; providing that an application for or possession of a registry identification card may not be used to support the search of a certain person or property; prohibiting a school, employer, or landlord from refusing to enroll, employ, or lease to a person solely based on the person's status as a registered qualifying patient or primary caregiver; providing that a primary caregiver may only assist a certain number of qualifying patients with medical use of marijuana; providing that a primary caregiver may receive reimbursements for certain costs; establishing a certain presumption; requiring the Department to adopt regulations to implement this Act by a certain date with certain requirements; requiring that persons issued registry identification

cards comply with certain requirements subject to certain penalties for noncompliance; providing that applications and supporting information submitted by qualifying patients are confidential with a certain limitation; providing a certain penalty for a certain breach of confidentiality; requiring the Department to report to the Governor and General Assembly on certain issues by a certain date; allowing a person or a person's primary caregiver to assert a defense to a prosecution involving marijuana under certain conditions; exempting certain property used in connection with the medical use of marijuana from forfeiture under certain circumstances; defining certain terms; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(c) and 5–619(c)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 21–1117 through 21–1129 to be under the new part “Part IV. Maryland
Compassionate Use Act”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1041 – Delegate Rudolph

AN ACT concerning

Maryland Agricultural Land Preservation Fund – Grants to Counties

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to make grants to counties from the Maryland Agricultural Land Preservation Fund under certain circumstances; prohibiting the counties from using the grants except under certain circumstances; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–505(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1042 – Delegates Vallario, Ivey, Ali, Anderson, Barnes, Bartlett, Benson, Bohanan, Branch, Braveboy, Bronrott, Burns, Cane, Carter, Conaway, Davis, Donoghue, Doory, Dumais, Dwyer, Elmore, Feldman, Frush, Gilchrist, Griffith, Gutierrez, Hammen, Hecht, Hixson, Howard, Hubbard, Hucker, Jameson, Jennings, Kelly, J. King, N. King, Kipke, Kirk, Krebs, Krysiak, Kullen, Lawton, Lee, Levi, Levy, Manno, McIntosh, Montgomery, Murphy, Myers, Nathan–Pulliam, Niemann, Oaks, Pena–Melnik, Proctor, Ramirez, Rice, Rosenberg, Ross, Shank, Shewell, Simmons, Smigiel, Stifler, Stocksdale, Stukes, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, Walker, Weldon, and Wood

AN ACT concerning

Election Law – Campaign Finance – Period Reporting Requirements

FOR the purpose of authorizing a campaign finance entity, instead of filing a campaign finance report covering a certain period, to file an affidavit stating that the campaign finance entity did not either raise a certain amount of contributions or make a certain amount of expenditures during a certain period; requiring a campaign finance entity to file an affidavit by certain dates; establishing a reporting procedure to be followed if the campaign finance entity raises or expends a certain amount; establishing a penalty for officers of a campaign finance entity violating this Act; making certain stylistic changes; and generally relating to the organization and reporting of campaign finance entities.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–208(b) and (c), 13–304(a), 13–309, and 13–312
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–305
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1043 – Delegates Rosenberg and Sophocleus

AN ACT concerning

Real Property – Condemnation – Procedures and Compensation

FOR the purpose of eliminating certain monetary limitations on payments made to certain displaced residential owners and renters to secure replacement dwellings in certain condemnation proceedings; eliminating certain monetary limitations for reestablishing certain farms, nonprofit organizations, or businesses at new sites; establishing that damages awarded for the taking of property used for a business or farm operation may include certain damages for loss of net operating income for a certain period of time; establishing that damages in a condemnation proceeding may be paid to a business or farm operation for moving the business or farm operation under certain circumstances; altering the payment for relocation costs in a condemnation proceeding by adding certain payments for substitute tangible personal property under certain circumstances and by altering certain monetary limitations; expressing the intent of the General Assembly; defining certain terms; making stylistic changes; and generally relating to procedures and compensation in condemnation proceedings.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 12–101, 12–202, 12–204, and 12–205
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 12–102.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 12–201(a), (c), (f), and (g)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1044 – Delegates Lee, Ali, Barkley, Bronrott, DeBoy, Dumais, Dwyer, Glenn, Goldwater, Healey, Heller, Hixson, Hubbard, Impallaria, James, Jones, Kaiser, Kramer, Krebs, Lawton, Levi, Manno, McComas, McDonough, Minnick, Montgomery, Nathan–Pulliam, Pendergrass, Ramirez, Robinson, Schuler, Shank, Shewell, Smigiel, Sophocleus, Stocksdale, F. Turner, Valderrama, Waldstreicher, and Walkup

AN ACT concerning

Crimes – Identity Fraud Repeat Offender – Penalty

FOR the purpose of providing an enhanced penalty for a person convicted of the crime of identity fraud who has been convicted of identity fraud on a prior occasion not arising from the same incident; and generally relating to penalties for identity fraud.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 8–301(a), (b), (c), and (g)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(d)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1045 – Delegates Montgomery, Gilchrist, Glassman, Howard, Kaiser, Kipke, Lawton, Manno, McComas, Pena–Melnik, and Shewell

AN ACT concerning

Biodiesel Production Credit – Eligibility and Amounts

FOR the purpose of altering the eligibility of a certain production credit for certain biodiesel products; altering the maximum amount of a production credit authorized for certain biodiesel products; and generally relating to production credits for biodiesel products.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 10–1501
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–1502 and 10–1505
Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1046 – Delegates Mizeur, Ali, Anderson, Beidle, Braveboy, Dumais, Feldman, Gutierrez, Hecht, Ivey, Kaiser, Kelly, Kullen, Lawton, Manno, Nathan–Pulliam, Pena–Melnyk, Rice, Stein, and Tarrant

AN ACT concerning

Public Health – Self–Injury by Cutting – Public Awareness Campaign

FOR the purpose of requiring the State Superintendent of Schools, in collaboration with the Department of Health and Mental Hygiene, to establish and promote in certain schools a public awareness campaign related to self–injury by cutting; providing for the components of the campaign; authorizing the State Superintendent to use certain resources to carry out the provisions of this Act; and generally relating to a public awareness campaign about self–injury by cutting.

BY adding to

Article – Education

Section 7–426

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1047 – Delegates Mizeur, Anderson, Barkley, Beidle, Bobo, Braveboy, Bromwell, Bronrott, V. Clagett, Dumais, Feldman, Gutierrez, Hecht, Howard, Ivey, Kaiser, Kelly, Kipke, Kullen, Lawton, Lee, Manno, McComas, Montgomery, Oaks, Pena–Melnyk, Rice, Schuler, Stein, Tarrant, Valderrama, and Waldstreicher

AN ACT concerning

Higher Education – Maryland Truth in Tuition Act

FOR the purpose of requiring a governing board to develop, on or before a certain date, a long–term tuition plan for a public senior higher education institution; providing that the purpose of the long–term tuition plan is to ensure that certain students enrolling in and certain individuals who apply for admission to certain public senior higher education institutions are informed of the tuition that will be charged for a certain number of academic years of enrollment; requiring a governing board or public senior higher education institution to publish certain tuition rates in certain materials; requiring tuition rates for certain years to be included in certain

published materials; authorizing the inclusion of certain tuition increases in certain long-term tuition plans under certain circumstances; requiring a governing board to update a long-term tuition plan on or before a certain date each year; prohibiting a governing board from changing tuition rates developed previously under a certain long-term tuition plan; defining certain terms; and generally relating to the development of a long-term tuition plan for certain public senior higher education institutions and the publication of certain tuition rates.

