

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2010 Regular Session**

**Volume I**

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# Contents

Index of Days.....	iv
Journal of Proceedings .....	1
Rules of the Senate of Maryland.....	4035
Roll Calls .....	Appendix I
Committee Votes.....	Appendix II
Exhibits .....	Appendix III
Index.....	Appendix IV

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## 2010 SENATE JOURNAL INDEX OF DAYS

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<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 13 .....	1	March 3 .....	1175
January 14 .....	96	March 4 .....	1227
January 15 .....	111	March 5 .....	1253
January 18 .....	126	March 8 .....	1330
January 19 .....	145	March 9 .....	1351
January 20 .....	155	March 10 .....	1421
January 21 .....	179	March 11 .....	1444
January 22 .....	201	March 12 .....	1486
January 26 .....	253	March 15 .....	1541
January 27 .....	258	March 16 .....	1552
January 28 .....	285	March 17 .....	1611
January 29 .....	331	March 18 .....	1677
February 1 .....	364	March 19 .....	1715
February 2 .....	405	March 22 .....	1781
February 3 .....	434	March 23 .....	1878
February 4 .....	464	March 24 .....	2081
February 5 .....	507	March 25 .....	2135
February 9 .....	597	March 26 .....	2305
February 10 .....	611	March 27 .....	2557
February 11 .....	723	March 28 .....	2651
February 12 .....	754	March 29 .....	2706
February 15 .....	776	March 30 .....	2759
February 16 .....	813	March 31 .....	2823
February 17 .....	824	April 1 .....	2905
February 18 .....	856	April 2 .....	3039
February 19 .....	881	April 3 .....	3099
February 22 .....	954	April 4 .....	3194
February 23 .....	986	April 5 .....	3345
February 24 .....	1010	April 6 .....	3423
February 25 .....	1044	April 7 .....	3641
February 26 .....	1071	April 8 .....	3806
March 1 .....	1131	April 9 .....	3851
March 2 .....	1160	April 10 .....	4015

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**Annapolis, Maryland**  
**Wednesday, January 13, 2010**  
**12 Noon**

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The Senate met at 12:03 P.M.

Call to Order by the Secretary of the Senate.

Prayer by Reverend Doctor Delman Coates, Sr. Pastor, Mt. Ennon Baptist Church,  
guest of the President.

(See Exhibit A of Appendix III)

STATE OF MARYLAND, TO WIT:

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

Present at the roll call were the following Senators:

District 1	–	Allegany, Garrett and Washington George C. Edwards
District 2	–	Washington Donald F. Munson
District 3	–	Frederick and Washington Alexander X. Mooney
District 4	–	Frederick and Carroll David R. Brinkley
District 5	–	Carroll and Baltimore Larry E. Haines
District 6	–	Baltimore County Norman R. Stone, Jr.
District 7	–	Baltimore and Harford Andrew P. Harris
District 8	–	Baltimore County Katherine A. Klausmeier
District 9	–	Howard and Carroll Allan H. Kittleman
District 10	–	Baltimore County Delores G. Kelley
District 11	–	Baltimore County Robert A. Zirkin

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

		Barry Glassman
District 36	—	Kent, Queen Anne's, Cecil and Caroline E.J. Pipkin
District 37	—	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	—	Somerset, Wicomico and Worcester J. Lowell Stoltzfus
District 39	—	Montgomery Nancy J. King
District 40	—	Baltimore City Catherine E. Pugh
District 41	—	Baltimore City Lisa A. Gladden
District 42	—	Baltimore County James Brochin
District 43	—	Baltimore City Joan Carter Conway
District 44	—	Baltimore City Verna L. Jones
District 45	—	Baltimore City Nathaniel J. McFadden
District 46	—	Baltimore City George W. Della, Jr.
District 47	—	Prince George's David C. Harrington

Forty—seven Senators having answered to their names, a quorum being present, the Senate of Maryland, 2010 Session is now ready for the transaction of business.

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

The Honorable Anthony Muse nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable George Della. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 9)

The Honorable Edward J. Kasemeyer and the Honorable Allan H. Kittleman were appointed to escort the President Pro Tem to the Chair.

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

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

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

The Honorable Joan Carter Conway, seconded by the Honorable Brian Frosh and the Honorable Katherine Klausmeier, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

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

The roll call vote resulted as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 10)

The Honorable Edward J. Kasemeyer and the Honorable Allan H. Kittleman were appointed to escort the President to the Chair.

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

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

Remarks by the Minority Leader, Senator Allan H. Kittleman.

## **ORDERS**

### **ORDER**

January 13, 2010

**BY THE MAJORITY LEADER:**

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2010, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Legislative Session of 2009.

By Order,

William B.C. Addison, Jr.  
Secretary

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

Affirmative – 47    Negative – 0    (See Roll Call No. 11)

Senator Klausmeier moved, duly seconded, to make Rule 116 a Special Order for January 20, 2010.

The motion was adopted.

ORDER

January 13, 2010

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2010:

- |                                     |                           |
|-------------------------------------|---------------------------|
| Secretary of the Senate –           | William B.C. Addison, Jr. |
| Assistant Secretary of the Senate – | Katherine L. Larrabee     |
| Journal Clerk –                     | Donald G. Hopkins         |
| Assistant Journal Clerk –           | Dorothy D. Chaney         |
| Reading Clerk –                     | Lynne B. Porter           |
| Proceedings Clerk –                 | Johanne H. Greer          |
| Chief Page –                        | Donna L. Horgan           |

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted by roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 12)

ORDER

January 13, 2010

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Regular Legislative Session of 2010, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted.

### ORDER

January 13, 2010

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2010, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted.

### ANNOUNCEMENTS

January 13, 2010

The President makes the following announcement:

Majority Leader —	Senator Edward J. Kasemeyer
Deputy Majority Leader —	Senator Rob Garagiola
Assistant Deputy Majority Leader —	Senator James N. Robey
Majority Whip —	Senator Lisa A. Gladden
Deputy Majority Whip —	Senator Catherine E. Pugh
Assistant Deputy Majority Whip —	Senator Mike Lenett

Assistant Deputy Majority Whip — Senator James Rosapepe  
Chairman, Democratic Caucus — Senator Rob Garagiola

**January 13, 2010**

**ANNOUNCEMENT**

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 13, 2010.

**BUDGET AND TAXATION**

Senator Ulysses Currie, Chairman  
Senator Edward J. Kasemeyer, Vice-Chairman

Senator David R. Brinkley	Senator Nathaniel J. McFadden
Senator James E. DeGrange, Sr.	Senator Donald F. Munson
Senator George C. Edwards	Senator Douglas J.J. Peters
Senator Verna L. Jones	Senator James N. Robey
Senator Nancy J. King	Senator J. Lowell Stoltzfus
Senator Rona E. Kramer	Senator Robert A. Zirkin
Senator Richard S. Madaleno, Jr.	

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

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

Senator Richard F. Colburn	Senator Paul G. Pinsky
Senator David C. Harrington	Senator Edward R. Reilly
Senator Andrew P. Harris	Senator James C. Rosapepe
Senator Mike Lenett	

**FINANCE COMMITTEE**

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

Senator George W. Della, Jr.	Senator Allan H. Kittleman
Senator Nathaniel Exum	Senator Katherine Klausmeier
Senator Robert J. Garagiola	Senator E.J. Pipkin
Senator Barry Glassman	Senator Catherine E. Pugh

Senator Delores G. Kelley

**JUDICIAL PROCEEDINGS COMMITTEE**

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

Senator James Brochin  
 Senator Jennie M. Forehand  
 Senator Larry E. Haines  
 Senator Nancy Jacobs  
 Senator Alexander X. Mooney

Senator C. Anthony Muse  
 Senator Jamie Raskin  
 Senator Bryan W. Simonaire  
 Senator Norman R. Stone, Jr.

**RULES COMMITTEE**

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

Senator David R. Brinkley  
 Senator Ulysses Currie  
 Senator Roy P. Dyson  
 Senator Larry E. Haines  
 Senator Edward J. Kasemeyer

Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.  
 Senator Donald F. Munson

**ANNOUNCEMENT**

The President makes the following appointments to continuing committees pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 13, 2010.

**EXECUTIVE NOMINATIONS**

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

Senator David R. Brinkley  
 Senator Joan Carter Conway  
 Senator Richard F. Colburn  
 Senator Ulysses Currie  
 Senator Jennie M. Forehand  
 Senator Brian E. Frosh  
 Senator Larry E. Haines  
 Senator Edward J. Kasemeyer

Senator Allan H. Kittleman  
 Senator Katherine Klausmeier  
 Senator Rona E. Kramer  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.  
 Senator Donald F. Munson  
 Senator Norman R. Stone, Jr.

**ANNOUNCEMENT**

The President makes the following appointments to the statutory committees and joint committees; the appointments are effective as of January 13, 2010.

**LEGISLATIVE POLICY COMMITTEE**

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

Senator John C. Astle	Senator Larry E. Haines
Senator David R. Brinkley	Senator Edward J. Kasemeyer
Senator Joan Carter Conway	Senator Allan H. Kittleman
Senator Ulysses Currie	Senator Nathaniel J. McFadden
Senator James E. DeGrange, Sr.	Senator Thomas M. Middleton
Senator Brian E. Frosh	Senator Norman R. Stone, Jr.
Senator Lisa A. Gladden	

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

Senator Paul G. Pinsky, Senate Chairman

Senator David R. Brinkley	Senator Allan H. Kittleman
Senator James Brochin	Senator Richard S. Madaleno, Jr.
Senator Richard F. Colburn	Senator Norman R. Stone, Jr.
Senator Jennie M. Forehand	Senator Robert A. Zirkin
Senator Lisa A. Gladden	

**JOINT AUDIT COMMITTEE**

Senator Verna L. Jones, Senate Chairman

Senator John C. Astle	Senator Rona E. Kramer
Senator David R. Brinkley	Senator Nathaniel J. McFadden
Senator Ulysses Currie	Senator E.J. Pipkin
Senator George C. Edwards	Senator Catherine E. Pugh
Senator Jennie M. Forehand	

**JOINT COMMITTEE ON BASE REALIGNMENT AND CLOSURE**

Senator Roy P. Dyson, Senate Chairman

Senator James E. DeGrange, Sr.	Senator Richard S. Madaleno, Jr.
Senator Nancy Jacobs	Senator Douglas J. J. Peters
Senator Allan H. Kittleman	Senator James C. Rosapepe
Senator Katherine Klausmeier	

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

Senator Roy P. Dyson, Senate Chairman

Senator Richard F. Colburn  
Senator Mike Lenett

Senator E.J. Pipkin  
Senator Jamie Raskin

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

Senator Nancy J. King, Senate Chairman

Senator Joan Carter Conway  
Senator Jennie M. Forehand  
Senator Nancy Jacobs  
Senator Verna L. Jones  
Senator Edward J. Kasemeyer

Senator Allan H. Kittleman  
Senator C. Anthony Muse  
Senator Edward R. Reilly  
Senator Robert A. Zirkin

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

Senator Catherine E. Pugh, Senate Chairman

Senator Roy P. Dyson

Senator Donald F. Munson

**JOINT COMMITTEE ON FEDERAL RELATIONS**

Senator Jennie M. Forehand, Senate Chairman

Senator Nathaniel Exum  
Senator Robert J. Garagiola  
Senator Verna L. Jones  
Senator Mike Lenett

Senator Donald F. Munson  
Senator Jamie Raskin  
Senator James C. Rosapepe

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

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

Senator Andrew P. Harris  
Senator Edward J. Kasemeyer  
Senator Mike Lenett

Senator C. Anthony Muse  
Senator Catherine E. Pugh

**JOINT INFORMATION TECHNOLOGY AND BIOTECHNOLOGY  
COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator Ulysses Currie  
Senator Robert J. Garagiola

Senator Lisa A. Gladden  
Senator Donald F. Munson

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

Senator Richard S. Madaleno, Jr.  
Senator Donald F. Munson

Senator James C. Rosapepe

**JOINT COMMITTEE ON LEGISLATIVE ETHICS**

Senator Norman R. Stone, Jr., Senate Chairman

Senator David R. Brinkley  
Senator Roy P. Dyson  
Senator Nathaniel J. McFadden

Senator Donald F. Munson  
Senator Jamie Raskin

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

Senator Verna L. Jones, Senate Chairman

Senator Ulysses Currie  
Senator Jennie M. Forehand

Senator Larry E. Haines

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

Senator Delores G. Kelley, Senate Chairman

Senator Joan Carter Conway  
Senator Robert J. Garagiola

Senator David C. Harrington  
Senator Douglas J.J. Peters

**JOINT COMMITTEE ON PENSIONS**

Senator Nathaniel J. McFadden, Chairman

Senator Ulysses Currie  
Senator Edward J. Kasemeyer  
Senator Rona E. Kramer  
Senator Richard S. Madaleno, Jr.

Senator Donald F. Munson  
Senator Edward R. Reilly  
Senator James N. Robey

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards  
Senator Mike Lenett

Senator Donald F. Munson  
Senator Robert A. Zirkin

**JOINT COMMITTEE ON PROTOCOL**

Senator Larry E. Haines, Senate Co-Chairman  
Senator Rona E. Kramer, Senate Co-Chairman

Senator James E. DeGrange, Sr.

Senator Katherine Klausmeier

**JOINT COMMITTEE ON SPENDING AFFORDABILITY**

Senator Ulysses Currie, Senate Chairman

Senator David R. Brinkley  
Senator James E. DeGrange, Sr.  
Senator Edward J. Kasemeyer  
Senator Allan H. Kittleman  
Senator Rona Kramer

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator Thomas M. Middleton  
Senator Thomas V. Mike Miller, Jr.  
Senator Donald F. Munson

**JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT**

Senator Thomas M. Middleton, Senate Chairman

Senator Nathaniel Exum

Senator Delores G. Kelley

**JOINT COMMITTEE ON WELFARE REFORM**

Senator Nathaniel Exum, Senate Chairman

Senator Lisa A. Gladden  
Senator Katherine Klausmeier

Senator E.J. Pipkin  
Senator Catherine E. Pugh

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

Senator Nathaniel Exum, Senate Chairman  
Senator Allan H. Kittleman

**ANNOUNCEMENT BY THE SENATE MINORITY CAUCUS**

January 13, 2010

The Senate Minority Caucus met on September 22, 2009 for the purpose of electing the Minority floor leaders for the 2010 Legislative Session. The following members have been selected:

Minority Leader: Honorable Allan H. Kittleman – District 9

Minority Whip: Honorable Nancy Jacobs – District 34

Read and ordered journalized.

### MESSAGE TO THE SENATE

January 13, 2010

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates has organized by the election of the Honorable Michael E. Busch, Speaker of the House.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of five members, three on the part of the House and two on the part of the Senate, to wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the House of Delegates, Delegates Howard, Harrison and McHale.

BY ORDER,

Mary Monahan  
Chief Clerk

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

January 13, 2010

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 Kittleman.

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

#### **MESSAGE TO THE EXECUTIVE**

January 13, 2010

By the Majority Leader,

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

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

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

#### **MESSAGE FROM THE EXECUTIVE**

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

January 13, 2010

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

Dear President Miller:

In accordance with Article II, § 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2009 Recess of the General Assembly. I am confident you will find the individuals to be well qualified for their respective offices and deserving of your support for appointment confirmation.

Sincerely,  
 Governor

**GUBERNATORIAL RECESS APPOINTMENTS TO STATEWIDE BOARDS  
 REQUIRING SENATE CONFIRMATION  
 2010 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Michael G. Miller 2698 Willow Hill Road Annapolis, Maryland 21403 Anne Arundel/30	Appointment Member Term of 4 years from July 1, 2009
Kelsey Roderic Bush 21931 Rosewood Terrace Lexington Park, Maryland 20653 St. Mary's/29	Reappointment Member Term of 4 years from July 1, 2009
Charles M. Christian, Ph.D. 3025 John Bernard Drive Ellicott City, MD 21042 Howard/09	Reappointment Member Term of 4 years from July 1, 2009
AGRICULTURE, SECRETARY OF THE DEPARTMENT OF	
Earl F. Hance 4155 Hance Road Port Republic, Maryland 20676 Calvert/29	Appointment Secretary Serve at the pleasure of the Governor
ARCHAEOLOGY, ADVISORY COMMITTEE ON	
Thomas F. Forhan 7001 Westmoreland Avenue Takoma Park, Maryland 20912 Montgomery/20	Appointment Member Term of 3 years from July 1, 2009

ARTS COUNCIL, MARYLAND STATE	
Donora L. Dingman 11320 Buckleberry Path Columbia, Maryland 21044 Howard/12	Appointment Member Term of 3 years from July 1, 2009
AUTOMOBILE INSURANCE FUND BOARD OF TRUSTEES	
Karenthia A. Barber 1504 Fernley Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Member Serves at the pleasure of the Governor
BLIND, BOARD OF DIRECTORS OF THE MARYLAND SCHOOL FOR THE	
Hon. Katherine A. Klausmeier 103 James Senate Office Building Annapolis, Maryland 21401 Baltimore County/08	Reappointment Senate Term of 3 years from July 1, 2007
Hon. Cheryl D. Glenn 314 House Office Building Annapolis, Maryland 21401 Baltimore City/45	Appointment House Term of 3 years from July 1, 2007
Craig D. Borne, Esquire 14 Bellfalls Way Baltimore, Maryland 21236 Baltimore County/08	Reappointment Member Term of 3 years from July 1, 2007
Kimberley G. Alfonso 7500 Woodmont Avenue, #616 Bethesda, Maryland 20814 Montgomery/16	Appointment Member Remainder of a term of 3 years from July 1, 2007
Lorraine A. Costella, Ph.D. 5387 Graywing Court Columbia, Maryland 21045 Howard/13	Appointment Member Remainder of a term of 3 years from July 1, 2007
BLIND INDUSTRIES AND SERVICES OF MARYLAND BOARD OF TRUSTEES	
Millicent Morris 4611 Marble Hall Road Baltimore, Maryland 21239 Baltimore City/43	Reappointment Blind Member Term of 3 years from July 1, 2007
George H. Littrell, Jr. 5209 Reel's Mill Road Frederick, Maryland 21704 Frederick/03	Reappointment Member Term of 3 years from July 1, 2007

Donald J. Morris 16547 Old Emmitsburg Road Emmitsburg, Maryland 21727 Frederick/04	Reappointment Blind Member Term of 3 years from July 1, 2009
William E. Hadlock, Ed.D. 3454 Arcadia Drive Ellicott City, Maryland 21042 Howard/09	Reappointment Blind Member Term of 3 years from July 1, 2009
Walter A. Brown, Ed.D. 2156 Mt. Royal Terrace Baltimore, Maryland 21217 Baltimore City/40	Reappointment Member Term of 3 years from July 1, 2007
James R. Berens 12920 Wexford Park Clarksville, Maryland 21029 Howard/13	Reappointment Member Term of 3 years from July 1, 2007
Martha E. Seabrooks 1016 East Lake Avenue Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member Term of 3 years from July 1, 2008
Gerald L. Moschel 1707 Saunders Way Glen Burnie, Maryland 21061 Anne Arundel/32	Reappointment Member Term of 3 years from July 1, 2008
BOILER RULES, BOARD OF	
Andris Bilmanis, Jr. 17720 Mohr Oak Lane Hughesville, Maryland 20637 Charles/29	Reappointment Owner/User of a Power Boiler Term of 4 years from January 1, 2010
CHILD CARE PROGRAM ADMINISTRATORS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL	
Bruce T. Anderson 12244 Intyre Road Smithsburg, Maryland 21783 Washington/02	Reappointment Program Administrator Term of 4 years from July 1, 2009
Ada P. Thomas 5320 Dorsey Hall Drive, #117 Ellicott City, Maryland 21042 Howard/12	Appointment Consumer Remainder of a term of 4 years from July 1, 2006
William L. Childers 10837 Archer Lane Williamsport, Maryland 21795 Washington/02	Appointment Residential Child and Youth Care Practitioner Term of 4 years from July 1, 2009

CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF	
Michael Fedorczyk, D.C. 4004 Lakeview Turn Dunkirk, Maryland 20754 Calvert/27	Appointment Chiropractor Remainder of a term of 4 years from July 1, 2006
Daniel J. Kraus 7502 Leesburg Place Bethesda, Maryland 20817 Montgomery/16	Appointment Chiropractor Term to expire June 30, 2011
Clyde Anderson 2408 Blueridge Avenue Silver Spring, Maryland 20902 Montgomery/18	Appointment Massage Therapist Term to expire June 30, 2011
Gwenda Harrison 15313 Livingston Road Accokeek, Maryland 20607 Prince George's/27	Appointment Massage Therapist Term to expire June 30, 2013
Karen A. Biagiotti 602 Newfield Road Glen Burnie, Maryland 21061 Anne Arundel/32	Appointment Massage Therapist Term to expire June 30, 2013
CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND	
Jill A. T. Sorensen 5804 Stony Run Drive Baltimore, Maryland 21210 Baltimore City/41	Appointment Non-profit Clean Energy Research Term to expire September 30, 2010
CONSUMER COUNCIL	
Michael R. Lemov 6303 Wynkoop Boulevard Bethesda, Maryland 20817 Montgomery/16	Appointment Member Remainder of a term of 6 years from July 1, 2008
Charles E. Sydnor, III 2 Helms Pick Court Catonsville, Maryland 21228 Baltimore County/10	Appointment Member Remainder of a term of 6 years from July 1, 2006
CORRECTIONAL TRAINING COMMISSION	
Deborah J. Richardson 3927 Susanna Road Randallstown, Maryland 21133 Baltimore County/10	Appointment Correctional Official Remainder of a term of 3 years from July 1, 2007

Reginald Garnett 10613 Atkins Grove Court Glen Allen, Virginia 23059 Nonresident	Appointment Correctional Official – DJS Remainder of a term of 3 years from July 1, 2008
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL FOR THE	
Gary Franklin Monroe 10509 Gentian Court Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Human Relations Commission Term of 3 years from October 1, 2009
Shane H. Feldman 10915 Oakcrest Circle New Market, Maryland 21774 Frederick/04	Appointment Hearing Impaired Term of 3 years from October 1, 2009
DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE	
Ernest E. Hairston, Ph.D. 6414 Gallery Street Bowie, Maryland 20720 Prince George's/23	Reappointment Member Term of 6 years from October 1, 2009
Khadijat K. Rashid, Ph.D. 7919 Fawn Run Jessup, Maryland 20794 Howard/13	Appointment Deaf Member Remainder of a term of 6 years from October 1, 2008
Angela P. McCaskill, Ph.D. 12001 Cleaver Drive Mitchellville, Maryland 20721 Prince George's/25	Appointment Deaf Member Remainder of a term of 6 years from October 1, 2008
Heather Zeolla 3650 Rick Hamilton Place Nanjemoy, Maryland 20662 Charles/28	Appointment Member Remainder of a term of 6 years from October 1, 2003 and a term of 6 years from October 1, 2009
DIETETIC PRACTICE, STATE BOARD OF	
Judith Feola Gordon 2868 Constellation Way Finksburg, Maryland 21048 Carroll/05	Appointment Dietitian or Nutritionist – Clinical Remainder of a term of 4 years from July 1, 2006
DISTRICT COURT OF MARYLAND – DISTRICT 4 – CALVERT, CHARLES AND ST. MARY'S COUNTIES	

Hon. Kenneth Talley 200 Charles Street P.O. Box 3070 La Plata, MD 20646–3070 Charles/28	Appointment District Court for Charles County Term of 10 years from April 28, 2009
DISTRICT COURT OF MARYLAND – DISTRICT 9 – HARFORD COUNTY	
Hon. Mimi Raffel Cooper 2 South Bond Street Bel Air, MD 21014–3737 Harford/35	Reappointment District Court for Harford County Term of 10 years from October 14, 2009
DISTRICT COURT OF MARYLAND – DISTRICT 11 – FREDERICK AND WASHINGTON COUNTIES	
Hon. Dana Moylan Wright 46 West Baltimore Street Funkstown, Maryland 21740 Washington/02	Appointment District Court for Washington County Term of 10 years from July 23, 2009
Hon. Janice Rodnick Ambrose 100 West Patrick Street Frederick, MD 21701 Frederick/03	Reappointment District Court for Frederick County Term of 10 years from December 8, 2009
ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Richard Bernstein 520 Deepwater Drive Oxford, Maryland 21654 Talbot/37	Appointment Lower Eastern Shore Remainder of a term of 3 years from July 1, 2007
Dawn Deiter Rich 22927 Cattail Lane California, Maryland 20619 St. Mary's/29	Appointment Southern Maryland Remainder of a term of 3 years from July 1, 2008
Karen Frazee Myers 23 State Park Road Swanton, Maryland 21561 Garrett/01	Appointment Allegany and Garrett Remainder of a term of 3 years from July 1, 2008
Sagar Patel 1219 Sparrow Mill Way Bel Air, Maryland 21015 Harford/35	Appointment Member Remainder of a term of 3 years from July 1, 2008
Ricardo Martinez 10370 Pot Spring Road Timonium, Maryland 21093 Baltimore County/42	Appointment Member Remainder of a term of 3 years from July 1, 2007
Harold S. Stinger 16147 Waterford Creek Circle Hamilton, Virginia 20158 Nonresident	Appointment Member Remainder of a term of 3 years from July 1, 2007

Steve Dubin 14240 Triadelphia Road Glenelg, Maryland 21737 Howard/13	Appointment Member Remainder of a term of 3 years from July 1, 2007
Walter A. Tilley, III 68 Crystal Court Bel Air, Maryland 21014 Harford/35	Reappointment Member Term of 3 years from July 1, 2009
Edward A. St. John, Jr. 656 Severn Road Severna Park, Maryland 21146 Anne Arundel/33	Appointment Member Remainder of a term of 3 years from July 1, 2008
John J. McLaughlin 1310 William Street Baltimore, Maryland 21230 Baltimore City/46	Appointment Member Remainder of a term of 3 years from July 1, 2008
Susan J. Ganz 11103 Valley Heights Drive Owings Mills, Maryland 21117 Baltimore County/11	Appointment Member Remainder of a term of 3 years from July 1, 2008
Timothy J. Adams 14302 Dunwood Valley Drive Bowie, Maryland 20721 Prince George's/23	Appointment Member Remainder of a term of 3 years from July 1, 2009
Kevin M. Johnson 3109 Fox Valley Drive West Friendship, Maryland 21794 Howard/09	Appointment Member Remainder of a term of 3 years from July 1, 2009
Ronald R. Peterson 1403 Lytham Court Bel Air, Maryland 21015 Harford/35	Appointment Member Remainder of a term of 3 years from July 1, 2009
Edwin F. Hale, Sr. 26035 Marengo Road Easton, Maryland 21601 Talbot/37	Appointment Member Remainder of a term of 3 years from July 1, 2009
William E. Kirwan, Ph.D. 3112 Old Court Road Baltimore, Maryland 21208 Baltimore County/11	Appointment Member Remainder of a term of 3 years from July 1, 2009
Alan D. Wilson 11 Deep Run Court Cockeysville, Maryland 21031 Baltimore County/05	Appointment Member Remainder of a term of 3 years from July 1, 2009
ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS, MARYLAND	