BY adding to

Article – Education

Section 15–106.6

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 1048 – Delegates Morhaim and Kach

AN ACT concerning

**Department of Health and Mental Hygiene – Consolidation and Streamlining Act of
2007**

FOR the purpose of renaming the Department of Health and Mental Hygiene to be the Department of Health; renaming the Secretary of Health and Mental Hygiene to be the Secretary of Health; transferring the Maryland Institute for Emergency Medical Services Systems to the Department of Health; establishing the Institute in the Office of Preparedness and Response; repealing the State Emergency Medical Services Board; transferring certain powers, duties, and functions of the State Emergency Medical Services Board to the Institute; requiring the Secretary of Health to appoint the Executive Director of the Institute; requiring the Emergency Medical Services Advisory Council to assist the Institute; requiring the Governor to appoint members of the Advisory Council in a certain manner; requiring the Institute to adopt certain regulations; renaming the Emergency Medical Services Board Provider Fund to be the Institute Provider Fund; requiring the Institute to administer the Automated External Defibrillator Program; requiring a certain national study center to perform certain functions in coordination with the Institute; requiring the R Adams Cowley Shock Trauma Center to perform certain functions in coordination with the Institute; altering certain definitions; making certain technical changes; requiring the Department of Health to conduct a certain review and make a certain report to the Governor and General Assembly on or before a certain date; authorizing the Maryland Emergency Medical System Operations Fund to be used for the Office of Preparedness and Response; requiring the Governor to transfer certain employees and funds in a certain fiscal

year; providing for the reversion of certain funds to the Maryland Emergency Medical System Operations Fund; providing for the transfer of all functions, powers, duties, equipment, assets, liabilities, and employees of the Institute to the Department on a certain date; and generally relating to the Department of Health and the Maryland Institute for Emergency Medical Services Systems.

BY transferring

Article – Education

Section 13–501, 13–503, 13–504, 13–506, 13–508 through 13–511, and 13–515 through 13–517, respectively, and the subtitle “Subtitle 5. Emergency Medical Services”

Annotated Code of Maryland
(2006 Replacement Volume)

to be

Article – Health – General

Section 6–101 through 6–111, respectively, to be under the amended title “Title 6. Emergency Medical Services”

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Education

Section 13–502, 13–505, 13–507, and 13–512

Annotated Code of Maryland
(2006 Replacement Volume)

BY renumbering

Article – Education

Section 13–513 and 13–514, respectively

to be Section 13–501 and 13–502, respectively, to be under the new subtitle “Subtitle 5. Trauma Emergency Medical Services Centers”

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 1–101(c) and (j), 2–101, and 2–102(a)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 6–101 through 6–111

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Education
Section 13–501 and 13–502
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Section 3 of this Act)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–955
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1049 – Delegates Pena–Melnyk, Aumann, Barnes, Beidle, Branch, Braveboy, DeBoy, Frush, Gaines, Haynes, Howard, Hucker, Impallaria, Ivey, N. King, Love, Manno, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Ross, Shewell, Sossi, Stein, and Taylor

AN ACT concerning

Task Force on the HPV Vaccine

FOR the purpose of establishing a Task Force on the HPV Vaccine; providing for the membership and staffing of the Task Force; providing that the members of the Task Force may not receive compensation but are entitled to a certain reimbursement; providing for the duties of the Task Force; 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 on the HPV Vaccine.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1050 – Delegates Dumais and Rosenberg

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

FOR the purpose of expanding the disclosure requirement, under certain circumstances, of a police record and juvenile court record concerning a student, to include the principal of a nonpublic school in which the student is enrolled or the principal's designee or certain superintendents of schools; requiring the nonpublic school principal to maintain the confidentiality of certain records; defining a certain term; making a certain stylistic change; and generally relating to police and juvenile court records of a nonpublic school student.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judiciary.

House Bill 1051 – Delegates Rosenberg and Lee

AN ACT concerning

Identity Fraud – Seizure and Forfeiture

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 violation of certain identity fraud laws; establishing that certain property is contraband and presumed to be forfeitable; placing the burden of rebutting a certain presumption on a certain property claimant; authorizing the seizure of certain property with or without a warrant under certain circumstances; authorizing a court to direct a certain defendant to forfeit certain property; establishing a certain forfeiture proceeding; 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 identity fraud law.

BY adding to
Article – Criminal Procedure
Section 13–401 through 13–407 to be under the new subtitle “Subtitle 4.
Violations of Identity Fraud Laws”
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1052 – Delegates Mizeur, Beidle, Benson, Bromwell, Hixson, Hubbard, Ivey, N. King, Pena–Melnyk, and Tarrant

AN ACT concerning

Health Insurance – Young Adult Coverage Expansion Act

FOR the purpose of requiring the Maryland Children’s Health Program to provide comprehensive medical care and other health care services to certain young adults, subject to certain limitations; providing for the administration of the Maryland Children’s Health Program for young adults through the MCHP premium plan; requiring young adults to agree to pay a certain contribution to enroll and participate in the Maryland Children’s Health Program; requiring the Department of Health and Mental Hygiene to determine the amount of a certain family contribution; requiring each group or individual health benefit plan issued or delivered in the State by certain carriers to permit a child to continue coverage under the plan under certain circumstances and for a certain period of time; providing that certain provisions of this Act apply to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance coverage for young adults.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–301 and 15–301.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–418
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1053 – Delegates Hucker, Barve, Gutierrez, Hixson, Howard, Ivey, Kaiser, Lawton, and Stukes

AN ACT concerning

Business Organization Filing Fees – Income Tax Credit

FOR the purpose of increasing the filing fee for certain annual reports required to be filed by certain business organizations; providing certain business organizations a credit against the State income tax for filing fee costs related to filing certain annual reports; defining certain terms; providing for application of this Act; and generally relating to certain filing fees of certain business organizations.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 1–203(a) and (b)(1) and (2)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(3)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1054 – Delegate Kach

AN ACT concerning

**Health Insurance – Provider Contracts – Conditions of Participation
with Carriers**

FOR the purpose of repealing a prohibition that certain health insurance carriers may not require a health care provider to serve on a provider panel of another health benefit plan of the carrier under certain circumstances; repealing a certain exception to the prohibition for a carrier that offers health care services as a managed care organization; prohibiting a provider contract from containing a provision that requires a provider, as a condition of participation with a carrier, to participate with a different carrier; authorizing a provider contract to contain the prohibited

provision under certain circumstances; authorizing a carrier that offers health care services as a managed care organization to require a provider to participate with the managed care organization under certain circumstances; providing that a carrier is responsible for certain violations regardless of whether the carrier has subcontracted with certain entities; defining certain terms; and generally relating to provider contracts and conditions of participation of health care providers with health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1055 – Delegates Oaks, Branch, Cane, Costa, Glenn, Haddaway, Haynes, Holmes, Hubbard, Ivey, Krysiak, Kullen, Morhaim, Nathan–Pulliam, Niemann, Rosenberg, Tarrant, and Vaughn

AN ACT concerning

Workforce Development Pilot Program for Lead Abatement and Removal

FOR the purpose of creating a Workforce Development Pilot Program for Lead Abatement and Removal; requiring the Department of Labor, Licensing, and Regulation to establish a pilot program in consultation with the Coalition to End Childhood Lead Poisoning and the Department of the Environment; requiring the Department of Labor, Licensing, and Regulation to adopt certain guidelines and policies to administer the pilot program; providing the purpose of the pilot program; requiring the Department of the Environment to provide certain technical assistance; providing for the funding for the pilot program; authorizing the

Department of Labor, Licensing, and Regulation to accept certain monies for the pilot program; requiring the Secretary of Labor, Licensing, and Regulation to submit a certain report by a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Workforce Development Pilot Program for Lead Abatement and Removal.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–1004
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 11–801 through 11–803 to be under the new subtitle “Subtitle 8.
Workforce Development Pilot Program for Lead Abatement and Removal”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1056 – Delegates Heller, Ali, Anderson, Aumann, Barkley, Bates, Bobo, Boteler, Braveboy, Bromwell, Bronrott, G. Clagett, V. Clagett, Conaway, Conway, DeBoy, Dumais, Elliott, Elmore, Feldman, Frank, Gilchrist, Glenn, Guzzone, Haddaway, Harrison, Haynes, Healey, Hixson, Hubbard, Hucker, Impallaria, Jennings, Jones, Kach, Kaiser, Kelly, N. King, Kipke, Kirk, Kramer, Krysiak, Kullen, Lawton, Lee, Love, Malone, Manno, McDonough, McKee, Minnick, Mizeur, Montgomery, Morhaim, Myers, Nathan–Pulliam, Oaks, Pendergrass, Proctor, Ramirez, Rice, Riley, Rosenberg, Schuler, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Stukes, Stull, Taylor, F. Turner, Vaughn, Waldstreicher, Weir, Weldon, and Wood