Frederick J. Puente 6338 Quantico Mill Lane Quantico, Maryland 21856 Wicomico/37	Appointment Industrial Term of 4 years from July 1, 2008
C. Vernon Gray 8502 Dark Hawk Circle Columbia, Maryland 21045 Howard/13	Appointment General Public Remainder of a term of 4 years from July 1, 2006
Scott E. Dorsey 10631 Pot Spring Road Cockeysville, MD 21030 Baltimore County/07	Reappointment General Public Term of 4 years from July 1, 2008
ELECTIONS, STATE BOARD OF	
Rachel T. McGuckian 3500 King William Drive Olney, Maryland 20832 Montgomery/14	Appointment Majority Party Remainder of a term of 4 years from July 1, 2007
Robert L. Walker 302 Dega Lane Pasadena, Maryland 21122 Anne Arundel/31	Reappointment Majority Party Term of 4 years from July 1, 2009
EMERGENCY NUMBER SYSTEMS BOARD	
John S. Moulton, Jr. 50 N. Burhans Boulevard Hagerstown, Maryland 21740 Washington/02	Appointment Police Services Remainder of a term of 4 years from July 1, 2006
John L. Chew, Jr. 1273 Bugeye Court Annapolis, Maryland 21403 Anne Arundel/30	Appointment EM Services Remainder of a term of 4 years from July 1, 2006
ENVIRONMENTAL SANITARIAN REGISTRATION, STATE BOARD OF	
Juan Gutierrez 4 Tameron Place Rosedale, Maryland 21237 Baltimore County/08	Appointment Sanitarian/Local Government Remainder of a term of 5 years from July 1, 2007
HANDGUN PERMIT REVIEW BOARD	
Seymour R. Goldstein 3404 Woodvalley Drive Baltimore, Maryland 21208 Baltimore County/11	Appointment Member Term of 3 years from March 27, 2009

Denis H. Gallagher 3284 Elmmede Road Ellicott City, Maryland 21042 Howard/09	Appointment Member Term of 3 years from March 27, 2008
Charles L. Washington 10711 Mattaponi Road Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Member Term of 3 years from March 27, 2008
Rolinda S. Collinson 9905 Lucky Lure Lane Owings, Maryland 20758 Prince George's/27	Reappointment Member Term of 3 years from March 27, 2008
HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY	
Enrique E. Martinez—Vidal 18640 Queen Elizabeth Drive Brookeville, Maryland 20833 Montgomery/14	Appointment Expertise Term to expire June 30, 2010
Nelson Sabatini 391 South Drive Severna Park, Maryland 21146 Anne Arundel/31	Appointment Expertise Term to expire June 30, 2011
Mark K. Li, M.D. 1721 University Boulevard West Silver Spring, Maryland 20902 Mongtomery/18	Appointment Expertise Term to expire June 30, 2013
HEATING, VENTILATION, AIR—CONDITIONING AND REFRIGERATION CONTRACTORS, STATE BOARD OF	
George Warren 1302 Double Gate Court Davidsonville, Maryland 21035 Anne Arundel/33	Appointment Master Contractor Term of 3 years from January 1, 2010
Allen B. Clinedinst, III 1912 Ridgewood Court Hampstead, Maryland 21074 Carroll/05	Appointment Master Contractor Term of 3 years from January 1, 2010
Frederick L. Matusky 25 Brett Manor Court Hunt Valley, Maryland 21030 Baltimore County/05	Appointment Master Plumber Term of 3 years from January 1, 2010
HIGHER EDUCATION COMMISSION, MARYLAND	
Patrice Alexander Ficklin 13201 Martha's Choice Circle Bowie, Maryland 20720 Prince George's/23	Appointment Member Term of 5 years from July 1, 2006

Eyituoyo V. Ebigbeyi 2845 Forest Glen Road Baltimore, Maryland 21216 Baltimore City/41	Appointment Student Term of 1 year from July 1, 2009
HIGHER EDUCATION LABOR RELATIONS BOARD, STATE	
Holly Fechner 7213 Spruce Avenue Takoma Park, Maryland 20912 Montgomery/20	Appointment Higher Education Remainder of a term of 6 years from July 1, 2004
Benfred B. Alston 1220 Redcliffe Road Catonsville, Maryland 21228 Baltimore County/10	Appointment Public Remainder of a term of 6 years from July 1, 2009
HUMAN RELATIONS, COMMISSION ON	
Kanan Hamed Hudhud, M.D. 6816 Running Springs Court Frederick, Maryland 21703 Frederick/3	Appointment Member Remainder of a term of 6 years from July 1, 2007
Gary C. Norman, Esq. 4145 Falls Road Baltimore, Maryland 21211 Baltimore City/40	Appointment Member Remainder of a term of 6 years from July 1, 2005
INDIAN AFFAIRS, COMMISSION ON	
Sherry L. Majors 27499 Mt. Vernon Road Princess Anne, Maryland 21853 Somerset/38	Appointment Member Remainder of a term of 3 years from July 1, 2007
Auriel A. Fenwick 2008 Clearwood Drive Mitchellville, Maryland 20721 Prince George's/23	Reappointment Member Term of 3 years from July 1, 2009
Wanda Y. Lee 1702 Bayard Avenue Baltimore, Maryland 21222 Baltimore County/06	Reappointment Member Term of 3 years from July 1, 2009
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY, MARYLAND	
Sean W. Glynn 11723 Split Tree Circle Potomac, Maryland 20854 Montgomery/15	Appointment Member Remainder of a term of 5 years from July 1, 2008

INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Brenda Hussey—Gardner, Ph.D. 12208 Linden Linthicum Lane Clarksville, Maryland 21029 Howard/13	Reappointment Provider Term of 3 years from July 1, 2009
Rosemary King Johnston 8 White Spruce Court Baltimore, Maryland 21234 Baltimore County/8	Appointment State Agency – Governor’s Office for Children Remainder of a term of 3 years from July 1, 2007
Elizabeth Kelley 7687 Anvil Drive Frederick, Maryland 21701 Frederick/04	Reappointment State Agency – MSDE/Child Care Term of 3 years from July 1, 2009
Carol Ann Heath 5616 Harvey Court White Marsh, Maryland 21162 Baltimore County/07	Reappointment State Agency – MSDE Term of 3 years from July 1, 2009
Charles R. Sharp 403 Leppo Road Westminster, Maryland 21158 Carroll/05	Reappointment Parent Term of 3 years from July 1, 2009
Amy Tetteh Griffin 5800 Rayburn Drive Temple Hills, Maryland 20748 Prince George’s/26	Reappointment Parent Term of 3 years from July 1, 2009
Joyce C. Pollard 2030 E. Lanvale Street Baltimore, Maryland 21213 Baltimore City/45	Appointment DHMH – Mental Health Remainder of a term of 3 years from July 1, 2008
INJURED WORKERS’ INSURANCE FUND, BOARD FOR THE	
Paul V. Gill, Sr. 1107 Haverhill Road Baltimore, Maryland 21229 Baltimore City/44	Appointment Member Term of 5 years from June 1, 2009
JUDICIAL DISABILITIES, COMMISSION ON	
Steven Donald Silverman, Esq. 10 Tremblant Court Lutherville—Timonium, Maryland 21093 Baltimore County/11	Reappointment Attorney Term of 4 years from January 1, 2009

Julie R. Rubin, Esq. 2327 Boston Street, Unit 14 Baltimore, Maryland 21224 Baltimore City/46	Appointment Attorney Term of 4 years from February 12, 2009
Samuel F. Saxton, Sr. 11509 Chantilly Lane Mitchellville, Maryland 20721 Prince George's/24	Reappointment Public Term of 4 years from January 1, 2009
Marcy Canavan 16504 Old Marshall Hall Road Accokeek, Maryland 20607 Prince George's/27	Appointment Public Term of 4 years from January 1, 2009
LABOR, LICENSING AND REGULATION, SECRETARY OF	
Alexander Sanchez 315 N. Charles Street Baltimore, Maryland 21202 Baltimore City/46	Appointment Secretary Serves at the pleasure of the Governor
LAND RECLAMATION COMMITTEE	
Timothy J. Carney 13900 Bald Knob Road, NW Mt. Savage, Maryland 21545 Allegany/01	Reappointment Allegany County Term of 3 years from July 1, 2009
MORGAN STATE UNIVERSITY BOARD OF REGENTS	
Dallas R. Evans 8 Summerfield Place P.O. Box 4543 Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Member Term of 5 years from July 1, 2009
Larry R. Ellis 520 Carondelette Cove Atlanta, Georgia 30331 Nonresident	Appointment Member Term of 6 years from July 1, 2007
Franklin L. Edmonds 10414 Samaga Drive Oakton, Virginia 22124 Nonresident	Reappointment Member Term of 5 years from July 1, 2009
Laurence Levitan 11426 Georgetown Drive Potomac, Maryland 20854 Montgomery/15	Reappointment Member Term of 5 years from July 1, 2009

Linda J. Gilliam, D.M.D. 1521 Concord Pike, Suite 303 Wilmington, Delaware 19803 Nonresident	Reappointment Member Term of 5 years from July 1, 2009
Shirley Mahaley Malcom, Ph.D. 12901 Wexford Park Clarksville, Maryland 21029 Howard/13	Reappointment Member Term of 5 years from July 1, 2009
Nahila Bertrand 1700 East Cold Spring Lane Baltimore, Maryland 21251 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2009
MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF	
Jeelani Gulam 4234 Glenn Dale Road Bowie, Maryland 20720 Prince George's/24	Appointment Consumer Term of 4 years from July 1, 2009
Robert H. Bradshaw, Jr. 4435 Beechwood Place Crisfield, Maryland 21817 Somerset/38	Reappointment Mortician Term of 4 years from July 1, 2009
OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF	
Jocelind Julien 5142 Homecoming Lane Columbia, Maryland 21044 Howard/12	Reappointment Consumer Term of 4 years from July 1, 2009
PAROLE COMMISSION, MARYLAND	
William Chappelle Simpson, Sr. 4600 Keppler Place Temple Hills, Maryland 20748 Prince George's/25	Appointment Member Remainder of a term of 6 years from January 1, 2009
Obie Patterson 2502 Kingsway Road Fort Washington, Maryland 20744 Prince George's/26	Reappointment Member Term of 6 years from January 1, 2010
David R. Blumberg 5405 Falls Road Terrace Baltimore, Maryland 21210 Baltimore City/41	Reappointment Chair Term of 6 years from January 1, 2010
Mattie R. Meehan P.O. Box 92 Still Pond, Maryland 21667 Kent/36	Appointment Member Term of 6 years from January 1, 2010

PATUXENT INSTITUTION BOARD OF REVIEW	
Arnold J. Hopkins 404 Rockfleet Road Unit 204 Lutherville, Maryland 21093 Baltimore County/05	Appointment Public Remainder of a term of 4 years from March 21, 2008
PATUXENT RIVER COMMISSION	
Hon. C. Bernard Fowler 1 Branch Street P.O. Box 459 Prince Frederick, Maryland 20678 Calvert/27	Appointment Environmental/Citizen Remainder of a term of 4 years from October 1, 2005 and a term of 4 years from October 1, 2009
PHYSICIANS, STATE BOARD OF	
Laurie S. Y. Tyau, M.D. 18 Lily Pond Court Rockville, Maryland 20852 Montgomery/17	Appointment Physician Term of 4 years from July 1, 2009
Harry Clarke Knipp, M.D. 603 Earlton Court Reisterstown, Maryland 21136 Baltimore County/05	Reappointment Physician Term of 4 years from July 1, 2009
Jonathan Lerner 6010 Baywood Avenue Baltimore, Maryland 21209 Baltimore City/41	Appointment Physician Assistant Term of 4 years from July 1, 2009
Samuel K. Himmelrich, Sr. 2507 Stone Mill Road Baltimore, Maryland 21208 Baltimore County/42	Reappointment Public/Risk Management Term of 4 years from July 1, 2006
Harold A. Rose 301 South Rolling Road Catonsville, Maryland 21228 Baltimore County/12	Reappointment Consumer Term of 4 years from July 1, 2009
PODIATRIC MEDICAL EXAMINERS, STATE BOARD OF	
Jay H. Boyar 104 Indian Spring Drive Silver Spring, Maryland 20901 Montgomery/20	Appointment Consumer Term of 4 years from July 1, 2009
POLICE TRAINING COMMISSION	

David A. Goad 519 Louisiana Avenue Cumberland, Maryland 21502 Allegany/01	Reappointment Police Official Term of 3 years from June 1, 2009
Larry M. Brownlee, Sr. 4002 Bald Hill Terrace Mitchellville, Maryland 20721 Prince George's/24	Appointment Police Official Remainder of a term of 3 years from June 1, 2008
PSYCHOLOGISTS, STATE BOARD OF	
Alan L. Marcus, Ph.D. 2805 Fountain Grover Terrace Olney, Maryland 20832 Montgomery/14	Appointment Psychologist – Services Term of 4 years from July 1, 2009
Robert A. Brown, Ph.D. 10069–4 Windstream Drive Columbia, Maryland 21044 Howard/12	Reappointment Psychologist – Services Term of 4 years from July 1, 2009
Joann V. Altiero, Ph.D. 7765 Sutton Court Port Tobacco, Maryland 20677 Charles/28	Appointment Psychologist – Teaching, Training or Research Term of 4 years from July 1, 2009
PUBLIC SERVICE COMMISSION	
Therese M. Goldsmith 203 Hilton Avenue Catonsville, Maryland 21228 Baltimore County/12	Appointment Member Term of 5 years from July 1, 2009
RACING COMMISSION, STATE	
Ernest R. Grecco 914 Cindy Lane Westminster, Maryland 21157 Carroll/05	Appointment Harness Racing Term of 4 years from July 1, 2009
Thomas W. Winebrener 12302A Green Valley Road Union Bridge, Maryland 21791 Frederick/04	Appointment Harness Racing Term of 4 years from July 1, 2009
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
Maryann L. Rush 717 Rockaway Beach Avenue Baltimore, Maryland 21221 Baltimore County/6	Reappointment General Appraiser Term of 3 years from January 1, 2010

Patrick J. Murphy 3807 Juniper Road Baltimore, Maryland 21218 Baltimore City/43	Reappointment Appraiser Term of 3 years from January 1, 2010
J. Otis Smith 1902 Dayton Street Silver Spring, Maryland 20902 Montgomery/18	Reappointment Consumer Term of 3 years from January 1, 2010
RETIREMENT AND PENSION SYSTEMS, BOARD OF TRUSTEES FOR THE MARYLAND STATE	
F. Patrick Hughes 907 Rolandvue Avenue Towson, Maryland 21204 Baltimore County/42	Reappointment General Public Term of 4 years from July 1, 2009
RURAL LEGACY BOARD, ADVISORY COMMITTEE TO THE	
Vera Mae Ernst Schultz 18312 Metz Drive Germantown, Maryland 20874 Montgomery/39	Appointment Maryland Agricultural Land Preservation Foundation Remainder of a term of 3 years from July 1, 2006 and a term of 3 years from July 1, 2009
Edward A. Halle, Jr., Esq. 4081 Mt. Zion Road Upperco, Maryland 21155 Baltimore County/5	Reappointment Maryland Environmental Trust/Chair Term of 3 years from July 1, 2008
Kelly Carneal 9339 Michaels Way Ellicott City, Maryland 21042 Howard/9	Appointment Nonprofit Land Conservation Term of 3 years from July 1, 2009
Kent Whitehead 2125 14th Street, NW #413 Washington, DC 20009 Nonresident	Appointment Nonprofit Environmental Organization Term of 3 years from July 1, 2009
Elizabeth Eleanor Jones 412 Polling House Road Harwood, Maryland 20776 Anne Arundel/33	Reappointment Private Land Owner Term of 3 years from July 1, 2008
James C. Ashby 1236 State Street Oakland, Maryland 21550 Garrett/1	Appointment Mineral Resources Industry Remainder of a term of 3 years from July 1, 2008

Hon. Samuel M. Pierce 120 Water Street P.O. Box 430 New Windsor, Maryland 21776 Carroll/4	Reappointment Municipal Corporation Term of 3 years from July 1, 2009
SEAFOOD MARKETING ADVISORY COMMISSION	
Aden A. King 606 Burnside Street Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Seafood Packer – Chesapeake Bay Seafood Industries Association Term of 4 years from July 1, 2009
Benjamin G. Parks 311 Nathans Avenue Cambridge, Maryland 21613 Dorchester/37	Reappointment Waterman Term of 4 years from July 1, 2009
Harold F. Graul, Jr. 10 East Lee Street, #1601 Baltimore, Maryland 21202 Baltimore City/46	Reappointment Retail Food Industry Term of 4 years from July 1, 2009
SOCIAL WORK EXAMINERS, STATE BOARD OF	
Harriet Mandell 2826 Baneberry Court Baltimore, Maryland 21209 Baltimore City/41	Appointment LCSW – Clinical Remainder of a term of 4 years from July 1, 2007
Trinita C. Robinson 4903 Ashford Place Upper Marlboro, Maryland 20772 Prince George's/25	Reappointment Consumer Term of 4 years from July 1, 2009
STADIUM AUTHORITY, MARYLAND	
Manervia W. Riddick 801 Othman Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term of 4 years from July 1, 2009
Leonard J. Attman 16 Talton Court Baltimore, Maryland 21208 Baltimore County/11	Reappointment Member Term of 4 years from July 1, 2009
TECHNOLOGY DEVELOPMENT CORPORATION (TEDCO) BOARD OF DIRECTORS, MARYLAND	
Dorothy E. Brunson 3419 Bancroft Road Baltimore, Maryland 21215 Baltimore City/41	Appointment Venture Capital Financing Remainder of a term of 4 years from July 1, 2006

TRANSPORTATION, SECRETARY OF	
Beverley K. Swaim—Staley 960 Stable Court Davidsonville, Maryland 21035 Anne Arundel/33	Appointment Secretary Serves at the pleasure of the Governor
UNINSURED EMPLOYERS FUND BOARD	
John L. Veney 2549 W. Lafayette Avenue Baltimore, Maryland 21216 Baltimore City/44	Appointment Management Remainder of a term of 4 years from July 1, 2007
VETERANS AFFAIRS, SECRETARY OF	
Edward Chow, Jr. 805 Coxswain Way Annapolis, Maryland 21401 Anne Arundel/33	Appointment Secretary Serves at the pleasure of the Governor
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF	
Chris H. Runde, D.V.M. 36633 Bethel Church Road Mechanicsville, Maryland 20659 St. Mary's/29	Reappointment Veterinarian Term of 5 years from June 1, 2009
Steven W. Kurtz, D.V.M. 2109 Ramona Lane Woodstock, Maryland 21163 Howard County/09	Reappointment Veterinarian Term of 5 years from June 1, 2009
David L. Handel, D.V.M. 14400 Frances Green Way North Potomac, Maryland 20878 Montgomery County/39	Reappointment Veterinarian Term of 5 years from June 1, 2009
John L. Heizer, D.V.M. 19910 Cool Hollow Road Hagerstown, Maryland 21740 Washington/02	Reappointment Veterinarian Term of 5 years from June 1, 2008
WOMEN, MARYLAND COMMISSION FOR	
Anita L. Riley 5887 Pawtucket Lane Eldersburg, Maryland 21784 Howard/09	Appointment Member Term of 4 years from July 1, 2009
WORKERS' COMPENSATION COMMISSION, ADVISORY COMMITTEE ON THE BUDGET OF	

Michael J. Schreyer 8270 Hudson Drive La Plata, Maryland 20646 Charles/28	Appointment Member Remainder of a term of 3 years from July 1, 2007
Karen L. Ebersole 10138 Garis Shop Road Hagerstown, Maryland 21740 Washington/02	Appointment Member Remainder of a term of 3 years from July 1, 2007
WORKFORCE CORPORATION, MARYLAND	
Anthony R. Sarmiento 1502 Ballard Street Silver Spring, Maryland 20910 Montgomery/20	Appointment Member Term to expire June 30, 2013
George Patrick Maloney 7 Beach Road Severna Park, Maryland 21146 Anne Arundel/33	Appointment Chair Term to expire June 30, 2013
Danielle Copeland 622 East 31st Street Baltimore, Maryland 21218 Baltimore City/43	Appointment Member Term to expire June 30, 2011
Tina M. Bjarekull 8469 Meadow Lane Pasadena, Maryland 21122 Anne Arundel/31	Appointment Member Term to expire June 30, 2012
Barbara R. Denman 4318 Tuckerman Street University Park, Maryland 20782 Prince George's/22	Appointment Member Term to expire June 30, 2010
Roderick Easter 832 Stamford Road Baltimore, Maryland 21229 Baltimore City/41	Appointment Member Term to expire June 30, 2012
Jean C. Drummond 12815 Odens Bequest Drive Bowie, Maryland 20715 Prince George's/23	Appointment Member Term to expire June 30, 2011
Morris Anthony Little 11003 Spring Forest Way Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term to expire June 30, 2013
Irene M. Zoppi Rodriguez, Ph.D. 2309 Westport Lane Crofton, Maryland 21114 Anne Arundel/33	Appointment Member Term to expire June 30, 2010

**GUBERNATORIAL RECESS APPOINTMENTS TO LOCAL BOARDS  
REQUIRING SENATE CONFIRMATION  
2010 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

ANNE ARUNDEL COUNTY BOARD OF ELECTIONS	
Frank W. Goetschius 199 Topeg Drive Severna Park, Maryland 21146 Anne Arundel/33	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 4, 2007
ANNE ARUNDEL COUNTY ORPHANS' COURT	
Judith L. Duckett 208 Wardour Drive Annapolis, Maryland 21401 Anne Arundel/30	Appointment Judge of the Orphans' Court Remainder of a term of 4 years from the General Election of November, 2006
BALTIMORE CITY BOARD OF ELECTIONS	
Tara Andrews 606 Lennox Street Baltimore, Maryland 21217 Baltimore City/40	Appointment Majority Party Substitute Remainder of a term of 4 years from June 4, 2007
BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF THE	
Charmaine V. Pope 2107 Meadowview Drive Baltimore, Maryland 21207 Baltimore County/10	Appointment Student Term of 1 year from July 1, 2009
BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR	
Emmet Davitt, Esquire 122 South Rolling Road Catonsville, Maryland 21228 Baltimore County/12	Appointment Member Remainder of a term of 5 years from July 1, 2007
Stephen J. Nolan, Esquire 303 Ivy Church Road Timonium, Maryland 21093 Baltimore County/42	Appointment Member Term of 5 years from July 1, 2009
CALVERT COUNTY BOARD OF LICENSE COMMISSIONERS	

Marshall S. Gibson, Jr. 13620 Kersey Way P.O. Box 1264 Solomons, Maryland 20688 Calvert/29	Reappointment Democrat/Chairman Term of 2 years from June 1, 2009
J. Allen Swann 7742 Swan Lane Owings, Maryland 20736 Calvert/27	Reappointment Democrat Term of 2 years from June 1, 2009
Maurice E. Wood 5050 Hallowing Point Road Prince Frederick, Maryland 20678 Calvert/27	Reappointment Republican Term of 2 years from June 1, 2009
CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES	
David S. Bollinger 528 Ann Drive Westminster, Maryland 21157 Carroll/05	Reappointment Member Term of 6 years from July 1, 2007
R. Delaine Hobbs, Jr. 205 N. Main Street P.O. Box 500 Mount Airy, Maryland 21771 Carroll/04	Reappointment Member Term of 6 years from July 1, 2009
MONTGOMERY COLLEGE BOARD OF TRUSTEES	
Gloria Aparicio Blackwell 50 Appleseed Lane Gaithersburg, Maryland 20878 Montgomery/17	Appointment Member Remainder of a term of 6 years from July 1, 2008
Marsha S. Smith 2204 Eaglesham Court Olney, Maryland 20832 Montgomery/14	Appointment Member Remainder of a term of 6 years from July 1, 2004
Leslie S. Levine, Ph.D. 7401 Helmsdale Road Bethesda, Maryland 20817 Montgomery/16	Appointment Member Term of 6 years from July 1, 2009
ST. MARY'S COUNTY ALCOHOL BEVERAGE BOARD	
Betty W. Currie 24740 Marva Point Way Hollywood, Maryland 20636 St. Mary's/29	Reappointment 2nd Commissioner District Term of 4 years from January 1, 2010

Linda Palchinsky 45866 Beechwood Place Lexington Park, Maryland 20653 St. Mary's/29	Reappointment 4th Commissioner District Term of 4 years from January 1, 2010
SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS	
Tamela C. Hutt 29693 Polks Road Princess Anne, Maryland 21853 Somerset/38	Appointment Democrat Term of 2 years from June 1, 2009
Robert W. Murphey 12010 Sherree Lane Princess Anne, Maryland 21853 Somerset/38	Appointment Democrat Term of 2 years from June 1, 2009
Van B. Muir, Jr. 30742 Perry Road Princess Anne, Maryland 21853 Somerset/38	Reappointment Republican Term of 2 years from June 1, 2009
SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF	
Lois E. DiNatale 8300 Wheatley Road La Plata, Maryland 20646 Charles/28	Appointment Member Term of 5 years from July 1, 2009
WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS	
Robert L. Everhart 10 Richmond Street, Apt. 4 Hagerstown, Maryland 21740 Washington/2	Reappointment Republican – Chair Term of 6 years from June 1, 2009
WICOMICO COUNTY BOARD OF ELECTIONS	
Marva Purnell–Greene 630 Terrapin Lane Salisbury, Maryland 21804 Wicomico/38	Appointment Majority Party – Member Remainder of a term of 4 years from June 4, 2007
WICOMICO COUNTY BOARD OF LICENSE COMMISSIONERS	
Leo McNeil 7636 Fentral Avenue Salisbury, Maryland 21801 Wicomico/37	Appointment Member Term of 4 years from July 1, 2007
WICOMICO COUNTY LIQUOR CONTROL BOARD	

Cecelia Griffith Dennis 1004 South Delano Avenue Salisbury, Maryland 21801 Wicomico/37	Reappointment Member Term of 2 years from July 1, 2009
Herman Stewart Haemel 1702 South Kaywood Drive Salisbury, Maryland 21804 Wicomico/38	Reappointment Member Term of 2 years from July 1, 2009
Donald Edwin Ewalt, Jr. 203 Creekside Drive Salisbury, Maryland 21804 Wicomico/38	Appointment Member Term of 2 years from July 1, 2009
<b>WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
William E. Esham, Jr. 11 South Main Street Berlin, Maryland 21811 Worcester/38	Reappointment Chairman Term of 4 years from July 1, 2009
John F. Hess, Sr. 74 Chatham Court Berlin, Maryland 21811 Worcester/38	Reappointment Alternate Member Term of 4 years from July 1, 2009
<b>WORCESTER COUNTY LIQUOR CONTROL BOARD</b>	
William L. Wilkinson 102 South Church Street Snow Hill, Maryland 21863 Worcester/38	Reappointment Member Term of 4 years from June 1, 2009

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

### **VETOED SENATE BILLS – 2009**

#### VETOED BILLS AND MESSAGES – 2009 REGULAR SESSION

(See Exhibit B of Appendix III)

Senator Kasemeyer moved, duly seconded, to make the Vetoes a Special Order for January 14, 2010.

The motion was adopted.

### **INTRODUCTION OF BILLS**

**Senate Bill 1 – Senators Peters, Garagiola, DeGrange, Simonaire, Harris, Astle, Robey, Stone, Glassman, Edwards, and Colburn**

AN ACT concerning

**Income Tax – Military Retirement Income**

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income; providing for the application of this Act; providing for a delayed effective date; and generally relating to the State income 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 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–207(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 2 – Senator Conway**

AN ACT concerning

**Task Force on the Minority Business Enterprise Program and Equity Investment Capital**

FOR the purpose of establishing a Task Force on the Minority Business Enterprise Program and Equity Investment Capital; providing for the composition of the Task Force; requiring the President of the Senate and the Speaker of the House to select a cochair from the Senate and House of Delegates; requiring the Department of General Services and the Department of Transportation to provide staff for the Task Force; prohibiting a Task Force member from receiving compensation but allowing a member to be reimbursed for certain expenses; requiring the Task Force to study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a certain manner; requiring the Task Force to report its recommendations and draft legislation to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Minority Business Enterprise Program and Equity Investment Capital.

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

**Senate Bill 3 – Senators Klausmeier, Middleton, and Robey**

AN ACT concerning

**Environment – Wetlands and Waterways Program Fees – Aquaculture**

FOR the purpose of exempting aquacultural activities for which the Department of Natural Resources has issued a certain permit from a requirement to pay certain fees under the Wetlands and Waterways Program; and generally relating to the Wetlands and Waterways Program.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 5–203.1(a) and (b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 5–203.1(b)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

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

AN ACT concerning

**Gaming – Slot Machines – Ownership and Operation by Eligible War Veterans’ Organizations**

FOR the purpose of making provisions that authorize eligible war veterans’ organizations to own or operate slot machines applicable statewide; altering the definition of “eligible organization” to make it applicable to a war veterans’ organization that has been located in the State for a certain number of years before the organization applies for a license for a slot machine; and generally relating to slot machine ownership and operation by eligible war veterans’ organizations.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304

Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 5 – Senator Muse**

AN ACT concerning

**Public Safety – Police Training Commission – SWAT Team Activation and Deployment**

FOR the purpose of requiring the Governor’s Office of Crime Control and Prevention to submit a report of certain analyses and summaries relating to the activation and deployment of certain SWAT teams to the Police Training Commission; requiring the Police Training Commission to annually review the report and adopt and annually review certain regulations; and generally relating to the Police Training Commission and SWAT team activation and deployment.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–507

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 6 – Senator Muse**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Elective Franchise – Registration and Voting at Polling Places**

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a certain polling place in a certain precinct or on a certain day before election day at a certain polling place; making a stylistic change; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 1 and 2

BY proposing an addition to the Maryland Constitution

Article I – Elective Franchise  
Section 2A

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

**Senate Bill 7 – Senator Garagiola**

AN ACT concerning

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

FOR the purpose of altering the membership of the State Amusement Ride Safety Advisory Board; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 3–301  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–304  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 8 – Senator Colburn**

AN ACT concerning

**Environment – Bay Restoration Fund – Payments to Contractors**

FOR the purpose of requiring the Comptroller or certain local governments to disburse certain grant funds from the Bay Restoration Fund directly to certain contractors under certain circumstances; and generally relating to the disbursement of grant funds from the Bay Restoration Fund.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(h)(1), (i)(8)(i), (j), (k), and (l)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Environment  
Section 9–1605.2(j)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 9 – Senator DeGrange**

AN ACT concerning

#### **Health – Duty to Report Death – Requirement and Penalties**

FOR the purpose of requiring certain individuals who have personal knowledge of the death of another or who have personally discovered the body of another individual to provide certain notice of the death within a certain time period to a law enforcement officer, physician, 9–1–1 system, or medical examiner under certain circumstances; providing for the application of this Act; establishing certain penalties; and generally relating to the duty to report the death of certain individuals under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 5–101  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 5–203  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 10 – Senator Conway**

AN ACT concerning

**Baltimore City – Board of School Commissioners – Selection of Members –  
Local Referendum**

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; providing for the election of certain members of the board; providing for the reimbursement of a member's expenses under certain circumstances; specifying qualifications and requirements for certain members of the board; specifying the terms of members of the board; providing for the removal of certain members of the board under certain circumstances; specifying certain powers and duties of the board; providing for the termination of the term of certain members of the board; submitting this Act to a referendum of the legally qualified voters of Baltimore City; and generally relating to the Baltimore City Board of School Commissioners and the selection of members.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108.1, 3–114(a) and (b), and 4–303  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 4–306.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 8–802  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 11 – Senator Conway**

AN ACT concerning

**Business Regulation – Returnable Containers – Plastic Secondary Packaging**

FOR the purpose of prohibiting certain persons from accepting possession of more than a certain number of items of plastic secondary packaging for a certain purpose; requiring certain persons that purchase certain plastic secondary

packaging to make a certain record of each transaction in which a person sells a certain number of items of plastic secondary packaging; requiring certain purchasers to verify the identity of certain sellers in a certain manner; requiring certain purchasers to keep certain records of certain transactions; requiring certain records to be kept for a certain period of time; providing that a person that violates this Act is guilty of a misdemeanor and subject to a certain fine; defining a certain term; and generally relating to the possession and purchase of plastic secondary packaging.

BY adding to

Article – Business Regulation

Section 19–308

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 12 – Senator Garagiola**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Cabin John Park Tai Chi Court**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$40,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 13 – Senator Raskin**

AN ACT concerning

#### **Civil Proceedings – Foreign Defamation Judgments – Enforceability and Bases of Personal Jurisdiction**

FOR the purpose of authorizing a court in this State to exercise personal jurisdiction for certain purposes and under certain circumstances over a certain person who obtains a certain foreign defamation judgment; establishing that a certain foreign defamation judgment need not be recognized in this State unless a certain court makes a certain finding; and generally relating to enforceability of

certain foreign judgments and personal jurisdiction over certain persons who obtain certain foreign judgments.

BY adding to

Article – Courts and Judicial Proceedings

Section 6–103.3

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–704

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 14 – Senator Muse**

AN ACT concerning

#### **Criminal Procedure – Search Warrant Application – Copy Filed with State’s Attorney**

FOR the purpose of requiring a copy of an application for a search warrant to be filed with the State’s Attorney or a deputy State’s Attorney designated in writing by the State’s Attorney for the county in which the search warrant is to be served prior to the execution of the search warrant; and generally relating to search warrants.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 1–203(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 15 – Senator Muse**

AN ACT concerning

#### **Motor Vehicle Insurance – Use of Credit History in Rating Policies**

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit history of an applicant or insured in any manner; repealing certain provisions of

law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance subject to certain limitations and requirements; making conforming and clarifying changes; providing for the application of this Act; and generally relating to rating policies of private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(e–2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 16 – Senator Colburn**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Legislative Districting – Resident Delegates by County**

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

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

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

### **Senate Bill 17 – Senator Colburn**

AN ACT concerning

#### **Criminal Law – Salvia Divinorum and Salvinorin A – Distribution to and Possession by Individual Under 21 Years of Age**

FOR the purpose of prohibiting a person from distributing Salvia divinorum or Salvinorin A to an individual under the age of 21 years; providing that it is a defense in a certain prosecution that the defendant examined a certain license or identification that positively identified a certain purchaser or recipient as at least a certain age; establishing penalties for a certain violation of this Act; providing that certain separate incidents are separate violations for a certain

purpose; prohibiting an individual under the age of 21 years from possessing Salvia divinorum or Salvinorin A; establishing that a person who violates this Act shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the District Court to prescribe a certain form of citation; requiring the jurisdiction that issues a certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; providing that an individual who is under the age of 21 years but not a minor is subject to certain provisions of this Act; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; establishing certain penalties for a certain violation of this Act; prohibiting the Chief Judge of the District Court from establishing a certain schedule for the prepayment of fines; authorizing a court to direct the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State's Attorney to prosecute a certain violation in a certain manner; authorizing a certain intake officer to refer a certain child to a substance abuse education or rehabilitation program under certain circumstances; requiring a certain intake officer to forward a certain citation to the State's Attorney if a certain child fails to comply with a substance abuse education or rehabilitation program referral; establishing that a violation of a certain provision of this Act is a violation for certain purposes; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; requiring the Attorney General to submit a certain report to certain committees on or before a certain date; defining a certain term; and generally relating to Salvia divinorum and Salvinorin A.

BY adding to

Article – Criminal Law

Section 10–130 through 10–133 to be under the new part “Part IV. Salvia Divinorum”

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–01(dd), 3–8A–10(k), and 3–8A–33(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, and Glassman**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers**

FOR the purpose of repealing certain provisions relating to a manufacturer, distributor, or factory branch providing certain benefits, payments, or gifts to an employee of a vehicle dealer; providing that an incentive payment, a reimbursement payment, cash, a gift, or a thing of value to be given by a manufacturer, distributor, or factory branch to an employee of a dealer may be given directly to the employee or to the dealer to be distributed to the employee in a certain manner; requiring a manufacturer, distributor, or factory branch to make certain information available to a dealer about an incentive payment, a reimbursement payment, cash, a gift, or a thing of value totaling more than a certain amount that is given directly to an employee of the dealer; providing for the application of this Act; and generally relating to manufacturers, distributors, and factory branches.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–212.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 19 – Senator Lenett**

AN ACT concerning

**Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions**

FOR the purpose of prohibiting a driver of a certain school vehicle from using a certain wireless telephone under certain circumstances; prohibiting a holder of a learner's instructional permit or provisional driver's license who is 18 years of age or older from driving a motor vehicle while using a certain wireless telephone; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use a certain wireless telephone except under certain circumstances; establishing penalties for a violation of this Act; authorizing the court to waive a certain penalty under certain circumstances; providing for exceptions to certain provisions of this Act relating to prohibitions on using a wireless telephone while driving; defining certain terms; and generally relating

to prohibitions against the use of a wireless telephone while operating a motor vehicle.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 18–213.2(a)(7) and (8)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1124  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Transportation  
Section 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 20 – Senator Colburn**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a) and (h)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(h)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 21 – Senators Robey and Raskin**

AN ACT concerning

**Criminal Law – Animal Cruelty – Penalties and Conditions of Sentencing**

FOR the purpose of increasing the penalties for certain violations concerning the abuse or neglect of animals; authorizing a court, as a condition of sentencing, to prohibit a certain defendant from the future ownership of an animal; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–604 and 10–606  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 22 – Senator Muse**

AN ACT concerning

**Criminal Law – Prohibitions on Wearing, Carrying, or Transporting  
Firearms – Exceptions**

FOR the purpose of establishing an exception to the prohibition against wearing, carrying, or transporting a handgun for a person who is carrying a certain court order and is in the immediate process of surrendering the handgun to law enforcement; prohibiting a local government from prohibiting a person from transporting a certain firearm, ammunition, or firearm component if the person is carrying a certain court order and is in the immediate process of surrendering the firearm, ammunition, or component to law enforcement; authorizing a person who lawfully possesses an assault pistol and who is carrying a certain court order to transport the assault pistol while in the immediate process of surrendering the assault pistol to law enforcement; authorizing a person who lawfully possesses a machine gun and who is carrying a certain court order to transport the machine gun while in the immediate process of surrendering the machine gun to law enforcement; establishing that, notwithstanding any other law, a respondent against whom a certain protective order has been issued and who is carrying a certain court order may transport a firearm while in the immediate process of surrendering the firearm to law enforcement; establishing that a respondent who is carrying a certain protective order may transport a

regulated firearm while in the immediate process of surrendering the firearm to law enforcement; and generally relating to exceptions to the prohibitions on wearing, carrying, or transporting firearms.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 4–203(a) and 4–209(a)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(b)(7) and (8), 4–303, and 4–402(b)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to  
Article – Criminal Law  
Section 4–203(b)(9) and 4–209(b)(3)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(b)(8)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Public Safety  
Section 5–133(e)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 23 – Senator Mooney**

AN ACT concerning

**Energy Companies – Net Energy Metering – Credit Transfers**

FOR the purpose of authorizing certain not-for-profit customers to transfer certain generation credits to certain properties; requiring the Public Service Commission to adopt certain regulations; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306(a) and (i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–306(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–306(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 24 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Howard County – Symphony Woods 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 Columbia Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 25 – Senators Forehand and Frosh**

AN ACT concerning

**Estates and Trusts – Property Held as Tenants by the Entireties – Transfer to Trust**

FOR the purpose of codifying certain common law rules relating to property held by a husband and wife as tenants by the entireties or joint tenants with rights of survivorship; establishing that certain property that is held as tenants by the entireties and conveyed to certain trusts shall retain its immunity from the claims of certain creditors under certain circumstances; and generally relating to property held as tenants by the entireties or joint tenants with rights of survivorship.

BY adding to

Article – Estates and Trusts

Section 14–113

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 26 – Senators Miller, Kasemeyer, and Kittleman**

AN ACT concerning

**Maryland Constitutional Convention – Sense of the Voters**

FOR the purpose of providing, at the general election to be held in November 2010, for the taking of the sense of the voters of the State as to the calling of a convention for altering the Maryland Constitution or for framing a new one under Article XIV, Section 2 of the Maryland Constitution.

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

**Senate Bill 27 – Senator Conway**

AN ACT concerning

**Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm**

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding benefits for certain expenses arising from in vitro fertilization procedures when the patient's oocytes are fertilized with donor sperm under certain circumstances; providing for the application of this Act; and generally relating to benefits for in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,  
Article – Insurance

Section 15–810  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 28 – Senators Lenett and Raskin**

AN ACT concerning

**Election Law – Voter Qualifications – Individuals Under Guardianship for  
Mental Disability**

FOR the purpose of repealing the disqualification of individuals under guardianship for mental disability from voting; and generally relating to voter qualifications.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–102  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 29 – Senator Astle**

AN ACT concerning

**Department of Natural Resources – Preparation of Fishery Management  
Plans – Authority**

FOR the purpose of authorizing the Department of Natural Resources to prepare fishery management plans for any species of fish under certain circumstances; and generally relating to the authority of the Department of Natural Resources to prepare fishery management plans.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–215  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 30 – Senator Muse**

AN ACT concerning

**Criminal Procedure – Search Warrant – Deployment of SWAT Team**

FOR the purpose of establishing the requirements for a search warrant to be executed in the deployment of a SWAT team; establishing that a certain judge may issue a certain search warrant if there is probable cause to believe a felony is being committed by a person or in a certain location; requiring an application for a certain search warrant be reviewed, signed, and sworn to by a certain State's Attorney; requiring the application to contain a request that the search warrant authorize the executing law enforcement agency to deploy a certain SWAT team; making technical changes; defining a certain term; providing for the application of this Act; and generally relating to the issuance of a search warrant to be executed in the deployment of a SWAT team.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 1–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 31 – Senator Lenett**

EMERGENCY BILL

AN ACT concerning

**Maryland Communities for a Lifetime Commission**

FOR the purpose of reestablishing the Statewide Empowerment Zones for Seniors Commission as the Maryland Communities for a Lifetime Commission to continue the work of the Statewide Empowerment Zones for Seniors Commission; providing for the membership of the Commission; authorizing the Commission to consult with certain individuals and entities; requiring the Secretary of Aging to perform certain duties; requiring the Commission to assist in the implementation of certain recommendations; requiring the Department of Aging to staff the Commission; providing that a member of the Commission may receive reimbursement for certain expenses; stating the intent of the General Assembly; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the Maryland Communities for a Lifetime Commission.

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

**Senate Bill 32 – Senator Forehand**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –  
Public Safety Memorial**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to expand the location of the Public Safety Memorial from Rockville to Montgomery County.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA01(AR)

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

**Senate Bill 33 – Senator Haines****CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Natural Resources – Right to Hunt, Fish, and Harvest Wild Game**

FOR the purpose of proposing an amendment to the Maryland Constitution that establishes the right of every person to hunt, fish, or harvest wild game, subject to certain laws; 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 48

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

**Senate Bill 34 – Senator Middleton (Joint Committee on Unemployment  
Insurance Oversight) and Senators Kelley and Exum**

AN ACT concerning

**Joint Committee on Unemployment Insurance Oversight – Repeal of  
Termination Date**

FOR the purpose of repealing the termination date of the Joint Committee on Unemployment Insurance Oversight.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–10A–11  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Chapter 50 of the Acts of the General Assembly of 2007  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 51 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 35 – Senator Colburn**

AN ACT concerning

**Department of Natural Resources – State Boat Act – Auctioneers**

FOR the purpose of exempting certain auctioneers from the State Boat Act; and generally relating to the State Boat Act.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–701(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–701(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 36 – Senator Colburn**

AN ACT concerning

**Dorchester County – Bay Restoration Fee – Lien Against Property**

FOR the purpose of establishing in Dorchester County that an unpaid Bay Restoration Fee is a lien against the property on which the wastewater facility, onsite sewage disposal system, or holding tank is located; requiring a notice of lien to be recorded in the land records of Dorchester County; and generally relating to the Bay Restoration Fee.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 37 – Senator Colburn**

AN ACT concerning

**Department of Natural Resources – Oysters – Patent Tongs and Power Dredges**

FOR the purpose of prohibiting the Department of Natural Resources from prohibiting the use of certain devices to catch oysters in the waters of the State; providing for the application of a certain provision of this Act; making stylistic changes; and generally relating to the authority of the Department of Natural Resources to regulate the oyster catch in the waters of the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1003  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 38 – Senator Muse**

AN ACT concerning

**State Finance and Procurement – Maryland Environmental Service – Small Business Reserve Program**

FOR the purpose of adding the Maryland Environmental Service as a designated procurement unit under the Small Business Reserve Program; and generally relating to procurements made by the Maryland Environmental Service.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 3–103(g)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 3–103(g)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–501(b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–502  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 39 – Senator Haines**

AN ACT concerning

#### **State Government – Meetings of Governing Bodies – Actions Before Convening**

FOR the purpose of requiring that during the time before the actual call to order or convening of business of a governing body, any expression by a member of the governing body or a member of the public shall be held consistent with the member's First Amendment right of freedom of speech; defining a certain term; and generally relating to actions of individuals before convening a meeting of a governing body.

BY adding to  
Article – State Government  
Section 10–5A–01 to be under the new subtitle “Subtitle 5A. Meetings of Governing Bodies”  
Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 40 – Senator Colburn**

AN ACT concerning

**Dorchester County – Membership of Sanitary Commission**

FOR the purpose of increasing the number of sanitary commissioners in the Dorchester County Sanitary Commission; and generally relating to the sanitary commission for Dorchester County.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–622(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 41 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Clubs – Membership**

FOR the purpose of reducing in Dorchester County the membership requirements for certain fraternal organizations and armed forces organizations or clubs to obtain a Class C beer, wine and liquor license; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a)(1) and (k)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)(4) and (5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 42 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Orphans’ Court Judges – Pensions**

FOR the purpose of removing Caroline County from the list of counties that are excepted from the requirement to pay a certain pension to each judge of the Orphans’ Court under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(y)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 43 – Senator Haines**

AN ACT concerning

**Public Safety – Board of Boiler Rules – Membership**

FOR the purpose of altering the membership of the Board of Boiler Rules in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation to include a representative of owners of agricultural, model, or historical steam engine equipment rather than a representative of owners and users of heating boilers.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–904(a)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–904(b)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 44 – Senator Haines**

AN ACT concerning

**Criminal Law – Use of Firearm in the Commission of a Crime of Violence or a Felony**

FOR the purpose of prohibiting the use of certain firearms in the commission of certain crimes of violence or felonies; defining a certain term; and generally relating to the use of certain firearms in the commission of certain crimes of violence or felonies.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–204  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 45 – Senator Haines**

AN ACT concerning

**Motor Vehicles – Registration Plates – “Home of Our National Anthem”**

FOR the purpose of requiring that a registration plate for a vehicle display the words “Home of Our National Anthem”; providing for the application of this Act; and generally relating to requirements for registration plates.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–410(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 46 – Senator Colburn**

AN ACT concerning

**Vehicle Laws – Registration and Driver’s License Renewal Fees – No Charge for Recipients of Medal of Honor**

FOR the purpose of prohibiting the Motor Vehicle Administration from charging a recipient of the Medal of Honor a fee for the renewal of the registration of a vehicle owned by the Medal of Honor recipient or for the renewal of the Medal of Honor recipient's noncommercial driver's license; and generally relating to vehicle registration and driver's license renewal fees.

BY adding to

Article – Transportation  
Section 13–416  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 16–111.2(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 47 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Alcoholic Beverages – Restaurant Seating Requirement**

FOR the purpose of lowering in Dorchester County the minimum seating requirement for certain restaurants, motels, or hotels having certain restaurant facilities; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 6–201(k)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 48 – Senator Colburn**

AN ACT concerning

#### **Talbot County – Knapps Narrows – Speed Limit**

FOR the purpose of prohibiting a person from operating a vessel on Knapps Narrows in Talbot County in excess of a certain speed; requiring the Department of Natural Resources to develop a certain informational program; establishing certain penalties; and generally relating to the speed limit for operating a vessel on Knapps Narrows in Talbot County.

BY adding to

Article – Natural Resources

Section 8–725.7

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 49 – Senator Colburn**

AN ACT concerning

#### **Vehicle Laws – Vehicle Approaching Emergency or Police Vehicle – Duty to Change Lane or Slow Down**

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 or 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; 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

(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 50 – Senator Mooney**

AN ACT concerning

#### **Electric Companies – Net Energy Metering**

FOR the purpose of repealing a limitation on the period of time that a certain eligible customer-generator may accrue certain generation credit; repealing a limitation

on the time that a certain electric company is required to carry forward a generation credit or a negative kilowatt-hour reading; requiring a certain electric company to carry forward a certain generation credit until certain events occur; repealing a provision relating to the reversion of a certain generation credit to a certain electric company; requiring the amount of generation credit that a certain electric company credits to a certain eligible customer-generator to be at a certain rate; requiring certain generation credit to appear on an eligible customer-generator's bill in a dollar amount; requiring a certain electric company to reimburse 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  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 51 – Senator Raskin**

AN ACT concerning

#### **Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an EPAMD, or a motor scooter, to pass safely at a certain distance; requiring a driver of a vehicle to yield the right-of-way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder under certain circumstances; 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  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

#### **Department of Disabilities – Maryland Commission on Disabilities – Duties and Responsibilities**

FOR the purpose of requiring the Secretary of Disabilities to request that the Interagency Disabilities Board revise the State Disabilities Plan at least once every certain number of years; altering the required membership of the Maryland Commission on Disabilities; clarifying the duties of the members of the Commission; eliminating the Personal Assistance Services Advisory Committee; and generally relating to the duties of the Secretary of Disabilities and the Maryland Commission on Disabilities.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 7–113, 7–120, and 7–123  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY repealing  
Article – Human Services  
Section 7–135 through 7–140 and the part “Part VI. Personal Assistance Services Advisory Committee”  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

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

**Senate Bill 53 – Chair, Finance Committee (By Request – Departmental – Military)**

AN ACT concerning

**Workers’ Compensation – Average Weekly Wage – Militia**

FOR the purpose of authorizing, for the purpose of computing the average weekly wage for workers’ compensation benefits for specified members of the organized militia, the use of actual wages earned by the member in the member’s civilian employment at the time of entry into State active duty; and generally relating to the computation of the average weekly wage of members of the organized militia of the State.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–602(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 54 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Business and Economic Development – Maryland Economic Adjustment Fund**

FOR the purpose of altering the approving authority of loans and grants from the Maryland Economic Adjustment Fund; repealing the Maryland Economic Adjustment Financing Committee; altering certain uses of the Fund; altering the priority of uses of the Fund; altering certain requirements of the application for assistance from the Fund; repealing a certain minimum interest rate; and generally relating to the Maryland Economic Adjustment Fund.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–201, 5–202, 5–203(e), 5–205(b), and 5–206  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

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

**Senate Bill 55 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Business and Economic Development – Maryland Military Installation Council – Sunset Repeal, Membership, and Terms**

FOR the purpose of repealing the termination provision applicable to the Maryland Military Installation Council; removing certain limits on the terms of certain Council members; adding certain members to the Council; providing for the terms of certain appointed members; removing the requirement for the issuance of a final report by the Council; repealing certain contingent provisions; and generally relating to the Maryland Military Installation Council.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 11–203(a) and (b) and 11–207  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing  
Article – Economic Development  
Section 11–203(c)

Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY adding to  
Article – Economic Development  
Section 11–203(c)  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 634 of the Acts of the General Assembly of 2006  
Section 3

BY repealing  
Chapter 306 of the Acts of the General Assembly of 2008  
Section 20 and 24

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

**Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Health Insurance – Medicare Supplement Policies – Repeal of Requirement to Offer Plan I**

FOR the purpose of repealing a certain requirement that certain carriers make available a Medicare supplement policy plan I to certain individuals if an application for a Medicare supplement policy or certificate is submitted during certain time periods; making conforming changes; and generally relating to health insurance and Medicare supplement policies.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–909(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 57 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – Mental Health Benefits – Group Health Plans**

FOR the purpose of providing that it is not discriminatory, under certain provisions of law that prohibit certain health insurance policies, contracts, or certificates from discriminating against a person with a mental illness, emotional disorder, drug abuse disorder, or alcohol abuse disorder, if the benefits for partial hospitalization and outpatient expenses under certain group health plans are covered in a certain manner; providing that, under certain group health plans, certain benefits for mental illnesses, emotional disorders, drug abuse disorders, or alcohol abuse disorders may be delivered under a managed care system only if the benefits for physical illnesses are delivered under a managed care system; defining certain terms; making conforming and technical changes; making this Act an emergency measure; and generally relating to health insurance and mental health benefits.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–703.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–802  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Education)**

AN ACT concerning

**Workers' Compensation – Division of Rehabilitation Services – Unpaid Work–Based Learning Experiences**

FOR the purpose of providing that certain individuals in unpaid work–based learning experiences with the Division of Rehabilitation Services in the State Department of Education are covered employees for the purpose of coverage under the State workers' compensation laws; designating the employer of a certain individual in an unpaid work–based learning experience for the purpose of coverage under the State workers' compensation laws; requiring the participating employer to secure certain workers' compensation coverage; requiring the Department to reimburse an employer for certain costs; defining certain terms; providing for the application of this Act; and generally relating to

workers' compensation coverage for certain individuals in unpaid work-based learning experiences with the Division of Rehabilitation Services in the State Department of Education.

BY adding to

Article – Education  
Section 21–310  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 9–228  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 59 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Agriculture)**

AN ACT concerning

**Agricultural Land Transfer Tax – Distribution and Use of Revenue**

FOR the purpose of altering the distribution of certain revenues attributable to the agricultural land transfer tax; repealing a certain provision altering the distribution of the State transfer tax revenues under certain circumstances; altering the authorized uses of certain revenues received by the Maryland Agricultural and Resource-Based Industry Development Corporation; authorizing the use of certain funds for certain easement purchase payments approved by the Maryland Agricultural Land Preservation Foundation under certain circumstances; repealing a certain provision declaring the intent of the General Assembly relating to the establishment of Priority Preservation Areas and the use of certain funds for agricultural land preservation; and generally relating to the distribution and use of the agricultural land transfer tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 13–306(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)  
(As enacted by Chapter 610 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 10–523(d)

Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing  
Chapter 610 of the Acts of the General Assembly of 2008  
Section 4 and 5

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

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Commission on Environmental Justice and Sustainable Communities –  
Membership**

FOR the purpose of expanding the membership of the Commission on Environmental Justice and Sustainable Communities; and generally relating to the membership of the Commission on Environmental Justice and Sustainable Communities.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 1–101(a) and (k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 1–701  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 61 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Family Law – Criminal History Records Checks – Employees and Employers  
in Facilities and Other Individuals That Care for or Supervise Children**

FOR the purpose of altering the locations at which certain employees, employers, and individuals are required to apply for a certain criminal history records check;

altering the facilities that are required to require employees and employers to obtain a criminal history records check; repealing a requirement that certain fingerprints be taken on standard fingerprint cards; altering the State unit authorized to waive a certain fingerprint requirement; altering the conditions under which a certain fingerprint requirement may be waived; repealing a requirement that the Department of Public Safety and Correctional Services mail certain receipts and statements to certain persons and units; altering certain procedures and requirements relating to issuance of certain printed statements; altering the procedure for contesting certain findings in a certain printed statement; defining certain terms; making certain conforming and technical changes; and generally relating to criminal history records checks.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–560, 5–561, 5–562, 5–563, 5–564, and 5–565

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Horse Industry Fund – Fees**

FOR the purpose of requiring certain revenue collected by the Maryland Horse Industry Board be paid into the Maryland Horse Industry Fund; establishing a certain fee for a certain license; altering the fees for certain licensure renewal and inspection of horse stables; and generally relating to the Maryland Horse Industry Fund fees.