AN ACT concerning

Higher Education – Blind and Print Disabled Students – Instructional Materials

FOR the purpose of requiring the Maryland Library for the Blind and Physically Handicapped to convene a certain committee on or before a certain date; providing for the membership of the committee; requiring a certain number of the members of the committee to be blind or print disabled; requiring the committee to establish certain procedures to facilitate the delivery of certain materials to certain students in certain formats; authorizing the Library to determine certain eligibility of certain students to make certain requests; requiring the Library to make certain requests to certain publishers regarding the provision of certain instructional materials; providing certain publishers a certain period of time to respond to

certain requests; requiring certain publishers to indicate certain information to the Library; exempting certain publishers from certain requirements of this Act; requiring the Governor to include in the annual budget submission a certain appropriation beginning in a certain fiscal year and each fiscal year thereafter; providing for the application of this Act; defining certain terms; requiring the Library to consult and coordinate with the State Department of Education to facilitate the utilization of certain equipment and staff for certain purposes; and generally relating to instructional materials for blind or print disabled students.

BY adding to

Article – Education

Section 11–901 through 11–905 to be under the new subtitle “Subtitle 9.
Instructional Materials for Blind and Print Disabled Students”

Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1057 – Delegate Mizeur

AN ACT concerning

Health Insurance – Equity in Family Coverage

FOR the purpose of requiring certain health insurance policies or contracts to provide that the same health insurance benefits and eligibility guidelines that apply to covered dependents are available on request to certain adult members and certain child members of the household of the insured, subscriber, employee, or member; authorizing insurers and nonprofit health service plans to require certain proof; providing that the provisions of this Act apply to health maintenance organizations; providing for the application of this Act; and generally relating to coverage for household members under health insurance.

BY adding to

Article – Health – General

Section 19–706(jjj)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–403.2

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1058 – Delegates Manno, Barkley, Barnes, Benson, Bronrott, Burns, Cane, Conaway, Gaines, Gutierrez, Guzzone, Harrison, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, James, Kaiser, Kirk, Kullen, Lawton, Lee, Levi, McHale, Mizeur, Montgomery, Niemann, Olszewski, Pena–Melnyk, Ramirez, Rice, Rosenberg, Ross, Schuler, Tarrant, Taylor, Valderrama, Vaughn, and Waldstreicher

AN ACT concerning

Labor and Employment – Meal Periods

FOR the purpose of requiring an employer to provide a one–half hour nonworking or working meal period to an employee under certain circumstances; providing that a certain meal period count towards an employee’s work hours for a certain day; authorizing health care industry employees to waive a certain meal period under certain circumstances; requiring employers to provide a certain place to eat during a certain meal period; requiring an employer to pay a certain amount to an employee under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; authorizing a court to award certain attorney’s fees and costs under certain circumstances; providing a certain exception; defining a certain term; and generally relating to meal periods for employees in the State.

BY adding to

Article – Labor and Employment

Section 3–710

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1059 – Delegates Mizeur, Beidle, Benson, Bobo, Bromwell, Donoghue, Dumais, Gutierrez, Hixson, Hubbard, Ivey, Kaiser, N. King, Kullen, Nathan–Pulliam, Pena–Melnyk, and Tarrant

AN ACT concerning

Family Health Care Affordability Act

FOR the purpose of allowing certain individuals a certain credit against the State income tax for health insurance premium contributions under certain circumstances; establishing the amount of the credit; authorizing an individual to claim a refund

in a certain amount under certain circumstances; authorizing certain individuals who are nonresidents or part-year residents a certain fraction of the credit; providing for a certain reduction of itemized deductions if a certain credit is claimed under certain circumstances; defining certain terms; requiring the Comptroller, on or before a certain date, to report certain information to the Maryland Insurance Administration; requiring the Administration, on or before a certain date, to submit a certain report to the Governor and the General Assembly; providing for the application of this Act; and generally relating to a credit against the State income tax for health insurance premium contributions.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–218

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1060 – Delegates Mizeur, Aumann, Benson, Costa, Elliott, Hubbard, Kullen, Montgomery, Morhaim, Pena–Melnik, Stocksdales, and Vaughn

AN ACT concerning

Medicaid Transparency Act

FOR the purpose of requiring the Department of Health and Mental Hygiene to provide certain notification to certain legislative committees regarding a certain State plan amendment or waiver application; providing the committees a certain period of time to review and comment before the amendment or waiver application is submitted; and generally relating to notification regarding a State plan amendment or waiver application in the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15–102.1(c)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1061 – Delegates Mizeur, Beidle, Benson, Bobo, Bromwell, Costa, Donoghue, Dumais, Elliott, Gutierrez, Hixson, Hubbard, Ivey, Kaiser, N. King, Kipke, Kullen, Nathan–Pulliam, O’Donnell, Olszewski, Pena–Melnyk, Pendergrass, and Tarrant

AN ACT concerning

Eliminating Barriers to Enrollment Act

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to calculate the income of Maryland Medical Assistance Program recipients in a certain manner; requiring the Maryland Medical Assistance Program and the Maryland Children’s Health Program to provide guaranteed eligibility to certain enrollees for a certain time period and to provide presumptive eligibility to enrollees; requiring the Department of Health and Mental Hygiene to provide a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Maryland Medical Assistance Program and the Maryland Children’s Health Program.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15–103(a)(1) and (b)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 15–103(a)(4)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–103(b)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1062 – Delegates Stein, Mizeur, Ali, Anderson, Barve, Beidle, Bromwell, Burns, Cardin, V. Clagett, Dumais, Gutierrez, Huckler, Kaiser, Lafferty, Lawton, Mathias, Morhaim, Nathan–Pulliam, Olszewski, Pena–Melnyk, Schuler, and Tarrant

AN ACT concerning

Alternative Energy Acceleration Act

FOR the purpose of altering the renewable energy portfolio standard by increasing the percentages of electricity sales that must be met in certain years through the accumulation of renewable energy credits from certain sources; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–703(a)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–703(b)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1063 – Delegates Taylor, DeBoy, Feldman, Hubbard, Kaiser, Krebs, Manno, McKee, Miller, Minnick, Montgomery, Morhaim, Rice, and Vaughn

AN ACT concerning

Drunk and Drugged Driving – Subsequent Offender Penalties

FOR the purpose of providing that a State’s Attorney is not required to serve a certain notice of an alleged prior conviction for certain alcohol– or drug–related driving offenses for the purpose of allowing a court to sentence a defendant as a subsequent offender under certain circumstances; allowing a court to impose specified penalties without certain notice to a defendant; and generally relating to certain subsequent offender penalties for certain alcohol– or drug–related driving offenses.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(f)(1)(ii), (k)(1)(ii) and (iii), and (q)(1)(ii) and (iii) and (2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 27–101(aa)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1064 – Delegates Heller, Barkley, Feldman, Gutierrez, Hucker, Kaiser, Kramer, Lawton, Manno, Montgomery, Taylor, and Waldstreicher

AN ACT concerning

**Creation of a State Debt – Montgomery County – Agriculture Activity Center
Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$675,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 1065 – Delegates Haynes, Anderson, Carter, Conaway, Glenn, Harrison, Kirk, Krysiak, McHale, Oaks, Robinson, Stukes, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Clarence H. “Du” Burns Memorial

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 Clarence H. “Du” Burns Memorial Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Appropriations.