BY repealing

Article – Agriculture

Section 2–708

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Agriculture

Section 2–708

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 2-708.2(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2-708.2(f), 2-711, 2-712, and 2-713  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 63 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Transit-Oriented Development – Pledge and Use of Tax Increment Revenues – Operations and Maintenance Funding**

FOR the purpose of authorizing counties and municipal corporations to directly fund the costs of the operation and maintenance of certain improvements for transit-oriented development from the levy of tax increment revenues; and generally relating to the use of tax increment revenues in or supporting transit-oriented developments.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 12-209  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

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

**Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Maryland Research and Development Tax Credit – Sunset Extension**

FOR the purpose of extending the termination date applicable to the Maryland Research and Development Tax Credit; extending the applicability of the credit to certain taxable years; and generally relating to the Maryland Research and Development Tax Credit.

BY repealing and reenacting, with amendments,

Chapter 515 of the Acts of the General Assembly of 2000, as amended by  
Chapter 98 of the Acts of the General Assembly of 2005  
Section 2 and 4

BY repealing and reenacting, with amendments,

Chapter 516 of the Acts of the General Assembly of 2000, as amended by  
Chapter 98 of the Acts of the General Assembly of 2005  
Section 2 and 4

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

**Senate Bill 65 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Veterans Affairs)**

AN ACT concerning

**Maryland Veterans Trust Fund – Income Tax Checkoff**

FOR the purpose of establishing an income tax checkoff for the Maryland Veterans Trust Fund; requiring the Comptroller to include a checkoff on individual income tax return forms for voluntary contributions to the Fund and to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; providing for the application of this Act; and generally relating to an income tax checkoff for contributions to the Maryland Veterans Trust Fund.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Tax – General  
Section 2–113 and 10–804(i)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 66 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Length of Vehicles – Saddle–Mount and Full–Mount  
Combinations**

FOR the purpose of altering a certain limitation on the maximum allowable length of certain types of truck–tractor combinations; making stylistic changes; and generally relating to the permissible length of certain truck–tractor combinations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–104.1(a)(3) and (j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 67 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Issuance of Temporary Registration Plates by Dealers –  
Transmission of Information and Record Keeping**

FOR the purpose of requiring a dealer who issues a temporary registration plate for a vehicle to electronically transmit certain information to the Motor Vehicle Administration in the format required by the Administration; reducing the period of time during which a dealer is required to keep certain temporary registration plate records; and generally relating to the temporary registration of motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–602 and 13–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Deaf and Hard of Hearing, Office of the)**

AN ACT concerning

**State Government – Human Relations – Closed–Captioning Activation  
Required**

FOR the purpose of requiring activation of closed captioning on certain television receivers in public areas in places of public accommodation during regular hours; providing certain exceptions; defining certain terms; and generally relating to the activation of closed captioning on television receivers in places of public accommodation.

BY adding to

Article – State Government  
Section 20–306  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 69 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Woodland Incentives Program – Prohibition on Use of Federal Funds –  
Repeal**

FOR the purpose of repealing the prohibition on the use of federal funds administered by the Woodland Incentives Program in conjunction with certain other funds; and generally relating to the Woodland Incentives Fund.

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 5–304  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

FOR the purpose of altering the maximum allowable noise level from certain vessels for engines manufactured on or after a certain date; prohibiting a person from owning or operating a vessel on State waters unless the vessel meets certain

requirements and regulations for noise suppression; and generally relating to noise limitations for vessels owned or operated on State waters.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–725.4  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 71 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – General Services)**

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 the Small Business Reserve Program; making a technical change; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–501 and 14–503 through 14–505  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–502  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Chapter 75 of the Acts of the General Assembly of 2004, as amended by  
Chapter 514 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Militia – Membership**

FOR the purpose of amending the requirements for membership of the Maryland militia; expanding eligibility to include citizens who take an oath of allegiance to the State; and generally relating to membership in the militia of the State.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 13–202

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Emergency Management Agency – Director**

FOR the purpose of altering certain provisions of law so as to require the Governor to appoint directly the Director of the Maryland Emergency Management Agency (MEMA); requiring the Director of MEMA to be responsible to the Governor for carrying out the State emergency management program, to develop certain mutual aid agreements without a certain approval, and to employ personnel in a certain manner that is not subject to a certain authority; and generally relating to the Director of the Maryland Emergency Management Agency.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 14–104 and 14–112(c)(1)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Comprehensive Master Plans**

FOR the purpose of requiring a local board of education to submit certain updates to the board's comprehensive master plan on or before certain dates; altering certain dates by which a local board is required to submit a certain plan and certain updates to the plan; altering the time frame for submitting copies of certain plans or updates to certain persons; authorizing a local board to submit a preexisting management plan to satisfy certain requirements; requiring the State Superintendent of Education to approve the plan as the county board's plan if certain requirements are met; and generally relating to comprehensive master plans and updates to master plans submitted by local boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–401  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Nonpublic School Employees – Criminal Convictions**

FOR the purpose of requiring the State Board of Education, instead of the State Department of Education, to revoke the certificate of approval or letter of tentative approval of a nonpublic school that is in violation of certain provisions of law relating to the employment of certain employees who have been convicted of certain crimes; and generally relating to nonpublic schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 2–206.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Disruptive Youth – Funding**

FOR the purpose of repealing a requirement that the State appropriate certain funds to local education agencies for certain programs for disruptive youth; repealing certain reporting requirements related to certain programs for disruptive youth; and generally relating to programs for disruptive youth.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–304  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Public Safety and  
Correctional Services)**

AN ACT concerning

**Health General – Disease Prevention and Testing – Inmates of Correctional  
Institutions**

FOR the purpose of expanding the definition of health care provider as it relates to certain provisions of law on testing for human immunodeficiency virus (HIV); adding a type of sample to be furnished by certain inmates for HIV testing; and generally relating to disease prevention and testing in correctional facilities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–338(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Washington Cemetery Board of Trustees**

FOR the purpose of abolishing the Washington Cemetery Board of Trustees; providing for the supervision of the Washington Cemetery by the Department of Veterans Affairs; defining a certain term; and generally relating to the Washington Cemetery.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–906  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Chapter 213 of the Acts of the General Assembly of 1870  
Section 1, 2, 9, 10, and 11

BY repealing  
Chapter 213 of the Acts of the General Assembly of 1870  
Section 4, 5, 7, and 8

BY repealing  
Chapter 213 of the Acts of the General Assembly of 1870, as amended by  
Chapter 97 of the Acts of the General Assembly of 1970  
Section 3 and 6

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

**Senate Bill 79 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Deaf and Hard of Hearing,  
Office of the)**

AN ACT concerning

**Office of the Deaf and Hard of Hearing – Responsibilities**

FOR the purpose of altering the responsibilities of the Office of the Deaf and Hard of Hearing; altering the name and the membership of the Maryland Advisory Council for the Deaf and Hard of Hearing; defining a certain term; and generally relating to the Office of the Deaf and Hard of Hearing and the Maryland Advisory Council for the Deaf and Hard of Hearing.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2401, 9–2403, and 9–2404  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Office of Student Financial  
Assistance**

FOR the purpose of revising and clarifying certain provisions relating to student financial assistance administered by the Office of Student Financial Assistance in the Maryland Higher Education Commission; repealing provisions relating to the enforcement of certain bonds given by scholarship recipients; authorizing the Office of Student Financial Assistance to adopt rules and regulations that include certain provisions; and generally relating to administration of student financial assistance by the Office of Student Financial Assistance in the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–102, 18–103, 18–106 through 18–108, 18–110(a), 18–111 through  
18–113, 18–204, and 18–205

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Education

Section 18–109

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 81 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – License Suspensions and  
Revocations – Maximum Penalties**

FOR the purpose of altering the maximum penalty that may be imposed by the State Board of Veterinary Medical Examiners under certain circumstances; and

generally relating to the authority of the State Board of Veterinary Medical Examiners to impose penalties on license suspension or revocation.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–310.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 82 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Commercial Feed Law – Definitions – Prohibition on Sale**

FOR the purpose of prohibiting a person from adulterating or misbranding a commercial feed, distributing, removing, or disposing of a commercial feed under certain circumstances, or altering certain labels; altering certain definitions; and generally relating to the sale of feed under the Maryland Commercial Feed Law.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 6–101(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 6–101(b) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Agriculture  
Section 6–112.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 83 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Department of Housing and Community Development – Group Home  
Financing Program – Refinancing**

FOR the purpose of authorizing the Department of Housing and Community Development to refinance a certain mortgage loan on a group home, including the financing of certain closing costs; authorizing the Department to modify certain terms of certain loans at risk of being in default; and generally relating to the Group Home Financing Program within the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–603 and 4–610  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

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

**Senate Bill 84 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission  
– Membership**

FOR the purpose of staggering the terms for the membership of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; expanding the membership of the Sport Fisheries Advisory Commission; specifying the terms of the members of the commissions; and generally relating to the membership of the Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commissions in the Department of Natural Resources.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–204(a) and (b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 85 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Electronic Transmission of Title Information by Dealers**

FOR the purpose of providing that, within a certain time period, a licensed dealer transferring a vehicle may send or electronically transmit certain required taxes, fees, and other titling documents or data to the Motor Vehicle Administration; and generally relating to the electronic transmission of title information to the Motor Vehicle Administration.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–104.1 and 13–108.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–113(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Correctional Services – Medication for Chronic or Acute Medical Condition – Waiver of Liability**

FOR the purpose of authorizing the Department of Public Safety and Correctional Services and local correctional facilities to issue medication and prescriptions under certain circumstances to inmates of a correctional facility as a component of the inmate release process; prohibiting the Department, local correctional facilities, and certain persons from being held liable for issuing medication or a prescription to an inmate on the inmate's release under certain circumstances; and generally relating to providing medication and prescriptions to inmates of correctional facilities on their release.

BY adding to

Article – Correctional Services  
Section 9–614  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 87 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Physical Education and Athletic Programs for Students with  
Disabilities – Reporting Requirements**

FOR the purpose of altering the reporting date for county boards of education to report on certain requirements relating to physical education and athletic programs for students with disabilities; altering the reporting date for the State Department of Education to issue a certain report to the General Assembly; and generally relating to physical education and athletic programs for students with disabilities.

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–4B–05  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 88 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Advisory Council**

FOR the purpose of providing that the Controlled Hazardous Substance Advisory Council is required to meet only at the request of the Secretary of the Environment; altering the membership of the Council; altering the term of a member of the Council; deleting certain obsolete references; repealing the requirement that the Council elect a chairperson annually; and generally relating to the Controlled Hazardous Substance Advisory Council.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 7–211 through 7–214  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 7–215  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 89 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Relations Commission)**

AN ACT concerning

**Maryland Commission on Human Relations – Name Change**

FOR the purpose of changing the name of the Maryland Commission on Human Relations to the Maryland Commission on Civil Rights; correcting cross-references to reflect the name change; and generally relating to changing the name of the Maryland Commission on Human Relations.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–355  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 2–202  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 2–307 and 12–202(h)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 19–103(e) and 19–116

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2404, 10–107, 10–1103, and 20–101; and 20–201 to be under the  
amended subtitle “Subtitle 2. Commission on Civil Rights”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 5–203 and 5–205(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 5–408  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Secretary of Agriculture – Farm Quarantine**

FOR the purpose of authorizing the Secretary of Agriculture to establish a farm quarantine and issue certain orders under certain circumstances; requiring the Secretary to consult with the Governor, the Secretary of Health and Mental Hygiene, and the Secretary of the Environment before establishing a quarantine; requiring the Secretary to give certain notice of a quarantine; requiring the Secretary to provide procedures to alter or remove a quarantine; authorizing the Secretary to take certain actions, including entering private property for certain purposes under certain circumstances; prohibiting a person from resisting a certain order or quarantine of the Secretary or concealing certain facts; authorizing a quarantine to provide for a civil penalty for certain purposes, not to exceed to a certain amount; authorizing the Secretary to bring an action for injunctive relief under certain circumstances; authorizing the Secretary to apply to a court for an administrative search warrant under certain circumstances; authorizing a judge to issue an administrative search warrant under certain circumstances; and generally relating to the authority of the

Secretary of Agriculture to establish and to enforce a quarantine order to control or restrict the use of farmland, crops, livestock, or a farm product.

BY adding to

Article – Agriculture

Section 2–103.1 and 2–103.2

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Exempt Institutions**

FOR the purpose of prohibiting a person from making a certain statement concerning the status of an institution that is allowed to operate without a certificate of approval from the Maryland Higher Education Commission; prohibiting a person from enrolling a student in an institution that is allowed to operate without a certain certificate of approval unless certain requirements are met; establishing certain penalties for certain violations; and generally relating to institutions that are exempt from the requirement to obtain a certificate of approval from the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–202

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 11–202.1

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 92 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

## EMERGENCY BILL

AN ACT concerning

**Department of Natural Resources – Boating Safety Requirements**

FOR the purpose of altering a certain definition to make the prohibition on a person from operating a vessel unless certain individuals are wearing a personal flotation device apply based solely on the age of the individuals; altering the required age for a child to wear a personal flotation device; requiring individuals under a certain age to obtain a certain certificate of boating safety education under certain circumstances and comply with certain other requirements; making this Act an emergency measure; providing for the effective date of certain provisions of this Act; and generally relating to boating safety requirements.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–712.2(a) and 8–743  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 93 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Agriculture – Pest Control – Fees and Registration**

FOR the purpose of clarifying the authority of the Department of Agriculture to charge a fee for the retaking of certain examinations; requiring the operator of a pest control business annually to register certain employees with the Department; establishing certain registration and renewal fees; requiring the payment of certain late fees for certain applicants for a certain license, certificate, or registration renewal; and generally relating to requirements for the application of pesticide.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 5–207(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Agriculture  
Section 5–207(j) and (k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 94 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Weights and Measures – Registration Fees**

FOR the purpose of altering the cap on certain fees for registering certain scales or meters; and generally relating to registration fees for weights and measures.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 11–204.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 95 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Farmland  
Preservation Partnership Program**

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to establish a Farmland Preservation Partnership Program to purchase certain agricultural preservation easements under certain circumstances; requiring the Foundation to develop certain criteria for participation in the Partnership Program; altering the date for the submission of a certain annual report to the Governor and the General Assembly by the Foundation; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–506

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Agriculture

Section 2–517.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 96 – The President (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

### **Washington Suburban Sanitary Commission**

FOR the purpose of adding a new division to the Public Utility Companies Article of the Annotated Code of Maryland, to be designated and known as “Division II. Washington Suburban Sanitary Commission”; revising, restating, and recodifying certain laws relating to the Washington Suburban Sanitary Commission, including laws relating to the members and employees of the Commission and the powers and duties of the Commission; revising, restating, and recodifying certain laws relating to personnel management and collective bargaining for Commission employees, ethics laws for the Commission, Commission procurements, the authority of the Commission to acquire and dispose of certain property, Prince George’s County quick take condemnation, certain zoning map referrals, certain urban renewal projects, the issuance and sale of certain bonds and notes, certain taxes imposed by Montgomery County and Prince George’s County, certain water and sewer systems, the construction of certain subdivision lines and service connections, the Commission’s capital improvements program, certain construction projects and sewer cleaning, the imposition of certain rates and charges by the Commission, the provision of water from the Commission’s system to certain other counties, authorities and duties of the Commission regarding the right to enter on or disturb certain public roadways under certain circumstances, the Commission police force, prohibited acts and penalties for the violation of certain provisions, and stormwater management in Montgomery County and Prince George’s County; transferring certain provisions relating to flood control and the use of certain lands acquired for flood control and navigation purposes; amending and transferring a certain provision relating to flood control and navigation bonds to the Session Laws; defining certain terms; adding the designation of a new division to the Public Utility Companies Article of the Annotated Code of Maryland, to be known as “Division I. Public Services and Utilities”; renaming the Public Utility Companies Article to be the Public Utilities Article of the

Annotated Code; providing for the construction and application of this Act; providing for the continuity of a certain unit 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 dates 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 concerning the Washington Suburban Sanitary Commission.

BY repealing

Article 29 – Washington Suburban Sanitary District

Section 1–101 through 1–107, the title “Title 1. Definitions; General Provisions”, and the subtitle “Subtitle 1. In General”; 1–201 through 1–208 and the subtitle “Subtitle 2. Legal and Financial Affairs”; 1–301 through 1–304 and the subtitle “Subtitle 3. Payment of Commission Obligations”; 2–101 through 2–104 and the title “Title 2. Prince George’s County Quick Take”; 3–101 through 3–110, the title “Title 3. Water, Sewers, and Drainage”, and the subtitle “Subtitle 1. In General”; 3–201 through 3–207 and the subtitle “Subtitle 2. Special Provisions”; 3–301 and the subtitle “Subtitle 3. Sewer Cleaning”; 4–101 through 4–110, 4–111A, and 4–112, the title “Title 4. Bonds and Anticipation Notes Generally”, and the subtitle “Subtitle 1. General Obligation Bonds and Notes”; 4–201 through 4–212 and the subtitle “Subtitle 2. Revenue Bonds”; 5–101 through 5–109 and the title “Title 5. Front Foot Benefit Charges”; 6–101 through 6–113 and the title “Title 6. Rates and Charges Generally”; 7–101 through 7–107 and the title “Title 7. WSSC Capital Improvements Program”; 8–101 through 8–104 and the title “Title 8. Plumbing, Waterworks, and Sewer Construction”; 9–101 and 9–102 and the title “Title 9. Miscellaneous Powers and Duties of WSSC”; 10–101 through 10–108 and the title “Title 10. Highways and Streets”; 11–101 through 11–117 and the title “Title 11. Merit System”; 11.5–101 through 11.5–114 and the title “Title 11.5 Collective Bargaining”; 12–101 through 12–106, the title “Title 12. Ethics”, and the subtitle “Subtitle 1. Conflicts of Interest and Lobbying”; 14–101 through 14–103 and the title “Title 14. Water System in Anne Arundel County”; 15–101 through 15–106 and the title “Title 15. Water System in Howard County”; 16–101 through 16–103 and the title “Title 16. Urban Renewal Projects”; 18–101 through 18–103, 18–104(a)(1) through (6) and (8) through (11) and (b) through (h), and 18–105 through 18–108 and the title “Title 18. Miscellaneous Provisions”; and 19–101 and the title “Title 19. Area Laws and Boundary Descriptions”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing

The article designation “Article 29 – Washington Suburban Sanitary District”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

## BY transferring

Article 29 – Washington Suburban Sanitary District  
Section 13–101 and 13–102, respectively, and the title “Title 13. Flood Control”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

## to be

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 9–101 and 9–102, respectively, and the title “Title 9. Flood Control”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

## BY adding to

Article – Public Utility Companies  
Section 16–101 and the title “Title 16. Definitions”; 17–101 through 17–501 and the title “Title 17. Commission”; 18–101 through 18–217 and the title “Title 18. Personnel”; 19–101 through 19–108 and the title “Title 19. Ethics”; 20–101 through 20–304 and the title “Title 20. Procurement”; 21–101 through 21–403 and the title “Title 21. Property and Land Use Matters”; 22–101 through 22–210 and the title “Title 22. Bonds and Notes”; 23–101 through 23–316 and the title “Title 23. Water, Sewers, and Drainage”; 24–101 through 24–201 and the title “Title 24. Plumbing, Waterworks, and Sewer Construction”; 25–101 through 25–508 and the title “Title 25. Rates and Charges”; 26–101 through 26–206 and the title “Title 26. Water Systems in Anne Arundel County and Howard County”; 27–101 through 27–108 and the title “Title 27. Highways and Streets”; 28–101 and 28–201 and the title “Title 28. Miscellaneous Provisions”; and 29–101 through 29–107 and the title “Title 29. Prohibited Acts; Penalties” to be under the new division “Division II. Washington Suburban Sanitary Commission”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

## BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 24–101 through 24–801 to be under the new title “Title 24. Stormwater Management”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Public Utility Companies  
Section 25–403(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Section 3 of this Act and Chapter 423 of Acts of the General Assembly of 2007)

BY adding to

Article – Public Utility Companies

The new division designation “Division I. Public Services and Utilities” to immediately precede Section 1–101

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

Article 29 – Washington Suburban Sanitary District

Section 18–104(a)(7)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY renaming

Article – Public Utility Companies

to be

Article – Public Utilities

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

Introduction and Remarks by Governor Martin O’Malley

Introduction and Remarks by Lieutenant Governor Anthony Brown

Introduction of Honored Guests

Introduction and Remarks by United States Senator Barbara Mikulski

Introduction and Remarks by United States Senator Benjamin Cardin

### **QUORUM CALL**

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

(See Roll Call No. 13)

### **ADJOURNMENT**

At 12:55 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 14, 2010.

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**Annapolis, Maryland**  
**Thursday, January 14, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

**QUORUM CALL**

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

(See Roll Call No. 15)

Prayer by Reverend Sandra S. W. Taylor, Pastor, Mt. Harmony United Methodist Church, guest of President Thomas V. Mike Miller, Jr.

(See Exhibit A of Appendix III)

The Journal of January 13, 2010 was read and approved.

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

**INTRODUCTION OF BILLS**

**Senate Bill 97 – Senator Mooney**

AN ACT concerning

**Public Defender Board of Trustees – Composition**

FOR the purpose of altering the composition of the Board of Trustees of the Office of the Public Defender; altering the manner by which members of the Board of Trustees are appointed; establishing qualifications of members of the Board of Trustees; establishing the number of members of the Board of Trustees necessary for a quorum; authorizing a certain number of members of the Board of Trustees to call for additional meetings; providing for diversity of membership of the Board of Trustees; providing for the manner in which vacancies are filled on the Board of Trustees; and generally relating to the Board of Trustees of the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure

Section 16–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 98 – Senator Mooney**

AN ACT concerning

**Income Tax – Film Production Activity Credit**

FOR the purpose of repealing the Film Production Rebate Program; allowing certain film production entities to claim a credit against the State income tax for certain costs incurred for certain film production activities within the State; requiring a film production entity to apply with the Department of Business and Economic Development to be a qualified film production entity; requiring the Secretary of the Department to determine if the film production entity qualifies for the credit; requiring that the estimated total direct costs incurred in the State exceed a certain amount; authorizing the Secretary to require the entity to provide certain information; authorizing the Secretary to require that certain information be verified by an independent auditor; requiring a qualified film production entity to apply for a tax credit certificate from the Department; authorizing the Secretary to provide for the form of the application; requiring the application to include certain information; requiring the Secretary to determine the total direct costs that qualify for the tax credit and issue a tax credit certificate for a certain percentage of the total direct costs; requiring the Secretary to notify the Comptroller of the amount of any tax credit certificate issued; providing that the total direct costs for a film production activity may not include the wages of an employee if the employee’s wages exceed a certain amount; requiring that each year the Department report to the Governor and the General Assembly certain information regarding the tax credit; requiring the Department and the Comptroller to jointly adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain film production activities.

BY repealing

Article – Economic Development  
Section 4–401 through 4–407 and the subtitle “Subtitle 4. Film Production  
Rebate Fund”  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY adding to

Article – Tax – General  
Section 10–728  
Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 99 – Senators DeGrange and Astle**

EMERGENCY BILL

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – Required Records**

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; preempting certain rights of certain counties and municipalities; superseding certain laws of certain counties and municipalities; providing for the applicability of the record keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances; providing that certain provisions may not be construed to require junk dealers and scrap metal processors to incur certain additional expenses for complying with certain record submission requirements; authorizing certain law enforcement units to issue certain waivers under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing a catalytic converter except under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing cemetery urns, grave markers, and certain other items except under certain circumstances; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; exempting certain items acquired from certain entities from certain record and reporting requirements; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 17–1001(a) and (f)

Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Business Regulation  
Section 17–1001(g)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 100 – Senator Muse**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Prince George’s County  
– Forest Heights Municipal Building**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to remove the requirement that the Mayor and Town Council of the Town of Forest Heights provide a certain matching fund.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(BY) and ZA02(BI)

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

**Senate Bill 101 – Senator Stone**

AN ACT concerning

**Public Health – Peanut Warning – Vending Machines**

FOR the purpose of requiring certain operators of certain vending machines to post certain warning labels on the exterior of certain vending machines; and generally relating to foods contained within vending machines that contain peanuts.

BY adding to  
Article – Health – General  
Section 21–203.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 102 – Senator Stone**

AN ACT concerning

**Election Law – Campaign Advertisements – Closed Captioning**

FOR the purpose of requiring a campaign finance entity to include closed captioning for individuals who are deaf or hard of hearing in campaign advertisements that are distributed by broadcast or cable television or on its website; providing certain exemptions; specifying certain factors to be considered when applying a certain exemption; prohibiting a campaign finance entity from distributing a campaign advertisement by broadcast or cable radio, subject to certain conditions; exempting a violation of a certain provision of law from a certain penalty; providing for a delayed effective date; and generally relating to campaign advertisements and closed captioning for the deaf or hard of hearing.

BY repealing and reenacting, without amendments,

Article – Election Law  
Section 1–101(k) and 13–403  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law  
Section 13–404  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 13–604(a)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 103 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

FOR the purpose of continuing the State Board of Examiners of Landscape Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to certain statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 9–702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(36)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 104 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Chiropractic and Massage Therapy Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Chiropractic and Massage Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit certain reports on or before certain dates; altering a certain

reference; and generally relating to the State Board of Chiropractic and Massage Therapy Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 3–602  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(12)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 105 – Senator Miller**

AN ACT concerning

#### **Creation of a State Debt – Calvert County – Kellam’s Field**

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

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

**Senate Bill 106 – The President (By Request – Administration) and Senators Miller, Currie, Kasemeyer, Astle, Brinkley, Colburn, DeGrange, Forehand, Garagiola, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Peters, Pugh, Robey, Rosapepe, and Zirkin**

EMERGENCY BILL

AN ACT concerning

**Labor and Employment – Job Creation and Recovery Tax Credit**

FOR the purpose of establishing the Job Creation and Recovery Tax Credit; providing a credit against the State income tax for certain employers employing certain individuals in certain qualified positions; defining certain terms; providing for certification by the Department of Labor, Licensing, and Regulation of persons eligible for the credit and of the maximum amount of credit for which a qualified employer is eligible; limiting to a certain amount the credit each qualified employer may receive; providing for a cap of the total aggregate amount of the tax credit that the Department may approve; allowing the credit as a credit against the payment of certain withholding taxes under certain circumstances; making the credit refundable under certain circumstances; requiring certain reports; authorizing the adoption of certain regulations; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to tax credits in connection with the employment of certain individuals in certain qualified positions in the State and the Job Creation and Recovery Tax Credit program.

BY adding to

Article – Labor and Employment

Section 11–1101 through 11–1107 to be under the new subtitle “Subtitle 11. Job Creation and Recovery Tax Credit”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – General

Section 10–728

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 107 – The President (By Request – Administration)**

EMERGENCY BILL

AN ACT concerning

**Labor and Employment – Unemployment Insurance – Modernization and Tax Relief Act**

FOR the purpose of providing for an alternative method to determine the base period for unemployment insurance purposes under certain circumstances; altering certain provisions relating to benefit eligibility of certain part-time workers; providing that certain training benefits may not be charged to employers; creating an additional training benefit for certain individuals; providing for the calculation and limit for the additional training benefits; prohibiting the denial of additional training benefits under certain circumstances; prohibiting payment of additional training benefits after a certain period; reducing the interest rate on certain late payments; adjusting the applicable table of contribution rates for a certain time period under certain circumstances; defining certain terms; altering certain definitions; providing for the effective dates and application of this Act; making this Act an emergency measure; and generally relating to unemployment insurance.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 8–101(a) and 8–802  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–101(b) and (v), 8–611(e), 8–612(d)(6), 8–628, and 8–903(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Labor and Employment  
Section 8–812  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

## SPECIAL ORDERS

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

VETOED BILLS AND MESSAGES – 2009 REGULAR SESSION

(See Exhibit B of Appendix III)

**2009 Bills Vetoed by the Governor**  
(Policy Vetoes)

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Exempt  
Institutions**

FOR the purpose of prohibiting certain institutions of postsecondary education that are exempt from approval by the Maryland Higher Education Commission from making certain references and representations; establishing certain penalties for certain violations; and generally relating to references and representations by certain institutions of postsecondary education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 11–202(c)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Education  
Section 11–202(h) and (i)  
Annotated Code of Maryland  
(2008 Replacement Volume)

The President put the question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative - 0 Negative - 45 (See Roll Call No. 16)

The President announced the veto was sustained.

**Senate Bill 721 – ~~Senator Pinsky~~ Senators Pinsky and Harris**

AN ACT concerning

**Private Wastewater Treatment Act of 2009**

FOR the purpose of prohibiting a person from installing a certain privately owned ~~on-site wastewater treatment~~ individual sewerage system under certain circumstances; defining a certain term; and generally relating to privately owned on-site wastewater treatment systems.

BY adding to

Article – Environment

Section 9–1108

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

The President put the question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative - 0 Negative - 45 (See Roll Call No. 17)

The President announced the veto was sustained.

**2009 Bills Vetoed by the Governor**  
(Duplicative Vetoes)

BILL NO	SPONSOR	CONTENT
SB 21	Sen. Colburn	Dorchester County - School Bus Length of Operation - Sunset Repeal
SB 22	Sen. Colburn	Caroline County – Sheriff’s Salary
SB 23	Sen. Colburn	Caroline County - Department of Corrections Employment Applicants - Lie Detector Tests
SB 37	Sen. Colburn	Caroline County - Alcoholic Beverages - Multiple Event Licenses
SB 96	Ch., Budget & Tax	Income Tax - Mandatory Income Tax Return Preparer Requirements
SB 116	The President	State Board of Veterinary Medical Examiners - Sunset Extension and Program

		Evaluation
SB 118	The President	State Athletic Commission - Sunset Extension and Program Evaluation
SB 159	Sen. McFadden	Commercial Real Property - Action to Abate Drug Nuisance - Prior Notice Requirement
SB 172	Sen. Lenett	Maryland Homeowners Association Act - Closed Meetings of Homeowners Association
SB 178	Sen. McFadden	State Retirement and Pension System - Investments
SB 226	Sen. McFadden	State Retirement and Pension System - Participating Governmental Units
SB 227	Sen. McFadden	Baltimore City - Newly Constructed Dwelling Property Tax Credit - Modif and Reauthorization
SB 231	Sen. Della	State Health Services Cost Review Commission - Health Care Facilities - Required Forms
SB 274	The President	Tax Increment Financing and Special Taxing Districts - Transit-Oriented Development
SB 334	Sen. Colburn	Talbot County - Alcoholic Beverages - Limited Wineries
SB 380	Sen. Garagiola	Health Maintenance Organizations - Payments to Nonparticipating Providers
SB 450	Sen. Edwards	Allegany County - Upper Potomac River Commission - Savage River Dam - Borrowing Authority

SB 458	Sen. Jones	State Treasurer - Local Government Units - Local Debt Policies
SB 591	Sen. McFadden	State Retirement and Pension System - Military Service Credit - Clarification and Simplification
SB 593	Sen. McFadden	State Retirement and Pension System - Board of Trustees - Attendance and Educational Training
SB 607	Sen. Brinkley	Frederick County - Overdue Water and Sewer Charge - Restoration of Service Penalty
SB 767	Sen. Astle	Fire, Resc, and Emer Med Servs in Anne Arundel Co - Agts with Fed Govt - Reimb
SB 780	Carroll Co. Senators	Counties - Purchase of Development Rights - Carroll County
SB 884	Sen. Brinkley	Frederick County - Alcoholic Beverages - Wine Festival License
SB 932	Sen. Currie	Creation of a State Debt - Community Dev Admin - Local Govt Infrastructure Financing Program

The President put the question: "Shall the Bills pass, notwithstanding the objections of the Chief Executive?"

The roll call vote resulted as follows:

Affirmative - 0 Negative - 46 (See Roll Call No. 18)

The President announced the vetoes were sustained.

## ANNOUNCEMENT

Recognition of and remarks by Former United States Senator Paul S. Sarbanes

Well thank you very much. I'm very pleased to be with you. The House of Delegates where I served, as you well know, was very kind and extended a tribute and my good friend Nathaniel ((Senator Mc Fadden) came over and was with us. You know Steny Hoyer and I have this sort of running argument. Steny used to always say the Senate is preeminent above the House. Now he's completely reversed that. So the next time you see him you have to call him to account in that regard.

I served here four years, forty-three years ago almost to the day. I came to Annapolis to be a member of the Maryland General Assembly. It was a wonderful experience. I've been in elected public office. Forty years I was in elected public office. Four years here, six in the House of Representatives, and then thirty in the United States Senate. But as I look back over it, this Annapolis and the General Assembly were the starting point and I treasure those memories. And I learned a lot. I said the House members when I first got there, a few days later there was an extended debate going on over some piece of legislation and it had gone on and on and on and finally the then majority Whip gets up and he says, "We've got to stop beating this dead horse to death." I thought to myself "stop beating this dead horse to death." I thought this is really going to be an interesting place I've come to be in for the next four years.

I made a lot of friendships in Annapolis which have lasted over the years and which I treasure. As I look around the room I see many people that I've been close to over the years and I just want you to know how much those friendships mean to me. I learned a lot about the legislative process when I was here. You know there's a lot of criticism now, that of partisanship, but I think in some respects it misses the point. After all, you know a healthy difference over issues is what democracy is supposed to be about. That's why we have legislative bodies, to work out these differences. The criticism ought to be directed at when these differences reach the point that people cease to respect one another and listen to the views of others and try to encompass that within their thinking. That's the thing that concerns me the most, is when you lose the sort of comedy of the legislative body. And legislatures are extraordinarily important in the working of any political system. Every country has an executive and if the executive is too strong you say it's an authoritarian country or even worse.

So what do you need to make a democratic society work? I think, but of course I was a legislator all my life, but I think you need an effective legislature who can apply checks and balances and of course you need an independent judiciary. And the combination of that, an able executive, an effective legislature and an independent judiciary gives you a working political system in which liberties are protected, in which problems are addressed and in which the needs and interests of the public are served.

I spent forty years trying to do that. I hope with some, with some success. I had the tremendous support of my family. And my two sons are here, Congressman John Sarbanes and his brother Michael Sarbanes. My daughter is in Los Angeles and couldn't join us. And of course it's a source of great regret to me that my wife Christine, who so many of you knew and who campaigned with so many, and who loved what you stood for in terms of making Maryland a better state and a better society, isn't with us. That's a sadness I carry with me every day. But this was a wonderful place for me, Annapolis. I made wonderful friends. I have always defended political people. You are easy targets and that happens all the time. But I understand the commitment that led you to go into public service. And I understand how important that is to our nation. And I thank you very much for having me with you today. Thank you.

### **QUORUM CALL**

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

(See Roll Call No. 19)

### **ADJOURNMENT**

At 10:54 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 15, 2010.

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**Annapolis, Maryland  
Friday, January 15, 2010  
11:00 A.M. Session**

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The Senate met at 11:04 A.M.

Prayer by Reverend Monsignor Stuart Swetland, Mount St. Mary's University, guest of Senator Mooney.

(See Exhibit A of Appendix III)

The Journal of January 14, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 21)

**INTRODUCTION OF BILLS**

**Senate Bill 108 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Juvenile Causes – Exceptions – Hearings**

FOR the purpose of repealing a provision authorizing a party who files exceptions to a master's findings, conclusions, or recommendations in certain juvenile proceedings to elect a hearing de novo; authorizing the court to decide exceptions without a hearing under certain circumstances; requiring that, in certain juvenile proceedings, the exceptions be decided on the evidence presented to the master; authorizing the court to consider additional evidence only under certain circumstances; authorizing the court to take certain actions under certain circumstances; and generally relating to exceptions to a master's findings, conclusions, and recommendations in juvenile proceedings.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings

Section 3–807(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–807(d) and (e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Criminal Procedure – Expiration Date of Sentences – Repeal**

FOR the purpose of repealing the requirement that a court sentence a defendant for a period of imprisonment that will expire between certain dates under certain circumstances; repealing a provision authorizing a court to sentence a defendant to a certain period of imprisonment that is less than the minimum punishment required under certain circumstances; and generally relating to criminal procedure and sentencing.

BY repealing  
Article – Criminal Procedure  
Section 6–227  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 110 – Senators Lenett and Pugh**

AN ACT concerning

**Labor and Employment – Job and Financial Privacy Protection Act**

FOR the purpose of prohibiting an employer from requesting a credit report from certain individuals under certain circumstances; requiring the Commissioner of Labor and Industry to adopt certain regulations; authorizing certain civil actions under certain circumstances; and generally relating to the credit reports of applicants and employees.

BY adding to

Article – Labor and Employment  
Section 3–710  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 111 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**District Court – Locations**

FOR the purpose of altering the areas in which a District Court facility is required to be physically located in a certain district; and generally relating to District Court locations.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 1–603(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 112 – Senator Stone**

AN ACT concerning

**Baltimore County – Property Tax Credit – Rosewald Beach Civic League**

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 real property owned by the Rosewald Beach Civic League; providing for the application of this Act; and generally relating to a property tax credit in Baltimore County for the Rosewald Beach Civic League.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–305(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 113 – Senators Kelley and Gladden**

AN ACT concerning

**Baltimore City – Ivy Family Support Center Loan of 2001**

FOR the purpose of amending the Baltimore City – Ivy Family Support Center Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Baltimore City – Ivy Family Support Center Loan of 2001.

BY repealing and reenacting, with amendments,

Chapter 163 of the Acts of the General Assembly of 2001, as amended by  
Chapter 219 of the Acts of the General Assembly of 2008  
Section 1

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

**Senate Bill 114 – Senator Gladden**

AN ACT concerning

**Voter’s Rights Protection Act of 2010**

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

BY repealing and reenacting, without amendments,

Article – Election Law  
Section 16–101 and 16–201  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law  
Section 16–1003  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 115 – Senator Gladden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City –  
Baltimore Clayworks**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the date by which the Board of Trustees of Baltimore Clayworks, Inc. must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(R) and ZA02(W)

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

**Senate Bill 116 – Senator Gladden**

AN ACT concerning

**Criminal Procedure – Use of Tracking Device by Law Enforcement Officer –  
Search Warrant**

FOR the purpose of prohibiting a law enforcement officer from using a certain tracking device to determine the location or movement of another individual unless a certain search warrant has been issued; providing for the application of this Act; defining a certain term; and generally relating to the use of tracking devices by law enforcement officers.

BY adding to  
Article – Criminal Procedure  
Section 1–203(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 117 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Morgan Mill Renovation**

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

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

**Senate Bill 118 – Senators Zirkin and Stone**

AN ACT concerning

**Courts – Jury Trials in Civil Actions – Amount in Controversy**

FOR the purpose of altering the amount in controversy in a civil action in which a party may not demand a jury trial; providing for the construction and application of this Act; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to jury trials in civil actions.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–402(e)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 119 – Senators Zirkin and Stone**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Civil Jury Trials – Amount in Controversy**

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to alter the amount in controversy in civil proceedings in which the right to a jury trial may be limited by legislation; altering the amount in controversy in civil proceedings in which the right to a jury trial shall be inviolably preserved; 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

Declaration of Rights  
Articles 5(a) and 23

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

**Senate Bill 120 – Senators Gladden and Conway**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License**

FOR the purpose of authorizing a Class BWLT beer, wine, and liquor tasting license to be issued by the Board of Liquor License Commissioners for Baltimore City in a certain precinct of the 41st Legislative District of Baltimore City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–403.2(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–403.2(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 121 – Senator Middleton**

AN ACT concerning

**Election Law – Access to Voting Room and Voting Booth by Minors Not Eligible to Vote**

FOR the purpose of increasing the maximum age at which a minor may accompany a voter in the voting room and voting booth at a polling place under certain circumstances; and generally relating to access to the voting room and voting booth by minors at the polling place.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–308 and 10–310(c)

Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 122 – Senators Brochin and Stone**

AN ACT concerning

**Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages Licenses – Restaurants – Minimum Capital Investment and Transfers**

FOR the purpose of lowering in the Towson Commercial Revitalization District in Baltimore County the minimum amount of capital investment required for certain restaurants for which certain alcoholic beverages licenses may be transferred and new licenses issued; reducing the time by a certain amount that an applicant for transfer must wait under certain circumstances; and generally relating to alcoholic beverages licenses for restaurants in Baltimore County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–204.3(a) and (b)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 8–204.3(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–204.3(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–204.3(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 123 – Senators Brochin, Frosh, and Zirkin**

AN ACT concerning

**Criminal Procedure – Victim’s Compensation – Temporary Lodging for Domestic Violence Victims**

FOR the purpose of making certain victims eligible for certain monetary awards for temporary lodging for a certain period from the Criminal Injuries Compensation Fund; and generally relating to awards from the Criminal Injuries Compensation Fund.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–811  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 124 – Senators Brochin, Kittleman, and Zirkin**

AN ACT concerning

**Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required**

FOR the purpose of altering the definition of “work zone” as it relates to work zone speed control systems; providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone; and generally relating to work zone speed control systems.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–810(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–810(a)(6) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 125 – Senators Brochin, Frosh, and Stone**

AN ACT concerning

**Criminal Procedure – Strip Search or Body Cavity Search of an Arrestee  
– Restrictions**

FOR the purpose of prohibiting a police officer from conducting or supervising a strip search or body cavity search of an individual arrested for certain misdemeanors or traffic offenses under certain circumstances, or of a minor detained for a certain act that would be a misdemeanor if committed by an adult or for certain traffic offenses under certain circumstances; providing for certain exceptions; authorizing a police officer to conduct or supervise a strip search or body cavity search only if the officer has a reasonable suspicion that certain items may be concealed by the individual or minor and the officer is granted authorization by a certain supervising officer on duty; establishing certain requirements for the conducting of a strip search or a body cavity search; requiring a medical professional to conduct a body cavity search; providing that a complaint against a police officer alleging a violation of this Act shall be investigated in accordance with a certain law; providing that nothing in this Act limits or repeals a common law or statutory right of an individual regarding an action for damages or injunctive relief; defining certain terms; and generally relating to restrictions on the conducting of a strip search or body cavity search of individuals arrested under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 2–101(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 2–108  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 3–101(a) and 3–104(a)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 3–101(e) and 3–104(c)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 126 – Senator Exum**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Multiple Special Licenses**

FOR the purpose of prohibiting the Board of License Commissioners for Prince George’s County to issue multiple special licenses at the same time to the same person; authorizing the Board to issue a second or subsequent special license to an applicant only after the completion of the event for which the previous special license was issued; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(a)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(b)(11)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 127 – Senator Exum**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – John E. Feggans Center Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and Common Council of the City of Seat Pleasant for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 128 – Senators Pugh, Jones, Lenett, Madaleno, and Muse**

AN ACT concerning

**Education – High School Diploma – GED Options Program**

FOR the purpose of requiring the State Board of Education to establish a GED Options Program that provides certain students with an alternative course for obtaining a high school diploma beginning on a certain date; providing for certain Program requirements; requiring students enrolled in a certain program to be counted in the average daily attendance of a certain school system; requiring the State Board to adopt certain regulations; and generally relating to the GED Options Program for obtaining a high school diploma.

BY adding to

Article – Education

Section 7–206

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 7–301(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 129 – Senators Pugh, Conway, Forehand, Jacobs, Jones, Kelley, King, and Kramer**

AN ACT concerning

**International Marriage Brokers – Regulation**

FOR the purpose of requiring an international marriage broker to provide certain information to a recruit; requiring a client of an international marriage broker to provide certain information to the international marriage broker and to affirm that certain information is accurate and complete; requiring an international marriage broker to request certain criminal history records checks from the Criminal Justice Information System Central Repository; requiring the

Central Repository to process certain State and national criminal history records checks on submission of certain information and fees; prohibiting an international marriage broker from providing services to a certain client or recruit until certain information is received and provided to a recruit; prohibiting an international marriage broker from further dissemination of certain information; providing that a certain international marriage broker shall be deemed to be doing business in the State; establishing penalties for violating this Act; requiring the court to consider certain factors in determining a certain penalty; defining certain terms; and generally relating to international marriage brokers.

BY adding to

Article – Business Regulation

Section 19–601 through 19–606 to be under the new subtitle “Subtitle 6. International Marriage Brokers”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 130 – Senators Pugh, Currie, Harrington, Jones, King, Lenett, Madaleno, and Muse**

AN ACT concerning

**Procurement – Minority Business Enterprises – Reciprocal Certification**

FOR the purpose of requiring the Board of Public Works to adopt regulations to recognize and accommodate, for the purpose of certification under the State minority business enterprise program, minority business enterprises that receive certification from a certain federal agency or from a county government in the State; requiring the Board to keep certain records and submit a certain annual report to the General Assembly about the certification of certain minority business enterprises; and generally relating to a reciprocal certification process for certain minority business enterprises.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 14–303

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 131 – Senators Pugh, Currie, Exum, Harrington, Jones, King, Lenett, Madaleno, Muse, and Raskin**

AN ACT concerning

**State Procurement – Minority Business Enterprises – Electronic Certification Process**

FOR the purpose of requiring the Board of Public Works to adopt regulations that include provisions that allow a business seeking certification as a minority business enterprise to complete the application through an electronic process; and generally relating to an electronic certification process for minority business enterprises.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–303  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 132 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Maryland SPCA Adoption Center Expansion**

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

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

**Senate Bill 133 – Senators Pugh, Currie, Harrington, Jones, King, Lenett, Madaleno, Muse, and Raskin**

AN ACT concerning

**Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process**

FOR the purpose of establishing a Commission to Study Streamlining and Increasing

the Efficiency of the Procurement Process; providing for the membership, purposes, and staffing of the Commission; requiring the Commission to study certain matters; requiring the Commission to report to certain persons by a certain date; providing for the termination of this Act; and generally relating to the Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process.

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 33 – Senator Haines**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Natural Resources – Right to Hunt, Fish, and Harvest Wild Game**

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

Read and ordered journalized.

**QUORUM CALL**

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

(See Roll Call No. 22)

**ADJOURNMENT**

At 11:17 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 18, 2010.

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**Annapolis, Maryland  
Monday, January 18, 2010  
8:00 P.M. Session**

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The Senate met at 8:08 P.M.

Prayer by Reverend Julius Jefferson, Heritage United Church of Christ, guest of Senator Pugh.

(See Exhibit A of Appendix III)

The Journal of January 15, 2010 was read and approved.

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

### **QUORUM CALL**

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

(See Roll Call No. 24)

Senator Klausmeier moved, duly seconded, to suspend Senate Rule 23 in order that Senate Bills 140, 141, and 142 be introduced out of numerical order.

The motion was adopted by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 25)

### **INTRODUCTION OF BILLS**

**Senate Bill 134 – Senators Simonaire, Brinkley, Brochin, Colburn, Edwards, Glassman, Harris, Jacobs, Kelley, Kittleman, Munson, Muse, Pipkin, Reilly, Robey, and Stoltzfus**

AN ACT concerning

**State Government – Commemorative Day – Young Heroes Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to

Article – State Government  
Section 13–409  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 135 – Senator Kelley**

EMERGENCY BILL

AN ACT concerning

**Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing**

FOR the purpose of requiring a person who files a petition for writ of actual innocence to notify the State of the filing in a certain manner; authorizing the State to file a response to a petition for writ of actual innocence within a certain period of time; requiring that the victim or victim's representative be notified of a hearing on a petition for writ of actual innocence before the hearing is held; establishing that a victim or victim's representative has the right to attend a hearing on a petition for writ of actual innocence; making this Act an emergency measure; and generally relating to a petition for writ of actual innocence.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 8–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 136 – Senator Dyson**

AN ACT concerning

**Creation of a State Debt – St. Mary's County – United States Colored Troops Memorial Monument**

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 Unified Committee for Afro-American Contributions, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject

to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 137 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Family Law – Permanency Planning and Guardianship Review Hearings – Consultation with Child**

FOR the purpose of requiring the juvenile court, in certain permanency planning and guardianship review hearings, to place on the record a certain consultation with the child at certain intervals; and generally relating to certain permanency planning and guardianship review hearings.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–823(b), (c), and (h)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–823(k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–326(a)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Family Law  
Section 5–326(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 138 – Senator Della**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City – Peale Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the name of a certain grantee from the Board of Directors of the Baltimore City Historical Society, Inc. to the Board of Directors of the Baltimore History Center at the Peale, Inc.; extending the deadline by which the grantee may present evidence to the Board of Public Works that a matching fund will be provided; and generally relating to a certain grant for the Peale Museum.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(AC) and ZA02(AC)

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

**Senate Bill 139 – Senators Madaleno and Miller**

AN ACT concerning

**Property Tax – Exemption for Disabled Veterans and Surviving Spouses – Definition**

FOR the purpose of altering the definition of “disabled veteran” for purposes of a certain property tax exemption for dwelling houses owned by certain disabled veterans or surviving spouses of disabled veterans or of certain individuals who died while in the active military, naval, or air service of the United States; providing for the application of this Act; and generally relating to a property tax exemption for disabled veterans.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–208(a) and (d)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 7–208(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

### INTRODUCTION OF JOINT RESOLUTIONS

#### **Senate Joint Resolution 1 – Senators Mooney, Harris, Munson, and Simonaire**

A Senate Joint Resolution concerning

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

FOR the purpose of declaring the sovereignty of the State of Maryland under the Tenth Amendment to the Constitution of the United States; and providing notice and demand to the government of the United States to cease and desist imposing mandates that are beyond the scope of the powers delegated to the federal government under the Constitution of the United States.

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

#### **Senate Joint Resolution 2 – The President (By Request – Governor’s Salary Commission)**

A Senate Joint Resolution concerning

#### **Governor’s Salary Commission – Salary Recommendations for Governor and Lieutenant Governor**

FOR the purpose of establishing the salaries to be paid the Governor and Lieutenant Governor, as directed by Article II, Section 21A of the Maryland Constitution, for the 4–year term of office beginning January 19, 2011.

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

### INTRODUCTION OF BILLS

#### **Senate Bill 143 – The President (By Request – Governor’s Salary Commission)**

AN ACT concerning

#### **Constitutional Officers – Salaries**

FOR the purpose of providing for the annual salaries of the Comptroller, Treasurer, Attorney General, and Secretary of State; providing that this Act does not apply to the salaries or compensations of the incumbent Comptroller, Treasurer,

Attorney General, and Secretary of State; and generally relating to the salaries of certain constitutional officers of Maryland.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 4–103, 5–104, 6–103, and 7–107  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 144 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners of Nursing Home Administrators.

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

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

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

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

**Senate Bill 145 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners in Optometry – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners in Optometry in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) to a certain date the termination provisions relating to statutory authority and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners in Optometry.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 11–602  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(45)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 146 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Physical Therapy Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Physical Therapy Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board, in conjunction with the Department of Health and Mental Hygiene, to submit a certain report on or before a certain date; and generally relating to the State Board of Physical Therapy Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 13–502  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(47)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 147 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Professional Land Surveyors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board for Professional Land Surveyors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be

performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board for Professional Land Surveyors.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 15–702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(35)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 148 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

FOR the purpose of continuing the State Board of Pilots in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation, in conjunction with the Board, to submit a certain report on or before a certain date; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–802  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(50)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 149 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

FOR the purpose of continuing the State Board of Plumbing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation to submit a certain report on or before a certain date; and generally relating to the State Board of Plumbing.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(51)  
Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 150 – Senators Pinsky and Harrington**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Community Forklift Facility**

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

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

**Senate Bill 151 – Senators Pinsky and Harrington**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Class B–AE (Arts and Entertainment) License**

FOR the purpose of authorizing the Board of License Commissioners for Prince George’s County to issue a Class B–AE (arts and entertainment) beer, wine and liquor license; specifying that the license may be issued only to an establishment in a certain arts and entertainment district as approved by the City Council; specifying that the license may be issued for consumption of alcoholic beverages on the licensed premises only; prohibiting a person from holding more than a certain number of licenses; providing for an annual license fee; requiring the Board of License Commissioners to adopt certain regulations; limiting the number of licenses that the Board of License Commissioners may issue; specifying that the license is exempt from a certain restriction; 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) and (e)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–201(r)(18)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–102(a) and 9–217(b) and (e)(5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 152 – Senators Glassman, Harris, and Jacobs**

AN ACT concerning

**Harford County – Sheriff’s Office – Power to Enforce Noise Control Laws**

FOR the purpose of authorizing the Secretary of the Environment to delegate enforcement of certain noise control provisions in Harford County to the Sheriff of Harford County; and generally relating to enforcement of noise control provisions in Harford County.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 3–403(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 153 – Senators Glassman, Harris, and Jacobs**

AN ACT concerning

**Harford County – Liquor Control Board Membership – Nomination Process**

FOR the purpose of altering the process in which nominees are selected for vacancies on the Harford County Liquor Control Board resulting from expired terms; requiring the County Executive to submit the name of one nominee within a certain time to the County Delegation of State Senators and Delegates for its advice and consent; requiring the County Delegation to approve or reject the nominee within a certain time; specifying that if the County Delegation fails to

act the nominee shall be considered to have been approved; requiring the County Executive to submit the name of a new nominee to the County Delegation under certain circumstances if the previous nominee is rejected; requiring the County Executive to submit the name of the nominee approved by the County Delegation to the County Council for its advice and consent; specifying certain procedures to follow to fill a vacancy on the Board other than one resulting from an expired term; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15–201(c)(3) and (j)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 154 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Southwest Senior and Community Multipurpose Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors for the Communities Organized to Improve Life, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 155 – Senators Glassman, Brinkley, Colburn, Edwards, Garagiola, Harris, Kittleman, Middleton, Mooney, and Munson**

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 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 7–309(c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 156 – Senators Brochin, Conway, Frosh, and Raskin**

AN ACT concerning

**Environment – Recycling – Apartment Buildings and Condominiums**

FOR the purpose of requiring owners or managers of apartment buildings or condominiums that contain a certain number of dwelling units to provide for recycling for residents on or before a certain date; requiring that the recycling required under this Act be done in accordance with certain recycling plans; providing for a civil penalty for a violation of this Act; providing for disbursement of penalties collected under this Act to certain jurisdictions; and generally relating to recycling by owners or managers of certain apartment buildings and condominiums.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1703(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1703(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Environment  
Section 9–1711

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 157 – Senators Brochin and Raskin**

AN ACT concerning

**Election Law – Special Election to Fill Vacancy in the Office of United States Senator**

FOR the purpose of altering the process for filling a vacancy in the office of United States Senator; repealing the authority of the Governor to make an appointment to fill a vacancy in the office of United States Senator under certain circumstances; requiring the Governor to issue a proclamation to call for a special election to fill a vacancy in the office of United States Senator under certain circumstances; making this Act applicable to a vacancy in the office of United States Senator that occurs on or after a certain date; and generally relating to filling a vacancy in the office of United States Senator.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 8–601  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–602  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 158 – Senators Brochin and Muse**

AN ACT concerning

**Foreclosures – Unpaid Water and Sanitary Charges – Prohibition**

FOR the purpose of prohibiting the forced sale or foreclosure of a property due to unpaid water, sewer, or other sanitary system bills; repealing provisions of law authorizing a sale of property to enforce a lien for unpaid benefit assessments or other charges; repealing provisions rendered inconsistent with this Act; and

generally relating to collection of unpaid bills and other charges by sanitary commissions.