House Bill 1066 – Delegates Taylor, DeBoy, Hubbard, Hucker, Kaiser, Krebs, Lee, McKee, Minnick, Montgomery, Rice, and Vaughn

AN ACT concerning

Criminal Procedure – Parole and Probation – Alcohol Monitoring Devices

FOR the purpose of authorizing the Parole Commission or a Commission panel to require in a parole order or a modification of a parole order that a person who was convicted of a crime in which alcohol consumption by the person was a factor wear a certain alcohol monitoring device; authorizing a court to require as a condition of probation before judgment that a defendant wear a certain alcohol monitoring device if the crime for which the judgment is being stayed is one in which alcohol consumption by the defendant was a factor; authorizing a court to require as a condition of probation that a defendant wear a certain device if the crime for which the defendant is placed on probation is one in which alcohol consumption by the defendant was a factor; and generally relating to conditions of parole and probation and alcohol monitoring devices.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 7–307
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–308 and 7–402(a)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–220(b)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(c) and 6–221
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1067 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Branch, Carter, Conaway, Krysiak, Oaks, Rosenberg, and Stukes

AN ACT concerning

Local Law Enforcement Agencies – Disposal of Personal Property

FOR the purpose of requiring local law enforcement agencies to hold certain personal property that comes into their possession until certain determinations are made; establishing a procedure for local law enforcement agencies to notify the owner of the property and for the owner of the property to secure the release of the property in a certain manner within a certain period of time; authorizing a local law enforcement agency to sell certain personal property in a certain manner after a certain period of time; establishing that the amount received from the sale of personal property shall be distributed in a certain order of priority to certain entities; requiring that a certain remaining amount from the sale of personal property that was in the possession of the Baltimore Police Department be divided equally among certain entities; providing that a person who submits certain proof of the right to possession of the property shall be paid a certain amount under certain circumstances; providing that a certain claim is barred after a certain period of time; providing for the interpretation of this Act; defining a certain term; and generally relating to the disposal of personal property in the possession of local law enforcement agencies.

BY adding to

Article – Public Safety

Section 3–505

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judiciary.

House Bill 1068 – Delegates Eckardt, Dwyer, Frank, George, Haddaway, McComas, Schuh, Shank, and Smigiel

AN ACT concerning

Consumer Health Open Insurance Coverage Act of 2007

FOR the purpose of prohibiting the Department of Health and Mental Hygiene, on or after a certain date, from applying for certain waivers or expanding a certain program except under certain circumstances; requiring the Secretary of Health and Mental Hygiene to provide health benefits for certain program recipients through

the Maryland Health Insurance Exchange on or after a certain date; requiring the Department, in consultation with the Maryland Health Care Commission, to develop a certain system; requiring the Secretary to apply for a certain federal waiver; establishing the Maryland Health Insurance Exchange in the Maryland Health Care Commission; requiring the Commission to oversee the administration of the Exchange; requiring the Commission to administer a Maryland Health Insurance Coverage Verifications System; requiring the Commission to appoint a director of the Exchange, with the advice and consent of the Governor; providing that the director of the Exchange is an employee of the Commission; providing for the duties of the director of the Exchange; authorizing the Exchange to enter into certain contracts subject to approval by the Commission; requiring that certain expenses of the Exchange be paid only from certain funds; providing that certain accounts of the Exchange are special fund accounts and not part of the General Fund of the State; exempting the Exchange from certain requirements; providing for the certification of participating plans in the Exchange for a certain period of time; requiring participating plans to give certain notice to the Exchange under certain circumstances; providing that an individual must meet certain eligibility requirements to participate in the Exchange; requiring participating plans in the Exchange to make certain data available; requiring certain employers to file a certain annual form with the Commission; requiring the Commission to transmit copies of certain forms to certain departments or agencies; renaming the Maryland Small Employer Health Reinsurance Pool to be the Maryland Health Insurance Risk Transfer Pool; requiring the Pool to be operational on or after a certain date; authorizing the Pool to enter into a certain agreement with a self-funded health benefit plan; requiring that a carrier that issues a health benefit plan in the State participate in the Pool; requiring the Board of the Pool to establish a certain methodology to determine certain premium rates; providing that the Pool is exempt from certain provisions of law; providing for the establishment of a certain formula to make certain assessments on reinsuring carriers; requiring the Board of the Pool to make a certain evaluation; requiring the Commission to adopt certain regulations and procedures; requiring the Commission to make certain recommendations; requiring the Commission to comply with certain provisions of law in carrying out certain duties; providing for application and enrollment in the Exchange; providing that certain insurance producers may apply to the Exchange on behalf of certain individuals; requiring certain insurance producers to be paid a certain commission under certain circumstances; providing that certain membership organizations may apply to the Exchange on behalf of certain individuals; requiring certain membership organizations to be paid certain consideration under certain circumstances; requiring the Exchange to verify the eligibility of applicants; requiring that the Exchange give eligible applicants the opportunity to elect coverage under certain plans under certain circumstances; providing for the termination of coverage of individuals in the Exchange under certain circumstances; authorizing participating plans to charge a certain premium under certain circumstances; authorizing participating plans to impose a

preexisting condition provision under certain circumstances; providing that an individual may be deemed to have a certain amount of creditable coverage under certain circumstances; requiring the Exchange to provide for the election of coverage outside of regular open seasons under certain circumstances; providing that coverage of a participating individual may not be canceled or not renewed under certain circumstances; providing that a participating individual who is not a resident of the State shall remain an eligible individual for a certain period of time under certain circumstances; authorizing certain employers to apply to the Exchange to sponsor a participating employer–subsidized plan; requiring certain employers to enter into a certain agreement with the Exchange; requiring the Secretary of Budget and Management to enter into a certain contract with the Exchange; prohibiting the Maryland Health Insurance Plan from accepting any new enrollees after a certain date; providing that individuals enrolled in the Maryland Health Insurance Plan after a certain date may continue coverage under the Plan only under certain circumstances; requiring that coverage of all enrollees in the Maryland Health Insurance Plan terminate after a certain date except under certain circumstances; prohibiting certain carriers from issuing or renewing a group health benefit plan to certain employers except under certain circumstances after a certain date; requiring certain carriers to establish certain community rates for health benefit plans offered through the Exchange; prohibiting a carrier from issuing or renewing certain individual health benefit plans other than through the Exchange except under certain circumstances; prohibiting a carrier from offering a health benefit plan through the Exchange unless the Maryland Insurance Commissioner has made a certain certification of the plan; requiring that the certification of certain plans be exempt from certain provisions of law; providing for the duration of a certain certification; establishing a certain tax credit for certain individuals; repealing certain provisions of law relating to the purpose and operation of the Maryland Health Insurance Plan; repealing certain provisions of law relating to the regulation of small group market health insurance; requiring the Maryland Insurance Administration to submit a certain notice to the federal government by a certain date; providing for the effective dates of this Act; making the provisions of this Act severable; defining certain terms; repealing and altering certain definitions; and generally relating to health insurance coverage and regulation.

BY adding to

Article – Health – General

Section 19–144, 19–103(c)(14), and 19–108; 19–142 through 19–151 to be under the new part “Part IV. Maryland Health Insurance Exchange”; and 19–154 to be under the new part “Part V. Maryland Health Insurance Coverage Verifications System”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–103(c)(6), (12), and (13)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–108

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–502, 14–508, 15–1201, 15–1202, 15–1204, 15–1205, 15–1208.1,
15–1216 through 15–1221, 15–1309, and 15–1408

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–1222 through 15–1224

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – Insurance

Section 15–1206, 15–1207, 15–1208, 15–1209 through 15–1211, 15–1213,
15–1215, 15–1303(c), and 5–1313

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–1207

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–502(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1069 – Delegates Taylor, Ali, Barkley, Barve, Benson, Bronrott, Burns, Feldman, Gutierrez, Holmes, Hucker, Kaiser, Kelly, N. King, Lee, Montgomery, Myers, Oaks, Ramirez, Rice, Ross, Vaughn, and Walker

AN ACT concerning

Public Service Commission – Broadband Internet Service

FOR the purpose of requiring the Public Service Commission to adopt regulations requiring certain broadband providers to submit certain reports periodically to the Commission on the deployment of certain broadband Internet service to the public; specifying the required contents of the reports; requiring the Commission to publish the reports on the Commission’s website; stating the intent of the General Assembly; defining certain terms; and generally relating to broadband internet service in Maryland.