BY adding to

Article – Real Property

Section 14–130

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–658, 9–662, 9–679, and 9–724

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### MARTIN LUTHER KING, JR. DAY ADDRESS

The Leadership Legacy of  
Dr. Martin Luther King:  
Building an Inclusive Democracy  
By Senator David C. Harrington

Premise: Dr. Martin Luther King, Jr. was the moral/philosophical change agent who was the main architect for an inclusive democracy. His contribution was to forcefully demonstrate that our democracy was bankrupt until all people truly included all people; regardless of race, class, gender and place.

King's argument for building a better democracy was presented through:

- Presenting an ethical moral imperative
- Applying non-violent direct action as a means of sustaining democracy
- Providing a global example on how nations can achieve democracy

**We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness**

Annual contemporary illustrations of Dr. Martin Luther King, Jr. are as a tremendous orator who captured the conscience of a nation and forged an historic movement of social change. The I Have a Dream Speech, the quotation of not judging people by the color of their skin but rather the content of their character are timeless calls for racial and social harmony. However, the notion of Dr. King as the moral agent of democracy is one that receives little conversation nor acknowledgement. Arguably, while history recognizes the indelible contributions of the founding of our democratic principles to

Thomas Jefferson, Benjamin Franklin and Alexander Hamilton, King was equally relevant in raising moral exclusion of these principles to people of color and was the moral leader in forging a more inclusive America. Indeed, as long as our democratic society marginalized groups on the basis of race, gender, class, and place – democracy would never achieve a high performing society and be a beacon of light in the global dialogue. Instead of being a place of hope, America, in King's eyes would be a place of contradiction.

In the backdrop of segregated America, King exposed the need for democracy to live up to its creed. That all are created equal and endowed with inalienable rights of life, liberty and the pursuit of happiness; and, segregated America was in direct violation of its own creed. The cause then, was not merely ending segregation, but as he called "that America be born again." As such, not only must we deal with the cultural racism of racial separation, social marginalization, and de-humanizing definitions, but also the institutional/structural racism, separate facilities, separate schools, inadequate housing, poor neighborhoods, menial employment, uneven justice, health and educational disparities. For him, which is also stated in his Letter from a Birmingham City Jail (April, 1963) injustice anywhere is a threat to justice everywhere and that anyone who lives in the United States can never be considered an outsider anywhere in this country.

King's brilliance was not to seek a separate nation, nor to promote the destruction of America, in fact it was to seek the best of our nation and with this in mind he instead forged a non-violent direct action approach that incorporated his own Judeo/Christian experience and included aspects of Western and Eastern philosophy giving credence to non-violent direct action. He often incorporated the works of Reinhold Niebuhr – who reminded us of the tendency of groups, in order to sustain themselves, tended toward immorality than morality or injustice rather than justice; or Saint Augustine who argued that an "unjust law is no law at all"; and Saint Thomas Aquinas also commenting on a just law is one "that is not rooted in eternal and natural law"; with Martin Buber a Jewish philosopher noting that segregation substitutes an "I-it" relationship for the "I-thou" relationship and ends up relegating persons to the status of things. Borrowing from these and the notion of love as outlined in the Bible, King sought then not to overthrow America, but to call for it to live up to its moral creed. His case for non-violence can be summed up in his own words: **I am concerned about brotherhood, I'm concerned about truth. And when one is concerned about these, he can never advocate violence. For through violence you may murder a murderer, but you can't murder-murder. Through violence you may murder a liar but you can't establish truth. Through violence you may murder a hater, but you can't murder hate. Darkness cannot put out darkness. Only light can do that.**

Dr. King exposed societal and institutional racism which judges people based on race, class, gender and place is the anti-democratic and must be extricated through non-violent direct action. For him, this was not only the primary option for curing America, it was the just one. King, and others like him, for example, Susan B. Anthony, Fannie Lou Hamer, and Cesar Chavez must not only be seen and studied

through seeking justice in their own circles, but as advancing our democratic principles and forging an inclusive society.

So, as King put it in his book, “Where Do We Go from Here?” Some may argue, especially during this time of economic uncertainty that gradualism must prevail. Resources are scarce and we must re-evaluate our obligations, after all we have come a long way. True, we have. With the election of the first African-American President of the United States, with more people of color receiving college degrees and being able to enter the middle class, and with the vestiges and signs of open segregation; i.e., white/colored facilities somewhat gone, things have improved. But as King admonishes: “the absence of brutality and unregenerate evil is not the presence of justice.”

Today we face enormous challenges. In communities of color, poverty persists with unemployment of youth in these communities hovering around 35%, health disparities are rising to epidemic proportions with a 25% rise in diabetes among youth and more low-income people dying of heart disease, fewer children of color are attending college with an article from the American Bar Association citing that 60% of all applicants of color are rejected from attending law school. Yet in the midst of declining enrollments, schools founded to address higher educational disparities are considering closing their doors. While many of the social vestiges are gone, the disparities are ever present. We do an injustice, as King in his time, attempting to explain these disparities: “by the myth of the Negro’s innate incapacities, or by the more sophisticated rationalization of acquired infirmities (family disorganization, poor education, etc.). They are a structural part of the economic system in the United States.”

So again, “Where do we go from here?” In Dr. King’s memory:

\*We commit that regardless of race, gender, class or place that everyone has an equal opportunity to succeed. And, this opportunity must consist of being exposed to the best that education has to offer, that communities of poverty are not exposed to toxic environments, that we provide good affordable housing, that we replace inadequate food supplies and menial jobs, and instead create a new vibrant green/broad based economy where anyone may become an entrepreneur.

\*We must engage in formulating policy that promotes community wellness (parks, access to goods and services, improved transportation, health clinics, etc.) as a means of addressing health determinants and disparities as well as health care delivery. Government must accelerate the delivery of funds and programs geared toward addressing disparities in low/moderate income communities.

\*And, we must address barriers which are prohibiting many young people from attending higher institutions of learning. Of course, the disparities and issues of justice are more complex than these suggestions, but, as Thomas Jefferson noted building an educated citizenry is essential to democracy.

In this King and Jefferson are cohorts, building a sound, sustainable democracy through providing justice for all.

### **QUORUM CALL**

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

(See Roll Call No. 26)

### **ADJOURNMENT**

At 8:43 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 19, 2010.

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**Annapolis, Maryland**  
**Tuesday, January 19, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:19 A.M.

Prayer by Reverend Amy Richter, Rector Saint Anne's Episcopal Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 18, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 28)

**INTRODUCTION OF BILLS**

**Senate Bill 159 – Senators Jacobs, Haines, Harris, Munson, and Stoltzfus**

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  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 160 – Senators Simonaire, Haines, Jacobs, Kittleman, Mooney, Reilly, and Stone**

AN ACT concerning

**Triple Tax Relief Act**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for an individual's federal income tax liability for the same taxable year for which a Maryland return is filed; limiting the subtraction modification to a certain amount for certain taxpayers for certain taxable years; providing for the application of this Act; and generally relating to a subtraction modification for the federal income tax liability of a taxpayer.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 161 – Senators Simonaire and Reilly**

AN ACT concerning

**Anne Arundel County Public Schools – Office Discipline Referrals –  
Accountability Policy**

FOR the purpose of requiring the Anne Arundel County Board of Education to develop a certain policy for accounting for certain office discipline referrals submitted in certain schools on or before a certain date; requiring a certain policy to include certain information; requiring the county board to implement a certain policy in certain public schools in a certain school year; requiring the county board to submit a certain report to the General Assembly on or before a certain date;

defining a certain term; providing for the termination of this Act; and generally relating to an accountability policy by the Anne Arundel County Board of Education for office discipline referrals.

BY adding to

Article – Education

Section 7–311

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 162 – Senators Forehand, Frosh, and Madaleno**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Garrett Park Community Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Garrett Park Nursery School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 163 – Senator Conway**

AN ACT concerning

#### **State Board of Pharmacy – Wholesale Distributors – Accreditation and Reciprocity**

FOR the purpose of altering certain circumstances when the State Board of Pharmacy may grant “deemed status” to wholesale distributors; requiring wholesale distributors that receive a permit by reciprocity to comply with certain requirements; requiring wholesale distributors that are not eligible for reciprocity to be accredited; requiring the Board to grant “deemed status” to certain wholesale distributors under certain circumstances; altering the definition of “deemed status” and defining certain other terms; and generally relating to the accreditation of and granting of reciprocity to wholesale distributors of prescription drugs.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–6C–01(a), (h), (n), (v), and (w)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–6C–04  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 164 – Senator Conway**

AN ACT concerning

**Advisory Committee on the Naming of State Facilities, Roads, and Bridges –  
Repeal**

FOR the purpose of repealing the Advisory Committee on the Naming of State Facilities, Roads, and Bridges and other related provisions of law; and generally relating to the naming of State facilities, roads, and bridges.

BY repealing  
Article – State Government  
Section 2–10A–09  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 165 – Senator Conway**

AN ACT concerning

**Health Occupations – Therapy Management Contracts – Repeal of Sunset**

FOR the purpose of repealing the termination of the provisions of law relating to certain licensed physician–pharmacist agreements and certain licensed physician–pharmacist therapy management contracts.

BY repealing and reenacting, with amendments,

Chapter 249 of the Acts of the General Assembly of 2002, as amended by  
Chapter 650 of the Acts of the General Assembly of 2008  
Section 5

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

**Senate Bill 166 – Senator Conway**

AN ACT concerning

**State Government – State Designations – Review, Evaluation, and  
Recommendation by the State Archivist**

FOR the purpose of authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; requiring the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; and generally relating to recommendations and advice regarding State designations.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1007  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 167 – Senators Lenett, Frosh, Madaleno, and Raskin**

AN ACT concerning

**Regulated Firearms – Application for Dealer’s License – Record–Keeping and  
Reporting Requirements**

FOR the purpose of requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State–regulated firearms dealer’s license if the Secretary or the Secretary’s designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary or the Secretary’s designee suspend a dealer’s license if the licensee is not in compliance with certain record–keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer’s business; requiring the Secretary or the Secretary’s designee to adopt certain

regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record-keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain manner after receipt of a letter from the Secretary or the Secretary's designee requesting certain information; prohibiting a licensee from using an unreported loss or theft of a firearm as a defense in certain proceedings except under certain circumstances; allowing the Secretary or the Secretary's designee to inspect the inventory and records of a licensed dealer under certain circumstances; providing certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer's license.

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 5–101(a) and (s)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 5–110(a), 5–114(a), and 5–115  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to

Article – Public Safety  
Section 5–144  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

### **Senate Bill 168 – Senator Raskin**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2009 – Easter Seals Inter-Generational Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to remove the requirement that the Board of Directors of Easter Seals Greater Washington–Baltimore Region, Inc. provide a certain matching fund.

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(C) and Item ZA03(C)

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

**Senate Bill 169 – Senator Raskin**

AN ACT concerning

**Vehicle Laws – Rules of the Road – Use of Signals When Changing Lanes**

FOR the purpose of prohibiting a person from moving a vehicle right or left on a roadway in order to change lanes unless the person gives an appropriate signal in a certain manner; making certain stylistic changes; and generally relating to the use of vehicle signals when changing lanes.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–604  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–605  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

Senator Kittleman introduced an amendment to **Senate Rule 38**.

**SR0038/903826/1**

BY: Senator Kittleman

AMENDMENT TO SENATE RULE 38

ORDERED by the Senate of Maryland, that Senate Rule 38, as adopted by the Senate for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“38.

(A) The final committee vote on any bill, resolution, or nomination of the Executive shall be recorded by individual Member. Any other committee vote, at the request of any committee Member, shall be recorded by individual Member. Any

individual Member may request that his or her vote on any committee vote shall be recorded.

(B) (1) Every recorded committee vote shall be [delivered]:

(I) DELIVERED to the Department of Legislative Services and to the Journal Clerk prior to the reporting of the bill or resolution to the floor of the Senate and be maintained as a permanent public record by that Department; AND

(II) MADE AVAILABLE TO THE PUBLIC ON THE INTERNET WITHIN 10 DAYS BY THE DEPARTMENT OF LEGISLATIVE SERVICES.

(2) Every final committee vote shall be printed in the Journal.”.

Referred to the Committee on Rules.

Senator Jacobs introduced an amendment to **Senate Rule 36**.

**SR0036/283325/1**

BY: Senator Jacobs

AMENDMENT TO SENATE RULE 36

ORDERED by the Senate of Maryland, that Senate Rule 36, as adopted by the Senate for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“36.

(A) UNLESS THE MEETING IS CLOSED PURSUANT TO THE OPEN MEETINGS LAW, EACH MEETING OF A COMMITTEE SHALL BE OPEN TO ANY MEMBER OF THE PUBLIC.

(B) The chairman of each committee shall preserve order and decorum in and adjacent to the room assigned to that committee while the committee is in session and may order that area cleared FOR THE PURPOSE OF RESTORING ORDER AND DECORUM.”.

Referred to the Committee on Rules.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Militia – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Emergency Management Agency – Director**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Washington Cemetery Board of Trustees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 79 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Deaf and Hard of Hearing,  
Office of the)**

AN ACT concerning

**Office of the Deaf and Hard of Hearing – Responsibilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 29)

**ADJOURNMENT**

At 10:49 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 20, 2010.

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**Annapolis, Maryland**  
**Wednesday, January 20, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Reverend Doctor Andrew Counterman, Senior Pastor, Anchor Baptist Church.

(See Exhibit A of Appendix III)

The Journal of January 19, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 31)

**INTRODUCTION OF BILLS**

**Senate Bill 140 – The President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2011)**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2011, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

**Senate Bill 141 – The President (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2010**

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; authorizing certain units of government to charge a certain fee for certain purposes; repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet website relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet website; repealing a requirement that certain balances in a certain fund revert to the General Fund at the end of certain fiscal years; authorizing the use of certain funds for certain purposes; altering the maximum aggregate amount of a certain assessment; altering certain restrictions on the use of certain funds; altering certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; requiring the Comptroller to make a certain distribution to the Education Trust Fund; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short-term rental vehicles; altering certain provisions relating to the funding of a certain highway; repealing a certain grant program; repealing certain credits allowed against certain taxes for the purchase of Maryland-mined coal; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds for certain fiscal years; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds, subject to a certain contingency; providing that certain grants to county boards of education may be funded from the Maryland Consolidated Capital Bond Loan of 2010; requiring that certain units of local government receive a certain amount of funding for certain fiscal years for certain purposes; prohibiting the expenditure of funds in a certain fiscal year for certain rate increases; authorizing the transfer by budget amendment of certain funds for certain purposes; providing that certain proceeds from the corporate income tax for a certain fiscal year be credited to the General Fund; altering certain reporting requirements; prohibiting any new awards from being made under a certain scholarship program for a certain academic year; authorizing the transfer of certain savings and interest from certain funds into the General Fund; altering the distribution of certain highway user revenues for certain fiscal years; prohibiting the payment of certain bonuses, merit increases, or cost-of-living adjustments for certain State employees for a certain fiscal year; providing that the State is not required to make certain employer contributions for employees participating in a certain supplemental retirement plan for a certain fiscal year; clarifying and altering the authority of the Governor to implement certain employee furloughs and salary reduction days during certain years; clarifying the base rate for calculating overtime for certain employees under certain circumstances; requiring the State to repay certain amounts to a certain account in certain fiscal years; providing that the Governor is not

required to include certain appropriations in the budget for a certain fiscal year under certain circumstances; altering the amounts of certain funds required to be charged back to certain agencies for a certain purpose; making the provisions of this Act severable; providing for the effective dates and application of this Act; and generally relating to the financing of State government.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–405(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 15–607 and 17–311

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 7–301(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–216(b) and 10–523(a)(3)(i)

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–411(f) and (g)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–302, 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1),  
19–310.1(b), (c), and (d), and 19–14B–01(c)(1)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing

Article – Health – General  
Section 18–108(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 14–106(d)(1) and (2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 3–306 and 7–325(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–202, 2–1104, and 2–1302.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – General  
Section 2–606(e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 4–321(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Education  
Section 18–1201 through 18–1207 and the subtitle “Subtitle 12. Private Career  
School Student Grant Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Natural Resources

Section 10–301(m)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing

Article – Tax – General  
Section 8–406(b) and 10–704.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 62 of the Acts of the General Assembly of 1992  
Section 4

BY repealing and reenacting, with amendments,  
Chapter 503 of the Acts of the General Assembly of 2007, as amended by  
Chapter 200 of the Acts of the General Assembly of 2008  
Section 5(c)

BY repealing and reenacting, with amendments,  
Chapter 487 of the Acts of the General Assembly of 2009  
Section 19, 35, 39, and 44

BY repealing  
Chapter 487 of the Acts of the General Assembly of 2009  
Section 25 and 34

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

### **Senate Bill 142 – The President (By Request – Administration)**

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, Seventeen Million, Five Hundred Seventy Five Thousand Dollars (\$1,017,575,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2011,

the proceeds to be used for certain purposes; authorizing the creation of State Debt to be issued in 2012, the proceeds to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; 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; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; authorizing premiums from the sale of State bonds in certain fiscal years to remain in or be transferred to a certain fund and to be used for certain capital projects under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003

Section 1(3) Item DA07(A), Item MA01(B), Item UB00(A), and Item ZA00(N)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 336 of the Acts of the General Assembly of 2008, and Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item RD00(C)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004

Section 1(3) Item QP00(B), Item UB00(A)(3), (5), and (6), and Item ZB02(C)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, Chapter 336 of the Acts of the General

Assembly of 2008, and Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005

Section 1(3) Item QP00(A), Item UB00(A)(3), (5), and (6), and Item ZB02(C)

BY repealing and reenacting, with amendments,

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

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 3(1)(b) and (e)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item QP00(A)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008

Section 12(1) Item ML10(A)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, and Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item DW01.08(A), Item VE01(A), and Item ZB02(B)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1) and (3) Item RE01(B), Item VD01(B), and Item ZA01(A) and Section 12(1) and (3) Item DE02.01(A), Item RA01(B), Item RM00(E), Item

RB23(B), Item RB24(A), Item RB29(A), Item RI00(A), Item WA01(A), and Item ZB02(C)

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

### INTRODUCTION OF BILLS

**Senate Bill 170 – Senators Jacobs, Astle, Brinkley, Brochin, Colburn, Currie, DeGrange, Della, Dyson, Edwards, Forehand, Garagiola, Glassman, Haines, Harrington, Harris, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

#### **Child Protection from Predators Act**

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  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 171 – Senators Peters, Astle, Colburn, Conway, DeGrange, Garagiola, Harrington, Kasemeyer, Klausmeier, Lenett, Munson, Pugh, and Robey**

AN ACT concerning

#### **Procurement – Service–Disabled Veteran Business Enterprise Participation**

FOR the purpose of establishing a certain participation goal for certain certified service–disabled veteran business enterprises for certain procurement contracts; requiring certain solicitation documents to establish the degree of participation based on certain information; providing that certain provisions of this Act do not apply in certain circumstances; requiring a unit to award certain

procurement contracts to certain bidders or offerors under certain circumstances; requiring the Board of Public Works to adopt certain regulations to implement this Act; requiring the Board to establish certain tracking and reporting procedures; requiring the Board to report annually on a certain program to the Legislative Policy Committee; establishing certain prohibited acts and certain penalties for certain violations; providing that certain provisions of law relating to protests do not apply to certain acts or omissions by certain procurement agencies under certain circumstances; requiring the Department of Business and Economic Development to use certain resources to implement a certain program; and generally relating to procurement participation by service-disabled veteran business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–601 through 14–605 to be under the new subtitle “Subtitle 6.  
Service–Disabled Veteran Business Enterprise Participation”

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 15–202

Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 172 – Senator Kelley**

AN ACT concerning

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

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

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

### **Senate Bill 173 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Police Department Death Relief Fund – Procedures and Benefit Amount**

FOR the purpose of altering the amount of benefit payable from the Baltimore City Police Department Death Relief Fund because of the death of an officer or civilian employee under certain circumstances; changing certain references to the rank of “captain” to be references to the rank of “deputy major”; requiring a certain oath of office taken by a certain trustee to be administered by the Police Commissioner of Baltimore City or the Police Commissioner’s designee and requiring the oath to be filed in the Police Commissioner’s office; repealing a requirement that copies of a certain report of the board of trustees of the Fund be submitted for posting at certain facilities; requiring a certain report of the board of trustees of the Fund to be provided to all members of the board by electronic mail; requiring the board of trustees of the Fund to post copies of a certain report on the Baltimore City Police Department’s Intranet; and generally relating to the Baltimore City Police Department Death Relief Fund.

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 16–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 16–103(a), 16–105(a)(1) and (d), and 16–106(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 174 – Senator Glassman**

AN ACT concerning

**Charter Counties – Local Laws – Digital Copies**

FOR the purpose of authorizing a charter county to make a digital copy of a certain compilation of laws available on the Internet as an alternative to a requirement to provide certain copies to certain entities; altering a certain requirement that a charter county provide a copy of a certain compilation of laws to the Department of Legislative Services to authorize the copy to be in either a digital or printed form; authorizing a charter county under certain circumstances to

make a digital copy of certain compilations or codes of local laws available on the Internet as an alternative to a requirement to deposit copies with certain State agencies; making stylistic changes; and generally relating to compilations and codes of local laws of charter counties.

BY repealing and reenacting, with amendments,  
Article 25A – Chartered Counties of Maryland  
Section 7  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 175 – Senator McFadden**

AN ACT concerning

#### **Baltimore City – Highway User Revenues – Authorized Use**

FOR the purpose of extending through a certain fiscal year the authorization for Baltimore City to use certain local highway user revenues to pay for students' costs of discounted Maryland Transit Administration fares for eligible public school students in Baltimore City; and generally relating to the authorized use of highway user revenues in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–408(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 176 – Senator McFadden**

AN ACT concerning

#### **Family Law – Family Day Care Homes and Child Care Centers – Inspections**

FOR the purpose of requiring the Department of Human Resources to adopt regulations that provide for an announced inspection by the Department of each registered family day care home prior to issuance of a continuing registration; requiring the Department to inspect each child care center on an announced basis prior to issuing a continuing license or letter of compliance; repealing a requirement that the Department inspect on an announced basis certain family day care homes and child care centers at certain intervals; repealing a

requirement that an inspection by the Department of certain family day care homes and child care centers include a determination of whether certain record keeping requirements are being met; and generally relating to inspections of family day care homes and child care centers.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–551(c)(7) and 5–578(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 177 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Expedited Partner Therapy Pilot Program – Extension**

FOR the purpose of extending the termination date of the Expedited Partner Therapy Pilot Program; and generally relating to the Expedited Partner Therapy Pilot Program.

BY repealing and reenacting, with amendments,  
Chapter 146 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 178 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Collington Square Community Kitchen**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of the Episcopal Community Services 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 Budget and Taxation.

**Senate Bill 179 – Senator McFadden**

AN ACT concerning

**Baltimore City Public School System – Exclusion from Amount of Bonds  
Outstanding**

FOR the purpose of excluding Qualified School Construction Bonds from the limitation on the aggregate principal amount of bonds outstanding for the Baltimore City Public School System; and generally relating to an exclusion from the amount of bonds outstanding for the Baltimore City Public School System.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 4–306.2(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.2(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 180 – Senator McFadden**

AN ACT concerning

**Business Regulation – Prepaid Mobile Phones and Prepaid Refill Cards  
– Retail Sales**

FOR the purpose of prohibiting sellers of prepaid mobile phones from selling more than a certain number of prepaid mobile phones to a person within a certain time period; requiring sellers to obtain and copy certain identification at a certain time from the buyer of a prepaid mobile phone or prepaid refill card; establishing record-keeping requirements for sellers; requiring sellers to submit the records to certain entities at certain intervals; requiring entities that receive the records to retain them for a certain period of time; providing that the records are not public and are confidential; authorizing State and local law enforcement officers to view the records during certain hours under certain circumstances; providing that a buyer who presents false identification at the time of purchase violates this Act; providing that each occurrence of certain violations is a separate offense; establishing certain penalties; defining certain

terms; and generally relating to the sale of prepaid mobile phones and prepaid refill cards.

BY adding to

Article – Business Regulation

Section 19–601 through 19–605 to be under the new subtitle “Subtitle 6. Mobile Phone Sales”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 181 – Senator Brochin**

AN ACT concerning

#### **Health Insurance – Child Dependents – Qualifying Age Limit**

FOR the purpose of increasing the age limit for an individual to be considered a child dependent under certain policies of individual or group health insurance, certain contracts issued by a nonprofit health service plan, and certain contracts issued by a health maintenance organization; altering a certain definition; providing for the application of this Act; and generally relating to requirements for child dependents for purposes of health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–418

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 182 – Senator Exum**

AN ACT concerning

#### **Prince George’s County – Alcoholic Beverages – Drive-Through Purchase Facilities**

FOR the purpose of prohibiting the Board of License Commissioners in Prince George’s County from issuing a new alcoholic beverages license on or after a certain date for use in a drive-through purchase facility in which alcoholic beverages are sold at retail and dispensed through a door or window to purchasers in or on a motor vehicle; providing for the application of this Act; and generally relating to alcoholic beverages sales in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–217(n)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 183 – Senators Pugh, Conway, Forehand, Harrington, Jacobs, Jones, Lenett, Peters, and Raskin**

AN ACT concerning

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

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

BY adding to  
Article – Correctional Services  
Section 3–1001 through 3–1004 to be under the new subtitle “Subtitle 10.  
Prerelease Unit and Inmate Aftercare Plans”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 184 – Senators Kelley, Colburn, Conway, Exum, Lenett, Madaleno, Raskin, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Real Property – Condominiums – Dispute Settlement Mechanism**

FOR the purpose of altering the application of a certain dispute settlement mechanism under the Maryland Condominium Act; and generally relating to condominium dispute settlement procedures.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–113  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 185 – Senators Kelley, Colburn, Conway, Currie, Exum, Jones, Pugh, and Robey**

AN ACT concerning

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

FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals, and registration expenses to attend certain meetings or conferences as an allowable expenditure of funds from a campaign account under the State election law; and generally relating to the use of campaign funds to pay expenses for a candidate's or an elected official's attendance at certain meetings and conferences.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(o) and 13–218  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 1–101(aa)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 186 – Senators Kelley, Forehand, Jacobs, and Stone**

AN ACT concerning

**Criminal Law – Electronic Harassment of a Minor**

FOR the purpose of prohibiting a person from making a certain electronic communication with the intent to terrify, intimidate, or harass a minor, or threaten to inflict injury or physical harm to a minor or property of the minor; providing that a violation of this Act is a misdemeanor; establishing certain penalties; providing for the application of this Act; providing that this Act may not be construed to have any effect on the lawfulness of certain policies of electronic mail service providers; defining certain terms; and generally relating to the electronic harassment of a minor.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–805.1(a)(1) and (4)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY adding to

Article – Criminal Law

Section 3–805.2

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

**Senate Bill 187 – Senator Lenett**

AN ACT concerning

**Maryland False Claims Act**

FOR the purpose of prohibiting certain actions constituting false claims against a governmental entity; providing certain penalties for making false claims against a governmental entity; requiring the counsel for a governmental entity to investigate certain violations; authorizing a person other than a governmental entity to file a civil action on behalf of the governmental entity against a person who makes a false claim against the governmental entity; providing for certain procedures to be followed in a civil action; authorizing a governmental entity to proceed with the action with or without the person that initiated the action; authorizing a governmental entity to choose not to proceed with the action but allow the person that initiated the action to proceed; authorizing the court to limit the participation of the person that initiated the action under certain circumstances; authorizing a governmental entity to intervene at a later time in the proceedings or to pursue alternative remedies; authorizing a governmental entity to stay certain discovery under certain circumstances; providing for certain damages and payments to the person that initiated the action; providing

for certain payments to a person that provides certain documentary materials or information; providing for certain payments to the person charged under certain circumstances if the person charged prevails; prohibiting an employer from taking retaliatory action against an employee under certain circumstances; providing certain remedies for retaliatory action; providing certain limitations on civil actions filed under this Act; providing that certain civil actions may be brought retroactively under certain circumstances; providing that certain guilty verdicts shall stop certain defendants from denying certain elements in a certain civil action; making the provisions of this Act severable; providing that a certain subtitle be liberally construed; defining certain terms; and generally relating to false claims against a governmental entity.