BY adding to

Article – Public Utility Companies
Section 5–107 and 5–108
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1070 – Delegates Eckardt, Dwyer, Haddaway, McComas, Schuh, and Smigiel

AN ACT concerning

Health Services Cost Review Commission – Repeal of Commission and Study of Alternative Financing of Uncompensated and Undercompensated Care

FOR the purpose of repealing provisions of law relating to the Health Services Cost Review Commission and its powers and duties; repealing a certain bond program for certain hospitals; altering provisions of law relating to the Health Services Cost Review Commission; repealing a requirement that certain health facilities submit certain discharge information; repealing certain requirements regarding

reimbursement rates set by the Health Services Cost Review Commission; requiring nonprofit hospitals to submit a certain report to the Maryland Health Care Commission; requiring the Maryland Health Care Commission to issue a certain annual report; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, to conduct a certain study; requiring the Maryland Health Care Commission to report to the Governor and to the General Assembly on the Commission's findings and recommendations on or before a certain date; providing for the termination of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to health care financing.

BY repealing

Article – Health – General

Section 19–201 through 19–227 and the subtitle “Subtitle 2. Health Services Cost Review Commission”; and 19–720

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article 43C – Maryland Health and Higher Educational Facilities Authority

Section 16A

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–405

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing

Article – Health – General

Section 2–106(a)(4), 15–103(b)(28), 15–105(d), 15–110, 19–118(d)(3), and 19–133(h)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–628(a)(1), 13–310.1(c)(2), 15–103(b)(29) and (30), 15–105(e) and (f), 15–141(m)(1)(iv), 19–103(c)(1) and (13) and (d), 19–120(k)(6)(viii) and (ix), 19–130(b), (d), and (e), 19–133(i), 19–303, 19–307.2(c), 19–325, 19–3B–05(e), 19–710.1(b), and 19–711.3

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–303.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing
Article – Insurance
Section 15–604 and 15–1214
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–906(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–403(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY renumbering
Article – Health – General
Section 2–106(a)(5) through (27), respectively
to be Section 2–106(a)(4) through (26), respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1071 – Delegates Anderson, Glenn, Kirk, and Krysiak

AN ACT concerning

Child Fatality Review Teams – Access and Disclosure of Information

FOR the purpose of requiring that a certain local team be immediately provided access to certain information and records maintained by a health care provider regarding a child convicted of a crime that caused a certain death or fatality; prohibiting the

identification of a child convicted of a crime that caused a certain death or fatality during certain public meetings; and generally relating to access and disclosure of information by child fatality review teams.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–707 and 5–708
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1072 – Delegates McHale, Feldman, and Hecht

AN ACT concerning

Public Utility Companies – Generating Stations – Wind

FOR the purpose of exempting 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; requiring 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; and generally relating to electricity from wind and generating stations.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–207(b)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1073 – Delegates Manno, Hammen, Hubbard, and Rudolph

AN ACT concerning

Medicare Part D “Donut Hole” Tax Assistance Act

FOR the purpose of providing for a subtraction modification under the Maryland individual income tax for certain qualified prescription drug expenses; providing for a certain limit on the amount of the subtraction modification if an individual itemizes deductions; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain qualified prescription drug expenses.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1074 – Delegates Eckardt, Dwyer, Haddaway, McComas, Shank, and Smigiel

AN ACT concerning

Repeal of Certificate of Need Requirements – Health Care Facilities Other Than Home Health Agencies and Hospices

FOR the purpose of altering requirements that certain health facilities obtain a certificate of need in order to build a new facility or expand a facility; repealing certain provisions relating to certificates of need for certain facilities; altering certain definitions; repealing certain definitions; requiring the Maryland Health Care Commission to develop a certain comprehensive plan for emergency medical services; requiring the Commission to issue a certain report to the General Assembly on or before a certain date; and generally relating to certificates of need for health facilities and health care planning.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–114, 19–118, 19–119, 19–120, 19–126, 19–319(c), 19–3B–04, and
19–4A–05
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–121 through 19–125, and 19–129

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1075 – Delegates Bartlett, Elliott, and Stull

AN ACT concerning

Study to Evaluate Strategies to Reduce Deer–Vehicle Collisions

FOR the purpose of requiring the Department of Natural Resources, the Department of Transportation, and the Department of State Police to jointly conduct a study to evaluate strategies to reduce deer–vehicle collisions; requiring the study to include certain reviews, evaluations, and examinations; requiring the Departments to jointly submit a report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study to evaluate strategies to reduce deer–vehicle collisions.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1076 – Delegates Eckardt, Frank, George, Haddaway, McComas, Schuh, Shank, and Smigiel

AN ACT concerning

Health Insurance – Low–Income Health Insurance Premium Support Fund

FOR the purpose of establishing the Low–Income Health Insurance Premium Support Fund; providing for the purpose of the Fund; requiring the Maryland Health Care Commission to administer the Fund; providing that the Fund is a special, nonlapsing fund; providing that certain interest and other income from the Fund shall be accounted for and credited in a certain manner; establishing the source of funds in the Fund; providing that subsidies from the Fund shall be made in a certain manner to certain individuals in accordance with a certain methodology established by the Commission; requiring the Commission to issue a certain report to the General Assembly each year on or before a certain date; requiring the Health Services Cost Review Commission to establish a certain methodology; and generally relating to subsidies for health insurance premiums.

BY adding to

Article – Health – General
Section 19–112
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General
Section 19–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 19–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1077 – Delegate O’Donnell

AN ACT concerning

Calvert County – Highway User Revenues – Special Taxing Districts

FOR the purpose of clarifying that no provision of law may be construed as prohibiting Calvert County from accepting an easement for public travel on a highway in a special taxing district, including in the county’s inventory of county roads any highway in a special taxing district in the county, or distributing a portion of the county’s highway user revenues to a special taxing district in the county; clarifying that, for purposes of certain provisions of this Act, a certain highway includes a gravel road; declaring the intent of the General Assembly that Calvert County accept an easement for public travel on all highways in all special taxing districts in the county, include in the county’s inventory of county roads all highways in all special taxing districts in the county, and distribute a portion of the county’s highway user revenues to all special taxing districts in the county; and generally relating to highway user revenues and special taxing districts in Calvert County.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 8–404

Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1078 – Delegate Conway

AN ACT concerning

**Public Safety – Maryland State Firemen’s Association – Uses
of Appropriation**

FOR the purpose of altering the purposes for which the Maryland State Firemen’s Association may use money appropriated in the State budget; and generally relating to the Maryland State Firemen’s Association.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–205
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1079 – Delegates Howard, Benson, and Proctor

AN ACT concerning

Education – Collective Bargaining – Public School Labor Relations Board

FOR the purpose of establishing a Public School Labor Relations Board; specifying the manner of appointment, membership, duties, and responsibilities of the Board; providing for staffing of the Board; providing for the staggering of terms; authorizing the Board to adopt and enforce certain regulations, guidelines, and policies; permitting the Board to petition a circuit court to seek enforcement of an order of the Board; providing that a hearing and determination under this Act is a contested case; requiring the Board to decide any controversy or dispute involving a labor organization of certificated or noncertificated public school employees; providing that a certain decision of the Board is a final decision; requiring the Board to supervise the election of certain exclusive employee representatives; altering the determination of certain matters which may be negotiated by a certain designated representative; authorizing a certain party to petition the Board over certain matters; authorizing the Board to make a certain determination of impasse during certain negotiations under certain circumstances; authorizing the Board to

provide certain assistance during a certain impasse; requiring that certain provisions are subject to certain other provisions concerning a fiscal relationship between certain parties; authorizing the Board to make a certain determination concerning bad faith bargaining and unfair labor practices; defining certain terms; and generally relating to the Public School Labor Relations Board and collective bargaining for certificated and noncertificated public school employees.