BY adding to

Article – State Government

Section 12–601 through 12–609 to be under the new subtitle “Subtitle 6.  
Maryland False Claims Act”

Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 188 – Senators Simonaire, Brochin, Forehand, Haines, Jacobs, Kittleman, Mooney, Reilly, Stoltzfus, and Stone**

AN ACT concerning

**Criminal Procedure – Sex Offender Registrants – Information on Internet Posting**

FOR the purpose of authorizing the Department of Public Safety and Correctional Services to post on the Internet, in plain language that can be understood without special knowledge of the criminal laws of the State, a description of the crime of a sex offender registrant, excluding details that would identify the victim; and generally relating to the posting of information about sex offender registrants on the Internet.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–717

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 189 – Senators Simonaire, Haines, Jacobs, Kittleman, Reilly, Stoltzfus, and Stone**

AN ACT concerning

**Vehicle Laws – Reckless and Negligent Driving – Penalties for Death or Serious Bodily Injury**

FOR the purpose of establishing that if a person violates a certain provision of law relating to reckless and negligent driving and the violation contributes to an accident that results in the death or the serious bodily injury of another, the person is subject to a certain fine and the Motor Vehicle Administration is authorized to suspend the person's license for a certain period of time; providing that a licensee may request a hearing on a license suspension imposed under this Act; and generally relating to penalties for reckless and negligent driving that contributes to an accident that results in death or serious bodily injury.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–901.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 27–114  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 190 – Senators Lenett, Peters, Garagiola, Glassman, Harrington, King, Klausmeier, Madaleno, McFadden, Muse, Pugh, Raskin, Rosapepe, and Simonaire**

AN ACT concerning

**Seniors Tax Relief Act**

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; providing for the application of this Act; providing for a delayed effective date; 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 2009 Supplement)

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

**Senate Bill 191 – Senators Lenett, Currie, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Madaleno, McFadden, Miller, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin**

AN ACT concerning

**Weapon-Free Higher Education Zones**

FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, and deadly weapons at public institutions of higher education; providing for certain exceptions to this prohibition; and generally relating to the carrying or possession of firearms, knives, and deadly weapons at public institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–102  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 192 – Senator Colburn**

AN ACT concerning

**Criminal Law – Dangerous Dogs – Mandatory Spaying or Neutering**

FOR the purpose of requiring the owner of a certain dangerous dog to provide to the unit of the county or municipal corporation that made the determination that the dog is dangerous proof that the dog has been spayed or neutered within 30 days of receiving notice of the determination by the unit; providing penalties for a violation of this Act; and generally relating to dangerous dogs.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–619  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 193 – Senator Colburn**

AN ACT concerning

**Dorchester County – Electric Transmission Privilege Tax**

FOR the purpose of authorizing the County Council of Dorchester County to impose a tax on the privilege of engaging in the transmission of electricity in the county using certain long distance, extra-high voltage electric transmission lines; providing that the tax is the product of multiplying the miles of certain electric transmission lines and a certain base rate and the voltage carrying capacity of certain electric transmission lines; authorizing the county council, by ordinance, to set the base rate; providing that the base rate may not exceed a certain amount; providing for the use of the net proceeds of the tax; defining certain terms; and generally relating to a tax on the privilege of engaging in the transmission of electricity in Dorchester County.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9-1601 through 9-1604 to be under the new subtitle “Subtitle 16.

Dorchester County – Electric Transmission Privilege Tax”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 194 – Senator Colburn**

AN ACT concerning

**Dorchester and Wicomico Counties – Alcoholic Beverages – Pub-Brewery  
and Micro-Brewery Licenses**

FOR the purpose of authorizing the State Comptroller to issue a certain number of Class 6 pub-brewery licenses and Class 7 micro-brewery licenses to certain persons for locations in an enterprise zone in Dorchester County; expanding the location for Class 7 micro-brewery licenses in Wicomico County to include any enterprise zone in Wicomico County; repealing a certain restriction concerning micro-brewery licenses; making certain technical corrections; and generally relating to pub-brewery and micro-brewery licenses in Dorchester County and Wicomico County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 12-104(e)(5)

Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 195 – Senator Colburn**

AN ACT concerning

**Wicomico County – Alcoholic Beverages – Micro–Brewery Licenses**

FOR the purpose of authorizing a Class 7 micro–brewery licensee in Wicomico County to sell beer at retail to customers for consumption off the licensed premises in refillable containers that are sealed by the licensee at the time of each refill; and generally relating to micro–brewery licensees in Wicomico County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 196 – Senator Colburn**

AN ACT concerning

**Wicomico County – Alcoholic Beverages Act of 2010**

FOR the purpose of prohibiting a person in Wicomico County who is under the legal drinking age for the consumption of alcohol from being on a certain premises; authorizing the Board of License Commissioners to issue a beer tasting license and a beer/wine tasting license; providing for the fees, application forms, renewal, and issuance procedures for the licenses; limiting the amount of wine and beer that may be served at events for which a license is issued; restricting in a certain manner the length of certain events; requiring a license holder to provide certain notice to the Board of an event; placing certain restrictions on the length of events; providing for the use and disposal of opened bottles and

containers; authorizing the Board to adopt certain regulations; altering the location for which a pub–brewery license or a micro–brewery license may be issued; allowing an individual of a certain age to be employed under certain conditions at a licensed premises for certain purposes; clarifying that the Comptroller is the issuer of a certain license; defining a certain term; making certain stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–101(x), 6–401(x)(6), 8–412, and 12–104(e)(5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–401(a)(1) and (x)(1) and (5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–302(b)(13)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 144 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

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

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

Read and ordered journalized.

**SPECIAL ORDERS**

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

Senator Klausmeier moved, duly seconded, to make Rule 116 a Special Order for January 21, 2010.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 32)

**ADJOURNMENT**

At 10:28 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 21, 2010.

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**Annapolis, Maryland**  
**Thursday, January 21, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:20 A.M.

Prayer by Reverend Greg St. Cyr, Pastor, Bay Area Community Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 20, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 34)

**INTRODUCTION OF BILLS**

**Senate Bill 197 – Senators Glassman and Jacobs**

AN ACT concerning

**Income Tax – Subtraction Modification – Community Emergency Response Team (CERT)**

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

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–208(i–1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 198 – Senators Glassman, Garagiola, Gladden, Harris, Jacobs, Kasemeyer, Klausmeier, Kramer, Middleton, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Farmer’s Markets – Raw Agricultural Product Sales – Producer Mobile  
Farmer’s Market License**

FOR the purpose of altering a certain definition to exclude the sale of certain raw agricultural products at a farmer’s market from regulation as a food service facility; prohibiting a local jurisdiction from requiring a license for the sale of raw agricultural products at a farmer’s market; clarifying that a license is not required to deliver prepackaged food products; requiring the Department of Health and Mental Hygiene to establish a producer mobile farmer’s market license; providing for the fee and duration of the license; authorizing a licensee to sell certain products at a farmer’s market; providing that the license is valid in all jurisdictions in the State; prohibiting a local jurisdiction from requiring a certain licensee to obtain a separate permit or a license to sell certain products; requiring the Department to issue the license, conduct certain inspections, and adopt certain regulations; requiring the license to be displayed in a certain manner; establishing fines for violations of requirements relating to the license; requiring county health departments to enforce provisions relating to the license; establishing that certain fines for violations be paid to the county in which the violation occurred; defining certain terms; making conforming changes; making stylistic changes; and generally relating to the sale of raw agricultural products and mobile food service facility licenses.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(h)(2), 21–304, 21–305(b) and (c), and 21–308(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–305(a) and 21–309(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 199 – Senators Glassman, Garagiola, Kasemeyer, Klausmeier, Kramer, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Seasonal Farmer’s Market Producer Sampling License**

FOR the purpose of authorizing a county to establish a seasonal farmer’s market producer sampling license to allow a producer of a farm product to prepare and offer samples of the product at a farmer’s market; requiring the license to be valid at all farmer’s markets in the county for a certain time period, for a single fee; limiting a licensee to offer samples only of a product produced by the licensee; requiring a county issuing the license to adopt certain ordinances; and generally relating to product sampling at farmer’s markets.

BY adding to  
Article – Health – General  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 200 – Senator Edwards**

AN ACT concerning

**Wind–Powered Electric Generating Facilities – Decommissioning and Restoration – Surcharge, Bond, or Other Security, and Fund**

FOR the purpose of requiring the Public Service Commission to establish a surcharge on certain wind–powered electric generating facilities in the State for a certain

purpose on the basis of certain factors; requiring the Comptroller to collect the revenue from the surcharge and deposit it into the Maryland Wind–Powered Electric Generating Facility Decommissioning and Restoration Fund; requiring the Commission to review the amount of the surcharge at certain intervals; authorizing the Commission to adjust the surcharge on review; authorizing a wind–powered electric generating facility to post a certain bond or other security in lieu of a surcharge under certain circumstances; requiring the Commission to collect the bond or other security and deposit it in the Fund; requiring the Commission to adopt certain regulations relating to the surcharge and the bond or other security; establishing the Fund for certain purposes; providing for the use, accounting, and administration of the Fund; providing for the investment of the Fund and disbursement of any revenue from the investment in a certain manner; requiring the Commission to adopt certain regulations relating to the Fund; requiring the Commission to submit a certain report by a certain date each year to the Governor and the General Assembly; and generally relating to the financing of decommissioning and restoration of wind–powered electric generating facilities in the State.

BY adding to

Article – Public Utility Companies  
Section 7–213 and 7–214  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 201 – Senators Exum, Harrington, and Rosapepe**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Appeal of Order to Close  
Place of Business**

FOR the purpose of specifying that, in an appeal from a decision of the Board of License Commissioners of Prince George’s County, the court may not stay an order of the Board to close a place of business that is licensed to sell alcoholic beverages; 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 16–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 16–101(b)(4)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 202 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Aging School Program – Qualified Zone Academy Bonds**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$4,543,000, the proceeds to be used as a grant to the Interagency Committee on School Construction for certain development or improvement purposes; providing for disbursement of the loan proceeds and the allocation of funds to eligible school systems, subject to a requirement that the grantee document the provision of a required federal matching fund; authorizing the Board of Public Works to sell certain bonds at certain sales; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 203 – Senators Madaleno and Brinkley**

AN ACT concerning

**Family Education Savings Account Act – Subtraction Modification for Contributions**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain contributions to certain education savings accounts, subject to certain limitations; providing for the application of this Act; defining a certain term; and generally relating to a Maryland income tax subtraction modification for certain contributions to family education savings accounts.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)

Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 204 – Senators Pinsky, Harrington, Lenett, and Madaleno**

AN ACT concerning

**Student Stigma Act**

FOR the purpose of changing references to emotional disturbance to emotional disability; providing that certain documents may not be used until the use of certain other documents; providing for the intent of this Act; and generally relating to changing references to emotional disturbance to emotional disability.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–401  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 205 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, Haines, and Pugh**

AN ACT concerning

**State Treasury – Permissible Investments of State Money**

FOR the purpose of altering certain permissible investments of State money by the Treasurer of the State; establishing certain purposes for cash portfolio management by the Treasurer; authorizing the Treasurer to sell, redeem, lend, exchange, and enter into repurchase and reverse–repurchase agreements for certain investments; and generally relating to the permissible investments of State money.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–222  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 206 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Franklin Entrepreneurial and Apprenticeship 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 Druid Heights Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 207 – Senators Jones and Currie**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Baltimore City – Kennedy Krieger Institute**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to alter the purpose of a grant for the Kennedy Krieger Institute.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA01(A)

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

**Senate Bill 208 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Treasurer – Permissible Investments – Linked Deposit Program**

FOR the purpose of altering the permissible investments that the State Treasurer may make with financial institutions participating in the Linked Deposit Program; and generally relating to permissible investments under the Linked Deposit Program.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement

Section 6–211  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 209 – Senator Kelley**

AN ACT concerning

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

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

BY adding to

Article – Commercial Law

Section 14–3801 through 14–3806 to be under the new subtitle “Subtitle 38. Air Bag Safety Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Public Safety  
Section 3–508  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

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

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

**Senate Bill 210 – Senators Kelley, Astle, Brochin, Della, Exum, Forehand, Frosh, King, Lenett, Pinsky, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

**General Assembly – Fiscal Notes – Analysis of Long-Term Savings**

FOR the purpose of requiring a fiscal note for a bill to include an analysis of any potential long-term reduction in certain expenditures and other long-term savings that could result from the bill; requiring the analysis to project the potential long-term savings for a certain time period; and generally relating to analyses included in fiscal notes.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–1505(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 211 – Senators Kelley, Astle, Colburn, Conway, Currie, Della, Exum, Forehand, Jones, Kasemeyer, Kittleman, Middleton, Muse, Pugh, and Stone**

AN ACT concerning

**Identity Fraud Crimes – Restitution**

FOR the purpose of expanding the circumstances under which a court is authorized to enter a judgment of restitution that orders a defendant or child respondent to

make restitution to situations where the victim suffered certain losses or incurred certain expenses as a direct result of identity fraud; establishing that circumstances eligible for restitution include alteration of a victim's consumer report or the imposition of financial damage or loss on an identity fraud victim; authorizing a court to accept a certain affidavit as evidence of financial damage or loss that is eligible for restitution; expanding the circumstances under which certain State's Attorneys are required to help certain victims prepare a certain request for restitution and to advise certain victims regarding collection of restitution; establishing that if certain victims suffer identity fraud, certain State's Attorneys are required to consult with the Office of the Attorney General under certain circumstances for certain advice and assistance; authorizing the Office of the Attorney General to provide to identity fraud victims certain information and assistance on recovery from financial damage or loss and how to make a restitution claim; requiring that certain assistance to identity fraud victims include establishing a certain monetary value for financial damage or loss; requiring the Office of the Attorney General to develop a certain affidavit form for victims of identity fraud; authorizing the Office of the Attorney General to adopt regulations; making conforming changes; defining certain terms; and generally relating to restitution.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–1201(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–601, 11–603, 11–614, and 11–615  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–614.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 212 – Senator Mooney**

AN ACT concerning

**Residential Property – Prohibited Restrictions on Exercise of Free Speech**

FOR the purpose of providing that, except under certain circumstances, homeowners in a common ownership community and residential tenants may not be prohibited from displaying certain noncommercial signs, posters, flags, or banners on their premises, peacefully assembling on their property or contacting their neighbors, engaging in constitutionally protected activity relating to an election or vote held by their community association or a certain government entity with jurisdiction over the common ownership community or the residential premises, or be restricted from using common property based on protected beliefs, expression, or activities; authorizing certain restrictions for the protection of public health or safety or if the posting or display of certain signs, posters, flags, or banners or other activity would violate federal, State, or local law; providing that, except under certain circumstances, the terms of a contract, deed, covenant, bylaw, or other similar governing document of a common ownership community or a lease agreement may not prohibit or restrict a homeowner in the common ownership community or a residential tenant from displaying certain noncommercial signs, posters, flags, or banners on the premises of a homeowner or tenant, peacefully assembling on the homeowner's or tenant's property or contacting neighbors, engaging in constitutionally protected activity relating to an election or vote held by the community association or a certain government entity with jurisdiction over the common ownership community or the residential premises, or using common property based on constitutionally protected beliefs, expression, or activities; authorizing certain restrictions in the terms of a certain document for the protection of public health or safety or if the posting or display of certain signs, posters, flags, or banners or other activity would violate federal, State, or local law; authorizing the governing body of a condominium, homeowners association, or housing cooperative, or a landlord to adopt reasonable rules regarding noncommercial signs, posters, flags, or banners or the exercise of protected activity; stating the intent of the General Assembly; requiring attorney's fees and costs to be awarded to a party who prevails in an action under this section; repealing certain provisions of law relating to restrictions on certain political signs; and generally relating to the exercise of free speech on residential property in certain common ownership communities and certain residential rental property.

BY repealing

Article – Real Property

Section 11B–111.2

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 14–128  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Real Property  
Section 11B–111.3 through 11B–111.6, respectively  
to be Section 11B–111.2 through 11B–111.5, respectively  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 213 – Senators Frosh, Dyson, Exum, Garagiola, Gladden, Harrington, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Child Care Articles and Toys Containing Bisphenol–A – Prohibition**

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain toys or child care articles containing bisphenol–A; requiring a person to use the least toxic alternative; 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; defining certain terms; and generally relating to certain toys and child care articles containing bisphenol–A.

BY adding to

Article – Health – General  
Section 24–304  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 214 – Senators Frosh and Madaleno**

AN ACT concerning

**Notaries Public – Application – Recommendation and Approval**

FOR the purpose of requiring the Secretary of State to review the qualifications of certain applicants to be notaries public; requiring the Secretary to make certain recommendations regarding certain qualifications to certain legislators;

repealing the requirement that certain legislators approve certain applications; and generally relating to applicants to be notaries public.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 215 – Senators Frosh, Brochin, Conway, Harrington, Jones, King, Lenett, Madaleno, McFadden, Peters, Pinsky, Raskin, Robey, and Rosapepe**

AN ACT concerning

**High Performance Buildings Act – Applicability to Recipients of State Aid**

FOR the purpose of making the High Performance Buildings Act applicable to capital projects that are funded by a grant of State aid to certain grantees; defining certain terms; and generally relating to the construction of high performance buildings by certain grantees that receive certain State aid.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–406(a)(3) and (5)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 216 – Senators Frosh, Brochin, Dyson, Lenett, Pinsky, and Raskin**

AN ACT concerning

**Campaign Finance – Affiliated Business Entities – Attribution of Contributions**

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances;

defining a certain term; providing for the application of this Act; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–226(e)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

### **Senate Bill 217 – Senator Stone**

AN ACT concerning

#### **Maryland Locksmiths Act – Exemptions – Repossession of Property**

FOR the purpose of exempting the lawful repossession of tangible personal property from the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12.5–103  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 218 – Senator Simonaire**

AN ACT concerning

#### **State Government – Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Area – Membership**

FOR the purpose of altering the number of members of the Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Area; and generally relating to the Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Area.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–10A–01(a)

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–10A–01(b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 219 – Senators Brochin, Forehand, Frosh, Jacobs, Raskin, and Stone**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–806 and 11–808(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 220 – Chair, Budget and Taxation Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Circuit Court Real Property Records Improvement Fund – Funding**

FOR the purpose of altering the surcharge on certain recordable instruments that the State Court Administrator is required to establish to fund the Circuit Court Real Property Records Improvement Fund; and generally relating to the Circuit Court Real Property Records Improvement Fund.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 13–604  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 221 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualifying employees facing certain employment barriers.

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, and Chapter 290 of the Acts of the General Assembly of 2009

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, and Chapter 290 of the Acts of the General Assembly of 2009

Section 4 and 6

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

**Senate Bill 222 – Senator Colburn**

EMERGENCY BILL

AN ACT concerning

**Oyster Sanctuaries – Authority to Designate**

FOR the purpose of requiring the Department of Natural Resources to designate the location of oyster sanctuaries in State waters by statute; prohibiting the Department from designating the location of oyster sanctuaries in State waters by regulation; making this Act an emergency measure; and generally relating to the authority of the Department to designate the location of oyster sanctuaries in State waters.

BY adding to

Article – Natural Resources

Section 4–11A–23

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 223 – Senator Colburn**

AN ACT concerning

**Dorchester County – County Transfer Tax – Repeal of Sunset Provision**

FOR the purpose of repealing the termination provision applicable to certain authority for Dorchester County to impose a county transfer tax; and generally relating to the Dorchester County transfer tax.

BY repealing and reenacting, with amendments,

Chapter 715 of the Acts of the General Assembly of 1994

Section 2

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

**Senate Bill 224 – Senators King, Frosh, Garagiola, Kelley, Madaleno, Peters, Pugh, and Robey**

AN ACT concerning

**Real Property – Restrictions – Clotheslines or Other Similar Laundry Drying Devices**

FOR the purpose of authorizing a homeowner or tenant of certain residential property to use a clothesline or other similar laundry drying device on the property of the homeowner or tenant notwithstanding the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or

other similar laundry drying devices on the property under certain circumstances; prohibiting the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other similar laundry drying devices by a homeowner or tenant from prohibiting or restricting the right of a homeowner or tenant to use clotheslines or other similar laundry drying devices under certain circumstances; authorizing the governing body of a condominium, homeowners association, or housing cooperative or a landlord to adopt reasonable rules and regulations regarding the timing, placement, and manner of use of clotheslines and other similar laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative, or a landlord to hold an open meeting and provide advance notice of the open meeting before adopting proposed rules and regulations regarding the timing, placement, and manner of use of clotheslines and other similar laundry drying devices; providing for the application of this Act; and generally relating to the use of clotheslines and other similar laundry drying devices by homeowners and tenants.

BY adding to

Article – Real Property

Section 14–128.1

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 225 – Senators King, Currie, Forehand, Garagiola, Harrington, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

### **Libraries – Collective Bargaining**

FOR the purpose of establishing a process for collective bargaining between certain library employees and certain library system employers; authorizing employees to perform certain acts related to collective bargaining; authorizing an exclusive representative to enforce certain collective bargaining agreement provisions; prohibiting an employer and an employer's agents from performing certain acts related to collective bargaining; prohibiting an employee organization and an employee organization's agents from performing certain acts related to collective bargaining; establishing certain collective bargaining units to represent certain employees; requiring an employer to recognize the right of an exclusive representative to represent certain employees in certain matters; requiring an exclusive representative to serve as the sole bargaining agent for certain employees in certain matters; providing that certain provisions of law supersede certain other provisions of law under certain circumstances; requiring an exclusive representative to represent certain employees in a

certain manner; authorizing an employee or an employee organization seeking to designate an employee organization as an exclusive representative to perform certain acts; requiring a neutral third party to certify an employee organization as the exclusive representative of a bargaining unit under certain circumstances; establishing a certain process to resolve certain disputes related to the representation of certain employees in collective bargaining; requiring certain parties to pay certain costs of a neutral third party under certain circumstances; requiring an employer and an exclusive representative to execute a collective bargaining agreement incorporating certain topics of agreement; requiring an employer and an exclusive representative to bargain collectively about certain topics of negotiation; prohibiting a neutral third party from amending the provisions of a collective bargaining agreement under certain circumstances; establishing a process for the resolution of certain disputes about the negotiability of certain topics; requiring uniform salaries and wages for employees in the same classification under a collective bargaining agreement; requiring a grievance procedure under a collective bargaining agreement to exclusively govern grievance for certain employees; establishing that a collective bargaining agreement supersedes a conflicting employer policy; requiring a collective bargaining agreement to expire at the end of a fiscal year; making a term of a collective bargaining agreement with a certain fiscal impact effective on the approval of a board of library trustees; establishing a process for the resolution of differences over topics of negotiation in collective bargaining; establishing a process for the board of library trustees to consider whether to approve or reject a term of a collective bargaining agreement with a certain fiscal impact; establishing a process to address the rejection of a rejected term of a collective bargaining agreement with a certain fiscal impact; requiring certain goals for an employer and an exclusive representative in collective bargaining; making an employer and an exclusive representative responsible for fostering a certain labor relations environment for a certain purpose; requiring an employer and an exclusive representative to communicate openly about certain issues; requiring an employer and an exclusive representative to bargain in good faith about certain matters; prohibiting certain provisions of law and certain agreements made under certain provisions of law from impairing the right and responsibility of an employer to perform certain acts; providing for the application of certain provisions of this Act; prohibiting an employee or an employee organization from engaging in, inducing, initiating, or ratifying a strike; authorizing a court to enjoin a strike under certain circumstances; prohibiting an employee from receiving compensation from an employer while the employee is engaged in a strike; establishing a process to address certain violations of certain provisions of law related to strikes; requiring an employer to retain and make available in a certain format a decision issued by a neutral third party or under certain grievance procedures; requiring an employer to bear certain costs related to making certain decisions available in a certain format; defining certain terms; and generally relating to collective bargaining between library employees and library system employers.

Article – Education

Section 23–601 through 23–613 to be under the new subtitle “Subtitle 6.  
Collective Bargaining for County Public Library Employees”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

REPORT OF THE GENERAL ASSEMBLY COMPENSATION COMMISSION

(See Exhibit C of Appendix III)

Read and ordered journalized.

**QUORUM CALL**

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

(See Roll Call No. 35)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #1**

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Militia – Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 36)

The Bill was then sent to the House of Delegates.

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Military)**

AN ACT concerning

**Maryland Emergency Management Agency – Director**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 37)

The Bill was then sent to the House of Delegates.

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**Washington Cemetery Board of Trustees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 38)

The Bill was then sent to the House of Delegates.

**Senate Bill 79 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Deaf and Hard of Hearing,  
Office of the)**

AN ACT concerning

**Office of the Deaf and Hard of Hearing – Responsibilities**

Read the third time and passed by yeas and nays as follows:

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

The Bill was then sent to the House of Delegates.

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 25 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
University of Maryland School of Medicine  
in recognition of

the progress made in solving mysteries of the common cold by completing genomic sequencing of the viruses. This work will lead to cures for the common cold.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 21st day of January 2010.

Read and adopted by a roll call vote as follows:

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

### **QUORUM CALL**

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

(See Roll Call No. 41)

### **ADJOURNMENT**

At 10:43 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 22, 2010.

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**Annapolis, Maryland  
Friday, January 22, 2010  
11:00 A.M. Session**

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The Senate met at 11:20 A.M.

Prayer by Reverend Gary Moore, St. Mark's United Methodist Church, guest of Senator Colburn.

(See Exhibit A of Appendix III)

The Journal of January 21, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 43)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 75 – Senator Thomas M. Middleton:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Robert Bealle  
in recognition of  
winning the 2009–2010 Federal Duck Stamp Art  
contest, the oldest and most prestigious  
wildlife art competition in America.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 22nd day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 44)

**INTRODUCTION OF BILLS****Senate Bill 226 – Senator Glassman**

AN ACT concerning

**Criminal Law – Sale of Novelty Lighters – Prohibition**

FOR the purpose of prohibiting a person from selling at retail, offering for sale at retail, or distributing for retail sale in the State a novelty lighter; establishing a certain penalty for a violation of this Act; providing for the application of this Act; defining a certain term; and generally relating to the sale of novelty lighters.