BY repealing and reenacting, with amendments,

Article – Education

Section 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), and 6–510

Annotated Code of Maryland

(2006 Replacement Volume)

BY adding to

Article – Education

Section 6–801 through 6–807 to be under the new subtitle “Subtitle 8. Public School Labor Relations Board”

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Appropriations.

House Bill 1080 – Delegates Pena–Melnyk, Ali, Aumann, Barnes, Beidle, Braveboy, DeBoy, Frush, Gaines, Hammen, Haynes, Howard, Hubbard, Hucker, Impallaria, Ivey, Jones, Kach, N. King, Kipke, Kullen, Lawton, Love, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Oaks, Pendergrass, Proctor, Ramirez, Rice, Ross, Shewell, Valderrama, Walker, and Weldon

AN ACT concerning

Education – Creation of the Maryland Education Fund

FOR the purpose of establishing the Maryland Education Fund; establishing the purpose and contents of the Fund; requiring the State Treasurer to hold the Fund separately and invest the money of the Fund in a certain manner; requiring the Comptroller to account for the Fund; requiring the State Superintendent of Schools to adopt certain regulations; providing that after a certain time, the balance remaining on a gift certificate shall be presumed abandoned; requiring a person that sells or issues a gift certificate in the State to remit to the Comptroller the remaining balance on certain gift certificates on or before a certain date each year; requiring the Comptroller to distribute certain revenues to the Maryland Education Fund on or before a certain date each year; altering the information that must be printed on a gift certificate; requiring a certain person to maintain accounts, books, and records relating to the sale and issuance of certain gift certificates for a certain period of

time; requiring the person to make the accounts, books, and records available for inspection by the Comptroller; defining a certain term; and generally relating to abandoned gift certificates and the Maryland Education Fund.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1319
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Education
Section 5–201.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

House Bill 1081 – Delegates Valderrama, Ali, and Kramer

AN ACT concerning

Task Force to Study Risk Management and Loss Control

FOR the purpose of creating the Task Force to Study Risk Management and Loss Control; providing for the membership of the Task Force; authorizing the Task Force to consult with certain individuals and entities in performing the duties of the Task Force; requiring units of State government to provide certain data under certain circumstances; requiring the Department of Legislative Services and the Office of Legislative Audits to provide staff to the Task Force; providing for certain duties of the Task Force; requiring the Task Force to make certain reports to the Governor and General Assembly on or before certain dates; providing that members of the Task Force are entitled to a certain reimbursement; providing for the termination of this Act; and generally relating to the Task Force to Study Risk Management and Loss Control.

Read the first time and referred to the Committee on Appropriations.

House Bill 1082 – Delegate Hubbard

AN ACT concerning

Managed Care Organizations – Retroactive Denial of Claims

FOR the purpose of making certain provisions of law relating to retroactive denial of claims by health insurance carriers applicable to managed care organizations under the Maryland Medical Assistance Program; altering a certain definition; and generally relating to retroactive denial of claims by managed care organizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–102.3
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1008
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1083 – Delegates Bromwell, Cardin, and Hucker

AN ACT concerning

Health Occupations – Maryland Athletic Trainers Act

FOR the purpose of establishing the Athletic Trainers Advisory Committee as a subunit of the State Board of Physicians; establishing certain fees for services provided by the Board to athletic trainers; providing for the composition, appointment, terms, and compensation of the Committee members; establishing certain powers and duties of the Committee; requiring certain persons to be licensed by the Board as athletic trainers before performing certain work in the State; establishing certain education and experience requirements to qualify for a license; establishing certain application fees and requirements for obtaining a license; establishing certain terms and procedures for the renewal and reinstatement of a license; establishing certain terms and conditions for a temporary license; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license or temporary license to an applicant, reprimand a licensee or holder of a temporary license, place a licensee or temporary licensee on probation, or suspend or revoke a license or temporary license under certain circumstances; establishing certain requirements for reinstatement of a revoked license; providing for certain criminal and civil penalties; establishing certain hearing and appeal procedures for athletic trainers; providing that the Committee is subject to the provisions of the

Maryland Program Evaluation Act; requiring that an evaluation of the Committee and statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to an athletic training license and the Athletic Trainer Advisory Committee.

BY renumbering

Article – State Government
Section 8–403(b)(7) through (69), respectively
to be Section 8–403(b)(8) through (70), respectively
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations
Section 14–5D–01 through 14–5D–19 to be under the new subtitle “Subtitle 5D.
Athletic Trainers”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government
Section 8–403(b)(7)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 2 – Delegate Cardin

A House Joint Resolution concerning

Holocaust Survivors’ Insurance Claims

FOR the purpose of urging the U.S. Congress to pass legislation requiring collection of

certain Holocaust–era insurance information and provide a certain legal footing for certain individuals to seek redress against insurers through the courts; urging the U.S. Department of State to view a just resolution of survivors’ claims as a human rights precedent and moral priority; resolving that certain funds obtained for, or on behalf of, Holocaust survivors be promptly disbursed; resolving that funds be disbursed to Holocaust survivors according to a certain proportion; urging the Maryland Insurance Commissioner to utilize the commissioner’s designee on a certain Task Force to further the intent of this resolution; resolving that a copy of this resolution be forwarded by the Department of Legislative Services to certain individuals and groups; and generally relating to Holocaust survivors’ insurance claims.

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Joint Resolution 3 – Delegates Heller, Vallario, Gutierrez, Kaiser, Ali, Barkley, Barnes, Bobo, Branch, Carter, Feldman, Frush, Gilchrist, Griffith, Healey, Hecht, Hixson, Hubbard, Hucker, Ivey, N. King, Kramer, Lawton, Lee, Manno, Minnick, Mizeur, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Ramirez, Rice, Rosenberg, Taylor, Valderrama, Vaughn, and Waldstreicher

A House Joint Resolution concerning

REAL ID Act of 2007 – Protest and Repeal

FOR the purpose of protesting the implementation of the federal REAL ID Act of 2005; requesting the United States Congress to repeal the Act; and generally relating to the federal REAL ID Act of 2005.

Read the first time and referred to the Committee on Rules and Executive Nominations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 33 – 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 or other defects; altering the maximum criminal penalty for willfully and knowingly falsifying information filed in a registration or renewal registration of certain affected property under provisions relating to reduction of lead risk in housing; authorizing certain leasehold estates to be subjected to a condominium regime if a municipal corporation is the owner of the reversionary fee simple estate; amending the Community Based Regional Initiatives Loan of 2004 to remove a requirement that the Board of Directors of the Mount Olive Community Life Center grant and convey an historic easement to the Maryland Historical Trust; 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 or other defects in order to validate those Acts.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–511
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–813 and 9–1707(a) and (c)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 16–306
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–520 and the part “Part III. Rate Stabilization”; and 7–547 and the part
“Part IV. Rate Stabilization – Specific Provisions”
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–102(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 37–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–46
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing and reenacting, without amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter
322 of the Acts of the General Assembly of 2006
Section 12(3) Item (AJ)

BY repealing and reenacting, without 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 and Chapter 508 of the
Acts of the General Assembly of 2006
Section 13(3)(i) Item (H)

Read the first time and referred to the Committee on Rules and Executive Nominations.

Senate Bill 150 – 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 and Public Local Laws and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; validating and ratifying certain corrections made by the publisher 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 publisher 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 6–301(n)(6)(i)6., 12–107(a), and 12–108(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 23A – Corporations – Municipal
Section 19(o)(3)(ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(5)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–321(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–310(a)(12), 11–831(4)(ii), 11–1302(5), and 11–1306(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–204(2), 14–1504(a), 14–1804, 14–1806, 14–2007(c), 14–2205(1),
14–2506, 14–2602(b), and 14–2705(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–106(c)(1)(ii)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 2-309(o)(2)(v)2., 3-218, 3-2A-04(b)(1), 5-602(b), 5-803(a), and 10-703
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3-8A-01(z)
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 387 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13-406
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)
(As enacted by Chapter 297 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11-709(a)(1)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 2-303(h)(1), 5-401(k), 8-408(a)(5), 8-416(c) and (g)(1) and (2)(i),
12-109(f), 12-113(b), 12-115(c)(1), 13-516(f), 14-104(n), 16-305(b)(10),
16-310(a)(2), 16-504(c)(1), 24-303(f), and 24-513(a)(4)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10-205(b)(6)(ii)1.
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5-338(b) and 12-202(a)(2)(iii)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–603 Part IV: Signature and Witnesses

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 522 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–203(b), 13–901(a)(2), 13–1506(2)(i), 15–139(c)(1), 18–338.3(b)(2)(i) and (ii), and 19–3A–07(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–1810

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 478 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–202(b)(4), 4–308(c) and (f), and 8–302(f)(4)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 15–302.1(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 540 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

The subtitle designation “Subtitle 11. Operating Assistance Grants” in Title 4

Annotated Code of Maryland

(2006 Volume)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 4–1101(a), 6–303(b)(4), 12–206(a)(1)(i), 12–704(a)(3)(iii); and 16–109(3) and the title designation “Title 16. Montgomery County”

Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–415(a) and 24–201(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–609(b)(3)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(d)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 270 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701.1(g)(6)(i)2.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–306(b)(12)(ii)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 2–108(d)(8)(i), 7–509(c)(3), and 7–510(c)(4)(ii)1.
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–505(b)(8)(ii)
Annotated Code of Maryland

(1998 Volume and 2006 Supplement)
(As enacted by Chapter 5 of the Acts of the General Assembly of the 2006 Special Session)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–1001(c), 10–608, and 14–117(j)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 2–701, 3–409(a)(4), 4–407(b)(2), 4–416(a), 5A–301, 5A–406,
12–107(b)(5) and (6), and 15–221.2(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–328(c)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 26 of the Acts of the General Assembly of 2005)

BY repealing
Article – State Finance and Procurement
Section 6–207 and 12–107(b)(7)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19–115
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 283 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1505(f), 6–110(a), (b), and (c), 6–406(a), (b)(2), and (c),
9–122(d)(3), 9–906(f)(1); the title designation “Title 13. Emblems;
Commemorative Days” immediately preceding section 13–101;
15–714(d)(1), and 18–101(b)(1)
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 13–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 29–115(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
The title designation “Title 34. Postretirement Health Benefits”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 433 of the Acts of the General Assembly of 2006)

BY adding to
Article – State Personnel and Pensions
New subtitle designation “Subtitle 1. Postretirement Health Benefits Trust Fund”
to immediately precede Section 34–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 433 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 34–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–205(h)(1), (2), and (4), 10–208(n)(1)(ii) and (2) and (o)(1) and (2),
10–720(e)(2)(i), and 13–918(a)(4)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – Tax – General

Section 10–306(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 8–104(c)(3) and (4) and 8–219(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing
Article – Tax – Property
Section 13–209(g)(3)(iii)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.4(c)(4) and 8–408(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–902(e)(1)(vi)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 18 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–815(d)(1)(iii) and (iv), 16–205.1(f)(6)(ii), 18–107(d), and
21–1124(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 134 of the Acts of the General Assembly of 2001, as amended by Chapter
153 of the Acts of the General Assembly of 2002, as amended by Chapter
236 of the Acts of the General Assembly of 2003
Section 12

BY repealing and reenacting, with amendments,
Chapter 135 of the Acts of the General Assembly of 2001, as amended by Chapter

153 of the Acts of the General Assembly of 2002, as amended by Chapter
236 of the Acts of the General Assembly of 2003
Section 12

BY repealing and reenacting, with amendments,
Chapter 19 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 59 of the Acts of the General Assembly of 2006
Section 4

BY repealing and reenacting, with amendments,
Chapter 381 of the Acts of the General Assembly of 2006
Section 4(b)(1)(vii)

BY repealing and reenacting, with amendments,
Chapter 472 of the Acts of the General Assembly of 2006
Section 3

BY repealing and reenacting, with amendments,
Chapter 558 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 596 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2-2-23(a), 2-3-1, 2-10-1, and 2-13-15(a)(1)
Article 11 – Public Local Laws of Maryland
(2004 Edition and June 2006 Supplement, as amended)

Read the first time and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 59)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #1

House Bill 2 – Delegate Kullen

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way of Calvert County

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 60)

The Bill was then sent to the Senate.

House Bill 26 – Delegates Lee, Barkley, Goldwater, Kaiser, McComas, Mizeur, and Niemann

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 61)

The Bill was then sent to the Senate.

THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 23 – Delegate Love (Chair, Anne Arundel County Delegation)

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County –
Hancock’s Resolution Visitor’s Center**

Read the third time and passed by yeas and nays as follows:

Affirmative – 138 Negative – 0 (See Roll Call No. 62)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Peter A. Hammen, Chairman, HGO
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 338	HGO and JUD

Read and ordered journalized.

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

<u>Bill No.</u>	<u>Reassignment</u>
HB 446	JUD

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 63)

ADJOURNMENT

At 11:29 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 12, 2007.

Annapolis, Maryland
Monday, February 12, 2007

The House met at 8:03 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anthony J. O'Donnell of Calvert and St. Mary's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 132 Members present.

(See Roll Call No. 65)

The Journal of February 9, 2007 was read and approved.

EXCUSES:

Del. Carter – late – car trouble

Del. Glenn – illness

Del. Goldwater – illness

Del. Heller – illness

Del. McDonough – illness - flu

Del. V. Turner – medical

INTRODUCTION OF BILLS

House Bill 1084 – Delegate Impallaria

AN ACT concerning

Motor Vehicle Insurers – Repair Products and Services – Rates

FOR the purpose of requiring the Maryland Insurance Commissioner to appoint an independent auditor to establish, on an annual basis, an average market rate for labor, parts, paint, and materials provided by certain motor vehicle repair facilities; requiring separate average market rates to be established for certain geographic zones; specifying the manner in which an average market rate must be established; requiring the independent auditor to report to the Commissioner on the average market rates on or before a certain date each year; requiring certain rates to be

posted on the Maryland Insurance Administration's website; prohibiting certain insurers that issue, sell, or deliver motor vehicle liability insurance policies in the State from requiring a motor vehicle repair facility to accept a certain payment; requiring the Commissioner to collect a certain fee from certain insurers; and generally relating to payments made by motor vehicle insurers to motor vehicle repair facilities.

BY adding to

Article – Insurance

Section 19–115

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1085 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Easter Seals Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1086 – Cecil County Delegation

AN ACT concerning

Creation of a State Debt – Cecil County – Stone House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the Historic Elk Landing Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing

generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules and Executive Nominations.

House Bill 1087 – Delegates Kirk, Krysiak, Harrison, Haynes, Jones, McHale, McIntosh, Nathan–Pulliam, Robinson, Stukes, and Vaughn

AN ACT concerning

Automobile Insurance – Discrimination in Underwriting – Prohibitions

FOR the purpose of prohibiting an insurer, with respect to automobile liability insurance, from refusing to underwrite, cancelling, refusing to renew a risk, or rating a risk based, in whole or in part, on the occupation or education of the applicant or insured; and generally relating to prohibitions on discrimination by automobile liability insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–501(d)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules and Executive Nominations.

APPOINTMENTS

February 12, 2007

RESOLVED THAT THE SPEAKER MAKES THE FOLLOWING JOINT COMMITTEE APPOINTMENTS:

JOINT COMMITTEE ON PROTOCOL:

Hon. Joanne C. Benson (House Chairman)
Hon. Sally Y. Jameson
Hon. A. Wade Kach
Hon. Ruth M. Kirk
Hon. Robert A. McKee

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING JOINT STATUTORY COMMITTEE APPOINTMENTS:

JOINT COMMITTEE ON TECHNOLOGY OVERSIGHT:

Hon. Brian J. Feldman (House Chairman)

Hon. Kumar P. Barve

Hon. Sue Hecht

Hon. Michael L. Vaughn

Hon. Mary Roe Walkup

By Order,
Mary Monahan
Chief Clerk

Read and adopted.

LINCOLN'S BIRTHDAY ADDRESS

Delegate A. Wade Kach
Baltimore County

Mr. Speaker, Fellow Delegates, Guests:

On this day 198 years ago—when I was first elected to the legislature—a future President was born to a pair of uneducated farmers in Nolin Creek, Kentucky. And as they say, he must have been an ugly baby. In fact, as described by an anonymous British writer in the June 1, 1862, edition of the *New York Sunday Mercury*, Abraham Lincoln would probably not have impressed the three-judge panel on *American Idol*. According to this account:

“To say that he is ugly is nothing...Fancy a man six feet high and thin out of proportion..... Add to this a head—coconut-shaped and somewhat too small—covered with rough uncombed hair that stands out in every direction...with two rows of large, white teeth and a nose and ears which have been taken by mistake from a head of twice the size.”

Surely, if Mary Todd Lincoln were alive today she would have insisted that her husband go in for an *Extreme Makeover*. I mean, is it any wonder Lincoln said, “Common looking people are the best in the world?” He went on to explain, “That is the reason the Lord makes so many of them.” Of course, it’s also the reason we have so many in the legislature—not me though. Indeed for Lincoln, looking or even being common was not a liability, nor was it a glib talking point used to propel a man to higher office. He presided over a time in our history in which common men and women made uncommon sacrifices for the common good.

Once asked to define government, Abraham Lincoln responded, “Government is the collection of people who come together to do that which they could not do—as well or at all—as individuals.” Now, good people can and, no doubt, forever will debate the scope and content of those things that draw individuals of such diverse backgrounds together. Yet on this night *we* come together to honor the legacy of an honest man who called forth a great nation to see in itself the promise of freedom.

It is a well-known legacy of humble beginnings and a journey fraught with ineffable personal hardships, culminating in the triumph of war and tragedy of his death. But beyond all this—beyond the litany of lost elections and failed business ventures—lies a decent and humble man, a man not terribly impressed with himself.

Although he was fairly adroit at the art of storytelling. You see, in those days a man could walk right into the White House and speak with the President demanding action on a particular grievance. So Lincoln, with his characteristic disarming sense of humor, would tell him, “Now, that reminds me of a little story that I heard back in Indiana when I was a boy.” He would proceed to tell the man this story, laughing—often laughing at his own story—and slapping his thigh. Finishing the story, he’d rise to his feet and say, “Well, Mr. Smith, it was so very nice to see you. Thank you for stopping by.” Hmm...reminds me of someone...Mr. Speaker?

As he showed him the way out, Mr. Smith would have no idea what had just happened. I can see several of my esteemed colleagues are thinking, ‘That’s brilliant! Why didn’t I think of that?’ Of course, it’s all too simple to take a cynical view in the present, claiming that Lincoln was shallow and evasive. But surely his prolific words and valorous deeds suggest otherwise. Simply put, Lincoln recognized what many modern office holders tend to forget: disagreement is not the province of sworn enemies; disagreement is the foundation of good government.

And that’s precisely what distinguishes this man from so many others who have occupied this nation’s highest office. More than the rhetorical flourishes for which he is immortalized in school pageants and oratorical contests, Lincoln possessed the unassailable wisdom to know when to simply shut his mouth and listen. He explained, “I am rather inclined to silence, and whether that be wise or not, it is at least more unusual nowadays to find a man who can hold his tongue than to find one who cannot.” Sadly, it’s even more unusual today.

But curiously, while we live in a time in which leaders instinctively shun the notion that they pay any attention to polls of public opinion, Lincoln made no apologies. “Public sentiment is everything,” he noted. “With public sentiment, nothing can fail; without it nothing can succeed.” And isn’t that the perfect corollary to his quintessential definition of government? If we are truly comprised of a ‘collection of people’—common, ordinary people—then we must never forget to heed the call, or *email* as it may be, of these people.

In fact, often overlooked in the annals of Lincoln history are two vital initiatives he signed into law that dramatically improved the lives of generations of ordinary Americans. The Morrill Land-Grant College Act, which had been vetoed by James Buchanan, was signed by Lincoln in 1862, signaling a new hope of opportunity for millions of Americans. We here in Maryland proudly bear the legacy of two such institutions: The University of Maryland College Park and The University of Maryland Eastern Shore, which, of course, has the distinction of being one of more than 100 historically black colleges and universities throughout this land.

Likewise, the Homestead Act, signed by Lincoln in the same year, endowed the yeoman farmer—the consummate common man—with 160 acres to chart his own destiny. In all, nearly a million and a half settlers created 372,000 farms in the American West. Common men and women with a common purpose rising to uncommon heights. This was the vision of America Lincoln so readily embraced.

And this vision continues to form the foundation of our great nation. I'm certain that each one of us has a story or two about folks in our own communities that have uniquely contributed to the common good without aspiring to prominence. Our State is blessed to have a 'collection of people'—young and old—that respond to the needs of their communities in ways uncommon.

Included in this collection are people like Rick Bauer, a Hereford High School senior who devoted over 500 hours last summer building students at Sparks Elementary an environmental Outdoor Learning Center. You might think this is some ordinary high school student, but Rick's parents, Steven and Kristine, who are here with him tonight, know that their son is far from ordinary.

With a weighted GPA of 5.065, nine AP courses under his belt, and seven varsity letters for track and field, indoor track and cross country, Rick will graduate this spring with the knowledge that he has made his community an even better place to live. A member of Boy Scout Troop 451 who was recently awarded the rank of Eagle Scout, Rick has fostered a spirit of excitement among the kids at Sparks by creating an outdoor amphitheater classroom and several hiking trails around the school, including a stream nature trail. Talk about selfless and uncommon devotion to the common good.

And lest anyone think that our seniors—members of the aptly-described 'Greatest Generation'—have any intention to stop sacrificing for the common good, look no further than Gene Conger, a 78-year-old retiree from Jacksonville, who along with his wife Rita—both here with us this evening—has led the effort to ship over four and a half tons of shoe box care packages to our service men and women in Iraq and Afghanistan.

An unexpected and overwhelming outpouring of generosity from the community has even helped Gene and Rita send hundreds of pounds of clothes for the Afghani people

and toys for Iraqi children. The hundreds of shoe boxes filled with common items, like yo-yos, candy, disposable cameras, and toothpaste, are a poignant reminder of the bond between generations of Americans grateful for the extraordinary sacrifices of ordinary men and women.

Though generations apart, Rick Bauer and Gene and Rita Conger share a common concern for the world around them. You know, it's funny how we have relegated the very word 'common' to imply someone or something that is 'second-rate,' when, in fact, the term originally referred to something 'shared by two or more individuals or by all members of a group.' Lincoln seemed to know this intuitively.

Above all else, he sought to preserve this Union, this marvelous collection of people, calling it "the last best hope of earth." No small feat for such a common-looking man who, when seeking reelection in 1864, candidly admitted, "I have not permitted myself to conclude that I am the best man in the country." Perhaps he wasn't. Yet he believed in this nation and its people when many others found reason not to.

Just prior to receiving his party's nomination for president, Lincoln summed up his life in these few words: "I was born Feb. 12, 1809, in Hardin County, Kentucky. My parents were both born in Virginia, of undistinguished families. My mother, who died in my tenth year, was of a family of the name of Hanks....My father...moved from Kentucky to...Indiana, in my eighth year...There I grew up...When I came of age I did not know much. Still somehow, I could read, write, and cipher...but that was all." Of course, that was *not* all. But for a man with a coconut-shaped head and messy hair, humility was a common necessity.

Delegate O'Donnell moved that the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 66)

ADJOURNMENT

At 8:35 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 13, 2007.