BY adding to

Article – Criminal Law

Section 10–112.1

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

**Senate Bill 227 – Senators DeGrange, Astle, Dyson, Garagiola, Kasemeyer, Klausmeier, Middleton, Miller, Robey, and Stone**

AN ACT concerning

**Division of Correction and Division of Parole and Probation – Reports and Records – Immigration Status**

FOR the purpose of requiring a certain case record that is assembled by the Division of Correction for an inmate to include certain information on the immigration status, if any, of the inmate under certain circumstances; requiring the Division of Correction to forward certain information from a case record to the United States Immigration and Customs Enforcement Agency if the case record indicates that the individual has an immigration status; requiring the Division of Parole and Probation to forward certain information from a certain presentence investigation report to the United States Immigration and Customs Enforcement Agency if the presentence investigation report indicates that the individual who is the subject of the report has an immigration status; and generally relating to reports and records of the Division of Correction and the Division of Parole and Probation.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–601(a) and 6–112(a)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Correctional Services

Section 3–601(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 228 – Senator Mooney**

AN ACT concerning

**Environment – Incinerator Permits – Conditions for Issuance**

FOR the purpose of prohibiting the Department of the Environment from issuing a permit to construct an incinerator unless certain conditions are met; prohibiting local jurisdictions from issuing a building permit for an incinerator unless certain conditions are met; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to the conditions for issuing a permit for an incinerator.

BY repealing and reenacting, without amendments,

Article – Environment

Section 2–401

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Environment

Section 2–401.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 229 – Senators Garagiola, Astle, Colburn, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Glassman, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Mooney, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, and Stone**

AN ACT concerning

**Blue Ribbon Commission on Maryland Transportation Funding**

FOR the purpose of establishing a Blue Ribbon Commission on Maryland Transportation Funding; requiring the Commission to review, evaluate, and make recommendations concerning certain issues; specifying the membership and staffing of the Commission; requiring the Governor to designate the chair of the Commission; prohibiting members of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to submit an interim and final report of its findings and recommendations by certain dates; providing for the termination of this Act; and generally relating to the Blue Ribbon Commission on Maryland Transportation Funding.

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

**Senate Bill 230 – Senators Conway, Brochin, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, McFadden, Munson, Pugh, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Education – Instruction of Blind and Visually Impaired Students – Use of Braille**

FOR the purpose of requiring the State Board of Education to establish standards for the use of braille for instruction in certain subjects for blind and visually impaired students on or before a certain date; requiring the State Board and the Professional Standards and Teacher Education Board to review and, as appropriate, modify certain certification and recertification requirements for certain teachers; and generally relating to the use of braille for instruction of blind and visually impaired students.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–408  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 231 – Senators Kelley and Forehand**

AN ACT concerning

**Maryland Uniform Adult Guardianship and Protective Proceedings  
Jurisdiction Act**

FOR the purpose of establishing the Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; authorizing a court of this State to treat a foreign country as if the country were a state for the purpose of applying this Act; authorizing a court of this State to make a certain request of an appropriate court of another state in a certain guardianship or protective proceeding in this State and to grant a certain request from an appropriate court of another state in a certain guardianship or protective proceeding in that state; authorizing the offer of testimony by deposition or certain other means in a certain guardianship or protective proceeding; requiring a court of this State to cooperate with courts of other states in designating an appropriate location for a deposition or testimony in a certain guardianship or protective proceeding; establishing that a court of this State has jurisdiction to appoint a guardian or issue a protective order for a certain respondent under certain circumstances; establishing that a court of this State that lacks certain jurisdiction under this Act has special jurisdiction to take certain steps; requiring a court in this State to dismiss a certain proceeding at the request of a certain court in another state under certain circumstances; establishing that a court that has appointed a guardian or issued a protective order consistent with this Act has exclusive and continuing jurisdiction over the proceeding until the proceeding is terminated by the court or the appointment or order expires by the terms of the appointment or order; authorizing a court to decline to exercise jurisdiction under certain circumstances; requiring a court that declines jurisdiction to take certain steps in certain circumstances; authorizing a court to take certain steps if a certain determination is made; requiring a certain petitioner to provide certain notice to certain persons; authorizing a court to proceed or requiring the court to take certain steps on the filing of a certain petition under certain circumstances; authorizing a certain guardian or conservator to petition a court to transfer a guardianship or conservatorship to another state under certain circumstances; providing that a certain notice of a petition to transfer a guardianship or conservatorship to another state be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order granting a petition to transfer a guardianship or conservatorship to another state on a certain finding; requiring a guardian or conservator to petition a court in this State to accept a certain guardianship or conservatorship under certain circumstances; providing that a certain notice of a petition to accept a guardianship or conservatorship be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order approving a certain petition unless a certain objection is made; requiring a court to recognize a guardianship or conservatorship order from another state under certain circumstances; establishing that the denial of a petition to accept a guardianship or conservatorship from another state does not affect the ability of a certain person to seek a certain court appointment; authorizing a guardian

appointed in another state to register a certain guardianship order in this State as a foreign judgment under certain circumstances; authorizing a conservator appointed in another state to register a certain conservatorship order in this State as a foreign judgment under certain circumstances; authorizing, with certain exceptions, a certain guardian or conservator to exercise certain powers in this State; authorizing a court in this State to grant certain relief to enforce a certain registered order; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; making certain technical corrections; defining certain terms; and generally relating to adult guardianship and protective proceedings.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–101(a), (e), and (h), 13–201 through 13–206, 13–208 through 13–221, and 13–705 through 13–713

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–105, 13–207, 13–222, and 13–704

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 13.5–101 through 13.5–504 to be under the new title “Title 13.5. Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 232 – Senators Brinkley, Astle, Haines, Jacobs, and Mooney**

AN ACT concerning

**Property Tax – Homestead Tax Credit – Extension to Second Property**

FOR the purpose of extending the homestead property tax credit to a second dwelling under certain circumstances; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–105(a)(1) through (4), (b), and (d)(2)

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(d)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 233 – Senators Glassman, Harris, and Jacobs**

AN ACT concerning

**Program Open Space – Local Agricultural Exposition Centers –  
Authorization**

FOR the purpose of authorizing each subdivision to construct and operate an agricultural exposition center on land that was acquired by the subdivision with Program Open Space funding; authorizing the sale of certain agricultural products at each agricultural exposition center; defining a certain term; and generally relating to agricultural exposition centers.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–901(a), (d), and (j)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Natural Resources  
Section 5–911  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 234 – Senators Robey, Forehand, Frosh, Garagiola, Gladden,  
Harrington, Kelley, King, Lenett, Madaleno, Peters, Raskin, Rosapepe,  
and Zirkin**

AN ACT concerning

**High Performance Buildings Act – Applicable to Community College Capital  
Projects**

FOR the purpose of making the High Performance Buildings Act applicable to community college capital projects that receive State funds; authorizing a community college to apply for a waiver from certain high performance building requirements under a certain waiver process established by the Department of Budget and Management and the Department of General Services; making this Act applicable to certain capital projects that have not initiated a certain Request for Proposal on or before a certain date; making a technical correction; and generally relating to the construction of high performance buildings at community colleges.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 235 – Senators Robey, Currie, Forehand, Frosh, Gladden, Harrington, Jones, Kasemeyer, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pugh, Raskin, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Real Property – Mobile Home Parks – Plans for Dislocated Residents**

FOR the purpose of requiring a copy of a certain notice of termination to be sent to a certain local governing body if the use of land of a mobile home park is to be changed; applying statewide a certain provision that prohibits an application for a land use change of a mobile home park from being approved until certain conditions are met; applying statewide a certain requirement for the contents of a relocation plan for mobile home park residents; requiring the plan to include the payment of certain relocation assistance to each park household under certain circumstances; providing that the plan include certain information; providing that a mobile home park owner shall not incur liability and may not be estopped from obtaining possession of certain premises under certain circumstances; prohibiting a relocation plan from including certain conditions under certain circumstances; requiring relocation assistance to be paid to residents who will be dislocated when a mobile home park is closed; establishing the method of calculating relocation assistance; establishing conditions under which a mobile home park owner is not required to pay relocation assistance; establishing a time table for paying relocation assistance; providing that, under certain circumstances, a resident may forfeit receiving relocation assistance; establishing that a certain local governing body may provide additional relocation assistance to dislocated residents and that the payments are not the

responsibility of the mobile home park owner; and generally relating to plans for dislocated residents in mobile home parks.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8A–202(c)(3) and 8A–1201  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 236 – Senators Middleton, Kelley, and Klausmeier**

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers’ Compensation  
Insurance – Notice**

FOR the purpose of requiring an insurer to provide certain notice to an insurance producer of a premium increase for certain types of insurance; and generally relating to notice for premium increases for commercial and workers’ compensation insurance.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–608(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–608(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 237 – Senator Zirkin**

AN ACT concerning

**Sales and Use Tax – Exemptions – Veterans’ Organizations**

FOR the purpose of providing for an exemption from the sales and use tax for sales to certain veterans’ organizations; 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 a sales and use tax exemption for sales to certain veterans' organizations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)(7) and (8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 11–204(a)(9)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)(6) and (7)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)  
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

BY adding to  
Article – Tax – General  
Section 11–204(a)(8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)  
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

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

**Senate Bill 238 – Senators Astle, DeGrange, Della, Garagiola, Jones, Kelley, Kittleman, Klausmeier, Pipkin, and Reilly**

EMERGENCY BILL

AN ACT concerning

**Maryland Automobile Insurance Fund – Use of Fund Moneys and Property  
– Prohibitions**

FOR the purpose of prohibiting moneys or property of the Maryland Automobile Insurance Fund from being used to pay for certain bonuses, services, events,

and sponsorships; making conforming changes; providing for the application of this Act; making this Act an emergency measure; and generally relating to moneys and property of the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–204(a) and (b) and 20–301  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 239 – Senators Pugh, King, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Glassman, Harrington, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Education – Age of Compulsory Attendance – Exemptions**

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

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301(a), (a–1)(1), (c), and (e)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 240 – Senators Conway, Dyson, Brinkley, Frosh, Garagiola, Gladden, Harrington, Harris, Jacobs, Jones, Kasemeyer, Klausmeier, Lenett, Mooney, Munson, Muse, Peters, Pugh, and Stone**

AN ACT concerning

### **Election Law – Petition Signatures**

FOR the purpose of repealing provisions of law that require an individual to sign the individual's name on a petition in a certain manner; providing that the petition signature of an individual shall be validated and counted if the identity of the individual reasonably can be determined in accordance with certain requirements; clarifying a certain provision of law relating to the residence of a petition signer; prohibiting an election authority from invalidating a petition signature under certain circumstances; requiring an individual's name on a petition to match exactly the individual's surname of registration; and generally relating to petition signature requirements.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–203  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

### **Senate Bill 241 – Senator Conway**

AN ACT concerning

### **State Board of Nursing – Changes to the Electrology Practice Committee and Licensing Requirements**

FOR the purpose of establishing a certain quorum requirement for the Electrology Practice Committee of the State Board of Nursing; establishing certain requirements for when the Committee is to meet; providing that members of the Committee are entitled to certain compensation as determined by the Board and certain reimbursement for travel; requiring that certain applicants pass and schedule certain national and clinical examinations; extending the period of time the Board has to send certain renewal notices; providing that the Board may send certain renewal notices by electronic means; extending the date on which the Board is to begin requiring criminal history records checks for certain renewal applicants; extending the period of time between criminal history records checks for certain renewal applicants; and generally relating to the State Board of Nursing, the Electrology Practice Committee, and electrologists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–6B–05, 8–6B–08(e), 8–6B–10(b), and 8–6B–14(c) and (k)

Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 242 – Senator Gladden**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Prohibition Against Underage  
Individuals in Liquor Stores**

FOR the purpose of prohibiting in Baltimore City holders of certain alcoholic beverages licenses or employees of the holders from allowing an individual under a certain age to enter the licensed premises; providing a certain exception; establishing certain penalties; providing that a certain individual be issued a citation under certain circumstances; requiring the Board of Liquor License Commissioners to adopt certain regulations; and generally relating to underage individuals on premises licensed for alcoholic beverages in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages  
Section 9–204.4  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 243 – Senator Gladden**

AN ACT concerning

**Housing – Discrimination Based on Source of Income – Prohibitions**

FOR the purpose of altering the housing policy of the State to provide for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from, for profit, inducing

or attempting to induce a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person of a particular source of income; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person, based on source of income, from denying a person access to or membership or participation in a service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against a person in the terms or conditions of membership; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining a certain term; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 20–701(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – State Government  
Section 20–701(j)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–702(a), 20–705, 20–707, and 20–1103  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 244 – Senator Gladden**

AN ACT concerning

#### **Crimes – Elder Abuse or Neglect – Increased Penalties and Restrictions on Pretrial Release (The John H. Taylor Act)**

FOR the purpose of altering the penalties for the crime of causing abuse or neglect of a vulnerable adult in the first or second degree; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with causing abuse or neglect of a vulnerable adult in the first or second degree;

providing that a judge may authorize the pretrial release of the defendant on certain conditions; requiring the judge to order the continued detention of the defendant if neither suitable bail nor other conditions will reasonably ensure that the defendant will not flee or pose a danger to a certain person or the community before the trial; and generally relating to elder abuse or neglect and increased penalties and restrictions on pretrial release.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–604(b) and 3–605(b)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 3–604(c) and 3–605(c)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure  
Section 5–202(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 245 – Senator Simonaire**

AN ACT concerning

#### **School Bus Seat Belt Corrective Language Act**

FOR the purpose of clarifying that a certain type of school vehicle used by certain schools, camps, day nurseries, or day care centers to transport children is not required to be equipped with seat belts and is not subject to certain regulations; establishing that a motor vehicle that formerly was registered as a certain type of school vehicle is not required to be equipped with seat belts and is not subject to certain regulations if it is used by certain schools, camps, day nurseries, or day care centers to transport children; and generally relating to seat belts on school buses.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 11–154 and 11–173  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 246 – Senator Pugh**

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 \$750,000, 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 Budget and Taxation.

**Senate Bill 247 – Senators Glassman, Klausmeier, and Munson**

AN ACT concerning

**Hazardous Material Response Team Employees – Death Benefits and Funeral Expenses – Local Government Agencies**

FOR the purpose of providing that certain individuals employed as hazardous material response team employees for certain local government agencies are eligible for certain death benefits and funeral expenses under certain circumstances; providing that certain local government agencies may place in reserve each fiscal year a certain amount to pay a certain death benefit and funeral benefit under certain circumstances; and generally relating to benefits for hazardous material response team employees employed by local government agencies.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–202(a), (b), and (d)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 1–202(a–1), (g), and (h)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Public Safety  
Section 1–202(j)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 248 – Senators Frosh, Brochin, Forehand, Gladden, Haines, Muse, Raskin, and Stone**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges**

FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in certain civil cases in the circuit courts and the District Court; making a stylistic change; and generally relating to certain surcharges deposited into the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–202(a)(1) and (d) and 7–301(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–202(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 249 – The President (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

**Public Utilities and Washington Suburban Sanitary Commission –  
Cross-References**

FOR the purpose of correcting certain cross–references to the Public Utility Companies Article in the Annotated Code of Maryland to reflect the renaming of the article to be the Public Utilities Article; correcting certain cross–references to Article 29 – Washington Suburban Sanitary District in the Annotated Code of Maryland to reflect the nonsubstantive revision of the article; correcting certain cross–references in the Public Utility Companies Article; making stylistic changes; and generally relating to the nonsubstantive revision of Article 29 of the Code and to the renaming of the Public Utility Companies Article.

BY repealing and reenacting, without amendments,  
Article 1 – Rules of Interpretation  
Section 25(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 1 – Rules of Interpretation  
Section 25(z)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 23 – Miscellaneous Companies  
Section 182(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–101(a) and 9–606(c)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 5–118(b)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–502(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

Section 11–203(a)(3), 11–701(d), and 13–301(15)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(10)(iii) and (iv)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–906(a), 6–303(a), 6–304(a), 6–305(b)(2), and 6–505(a)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–801(f)(7)  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–109(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 2–402(3), 2–405(a)(1), (b), (e)(1), and (f), 2–1001(d), 5–203.1(b)(2)(i),  
5–502(e), 7–506(i)(3), 7–514(d)(3), 9–726.1(d)(2), and 16–307(a)(5)(ii)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 2–102(a)(10)  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 5.5–106(a)(2) and 8–206(e)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–128(b), 3–302(a)(2), 3–304(2), 3–305(a)(3) and (d), 3–306(a) and (c),  
3–307, 3–919(b), 5–403(e)(1), 5–409(c)(1), 5–1602(b)(5), and 5–1603(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–310(f), 12–502(a)(5), and 12–506(b)(1)(vii)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 1–101(a), 2–106(d)(1), 2–110(c)(1)(ii), 2–110.1(b)(4) and (d), 2–112(b)(2),  
2–113(b), 2–115(a), 2–117(a)(1), 2–204(a)(2), 2–310, 3–101(c), 3–102(a)(2),  
3–103(a), 3–112(a), 4–206(c), 4–501(a)(2), 4–502, 5–301(b), 7–204(a)(1),  
7–505(b)(13)(i), 7–506(d), 7–507(l)(3), 7–711(a), 8–409(b)(1), 9–204,  
9–207(d), 9–208(d), 10–110(b), 10–202(b), 11–102(b)(2), 13–101(b) and (c),  
13–201(b)(1) and (c)(1), 13–202(c)(1), 13–206, 13–207, and 13–208(a)(1)  
and (c)(3)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–131(c)(2)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20A–01(l), 9–20B–05(e)(5), (f)(3) and (4), (g)(2), and (i), 15–821(d),  
15–829(c)(3)(iv), 15–838(b)(2)(iv), 15–848(b)(3)(iv), and 15–853(c)(3)(iv)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 4–401(4)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 8–401(c)(2)(ii), 8–407, and 10–704.1(a)(3) and (b)(2)

Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–239(a)(4) and (5) and 12–103(c)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 6–301(b)(3) and 7–208(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–423(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### QUORUM CALL

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

(See Roll Call No. 45)

### RECESS

At 11:38 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:00 P.M. on Monday, January 25, 2010, in memory of former First Lady Patricia D. Hughes.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: January 22, 2010**  
**Calendar Day: Monday, January 25, 2010**

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At 8:04 P.M. the Senate resumed its session.

Prayer by Reverend Kevin McGhee, Senior Pastor, Bethany Community Church, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

**QUORUM CALL**

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

(See Roll Call No. 48)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 18 – Senator Rob Garagiola:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Clarksburg High School Boys Varsity Soccer Team  
in recognition of  
winning the 2009 Maryland State 3A Soccer Championship, the school's first state  
championship in a team sport.

Your hard work and dedication are commendable.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 49)

**Senate Resolution No. 34 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ryan Burton  
in recognition of  
receiving the Outstanding State Prize at National History Day and being a finalist in  
the Junior Individual Documentary category.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 35 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Faith Chung  
in recognition of  
being a finalist at National History Day in the category of Junior Individual Exhibit.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 36 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Alanna Natanson  
in recognition of  
being a finalist at National History Day in the category of Junior Individual  
Performance.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 37 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland

offers its sincerest congratulations to  
Christopher Perdue  
in recognition of  
being a finalist at National History Day in the category of Senior Individual  
Performance.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 38 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Nathan Rehr  
in recognition of  
receiving the Outstanding State Prize at National History Day and being a finalist in  
the Senior Individual Documentary category.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 39 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Lauren White  
in recognition of  
being a finalist at National History Day in the category of Senior Individual  
Documentary.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

**Senate Resolution No. 40 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Margaret “Terri” O’Connell

in recognition of  
receiving the 2009 Maryland History Day  
Teacher of the Year award.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 50)

### INTRODUCTION OF BILLS

**Senate Bill 250 – Senators Simonaire, Colburn, DeGrange, Haines, Harris,  
Jacobs, Mooney, Reilly, Stoltzfus, and Stone**

AN ACT concerning

#### **Health – Medical Procedures – Ultrasound Options**

FOR the purpose of requiring certain physicians, under certain circumstances, to provide a certain pregnant woman the opportunity to view a certain ultrasound image and offer to provide the woman with a certain picture before the performance or inducement of a certain medical procedure; requiring a physician to allow a certain pregnant woman to view a certain ultrasound image at no additional charge; and generally relating to ultrasound options for a medical procedure.

BY adding to

Article – Health – General  
Section 20–210  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 251 – Senator Astle**

AN ACT concerning

#### **Anne Arundel County – Motorcycle Dealers – Sunday Operations**

FOR the purpose of authorizing in Anne Arundel County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of

title for a motorcycle on Sunday; and generally relating to motorcycle dealers in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 18–101  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 252 – Senators Frosh, Forehand, Garagiola, Gladden, Jacobs, Kelley, King, Muse, Raskin, and Stone**

AN ACT concerning

**Child Support Guidelines – Revision**

FOR the purpose of revising the schedule of basic child support obligations used to calculate the amount of a child support award under the child support guidelines; defining certain terms; making certain clarifying and conforming changes; and generally relating to child support.

BY adding to  
Article – Family Law  
Section 12–201(j) and (k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–201(j) and (k) and 12–204(e), (g), (l), and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 253 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Sphinx 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 the Druid Heights Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a

requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 254 – Senator Jones**

AN ACT concerning

**Ethics – General Assembly – Governmental Employment**

FOR the purpose of altering provisions relating to a member of the General Assembly, a filed candidate for election to the General Assembly, or a member–elect of the General Assembly, receiving earned income from a unit of the Executive Branch or from a unit of local government in the State; requiring that certain employment or relationships receive prior approval from the Joint Committee on Legislative Ethics; providing for the application of this Act; and generally relating to legislators and candidates for legislative office receiving earned income from certain governmental entities in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–513(a)

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 255 – Senators Stone, DeGrange, Forehand, Klausmeier, Raskin, and Robey**

AN ACT concerning

**Criminal Law – Assault – Law Enforcement Officers and Parole and Probation Agents**

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a parole or probation agent engaged in performing the agent’s official duties; establishing penalties for a violation of this Act; increasing the penalty for the crime of intentionally causing physical injury to another if the person knows or has reason to know that the other is a law enforcement officer engaged in the performance of the officer’s official duties; and generally relating to assaults on law enforcement officers and parole and probation agents.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–201  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–203  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 256 – Senators Harrington, Frosh, Garagiola, Kasemeyer, Lenett,  
Madaleno, Peters, Pinsky, Pugh, Raskin, and Robey**

AN ACT concerning

#### **Public Schools – Physical Education Facilities**

FOR the purpose of requiring the State Department of Education to adopt regulations that require a public school that is newly constructed or completely renovated and occupied on or after a certain date to include a gymnasium and adequate support space for physical education instruction; requiring the Department to adopt guidelines for facilities for physical education programs; and generally relating to physical education facilities in public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–409  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 257 – Senators Forehand, King, and Madaleno**

AN ACT concerning

#### **Vehicle Laws – Disposition of Traffic Citations**

FOR the purpose of requiring persons who receive certain traffic citations to, within a certain time period, waive the right to trial and pay the fine, request a certain hearing, or elect to stand trial; altering the notice that certain traffic citations are required to contain; altering the traffic citations for which the District Court is required to issue a notice to appear; altering the time period within which

persons who receive certain traffic citations may request a certain hearing; authorizing the District Court to issue, under certain circumstances, an arrest warrant for a person who fails to comply with a citation; authorizing the District Court to notify the Motor Vehicle Administration of the failure of a person to comply with a citation; requiring the Administration to notify a person who fails to comply with a citation that the driving privileges of the person may be suspended unless the person takes certain action; requiring the Administration to suspend the driving privileges of a noncompliant person under certain circumstances; providing for a delayed effective date; and generally relating to the disposition of traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–201 and 26–204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 258 – Senators Forehand, Garagiola, King, Kramer, Madaleno, Raskin, and Robey**

AN ACT concerning

**Elections – Special Elections – Voting by Mail**

FOR the purpose of authorizing a special election to be conducted by voting by mail; applying certain provisions of law to ballots used for voting by mail; requiring the State Board to adopt regulations to govern voting by mail; requiring the regulations to provide for certain elements regarding voting by mail; altering a certain definition; and generally relating to special elections and voting by mail.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 1–101(d) and 9–204  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Election Law  
Section 9–501 and 9–502 to be under the new subtitle “Subtitle 5. Voting by Mail”  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 259 – Senators Dyson, Colburn, and Middleton**

AN ACT concerning

**Calvert, Charles, and St. Mary’s Counties – Deer Hunting**

FOR the purpose of requiring the Department of Natural Resources to establish a program in certain counties to train rifle shooters to hunt deer during daylight hours for the purpose of controlling the deer population; requiring the Department to give certain applicants priority to participate in the program; requiring the Department to adopt certain regulations; authorizing a person to hunt deer with a certain shotgun in certain counties during certain months; authorizing a person who holds a Deer Damage Permit in certain counties to hunt with a certain shotgun during deer season in certain locations, and to hunt deer on certain State lands under certain conditions; prohibiting the Department from requiring a person who holds a Deer Damage Permit in certain counties to renew the permit more frequently than at a certain interval; defining a certain term; and generally relating to the regulation by the Department of Natural Resources of deer hunting in Calvert, Charles, and St. Mary’s counties.

BY adding to

Article – Natural Resources  
Section 10–408.2 and 10–415(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 10–415(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 260 – Senators Brochin and Stone**

AN ACT concerning

**Sex Offenders – Homeless and Temporary Residents – Registration and Reporting Requirements**

FOR the purpose of requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include any county where the registrant habitually lives or intends to habitually live; making certain conforming changes; defining certain terms; altering certain terms; and generally relating to sex offender registration and reporting requirements.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–701, 11–705, 11–706, 11–708 through 11–710, 11–717, and 11–718

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 261 – Senators Forehand, Raskin, and Gladden**

AN ACT concerning

#### **Criminal Law – Sexual Solicitation of a Minor and Human Trafficking – Prohibitions and Proof**

FOR the purpose of prohibiting a person from knowingly engaging in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance the other or a third person would suffer physical restraint or serious physical harm; prohibiting a person from knowingly destroying, concealing, removing, confiscating, or

possessing certain documents of another person while violating certain prohibitions; providing that the State need only prove that a reasonable person, based on certain criteria, should have known that a certain minor had not attained a certain age under certain circumstances; making it a felony to knowingly take or detain another with the intent to use force, threat, coercion, or fraud to compel the other to marry the person or a third person or perform a sexual act, sexual contact, or vaginal intercourse; providing that a person who knowingly benefits from participation in a violation of this Act is subject to the same penalties that would apply if the person had violated this Act; providing that a person who knowingly aids, abets, or conspires with one or more other persons to violate this Act shall be subject to the same penalties that apply for a violation of this Act; defining a certain term; and generally relating to sexual solicitation of a minor and human trafficking.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–324, 11–301, and 11–303  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

### **Senate Bill 262 – Senator DeGrange**

AN ACT concerning

#### **Income Tax – U.S. Government Employees’ Foreign Earned Income**

FOR the purpose of making permanent a subtraction modification under the Maryland income tax for certain foreign earned income of employees of the United States or of any agency of the United States; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain foreign earned income of an individual earned as an employee of the United States or of an agency of the United States.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(w)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 263 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Maryland Affordable Housing Trust**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$2,000,000, the proceeds to be used as a grant to the Board of Trustees of the Maryland Affordable Housing Trust, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 264 – Senators Muse, Klausmeier, and Colburn**

AN ACT concerning

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

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

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 265 – Senators Exum, Garagiola, Kelley, Klausmeier, and Pugh**

AN ACT concerning

**Assisted Living Programs – Elevator Installation – Exemption**

FOR the purpose of exempting certain licensed assisted living programs from the registration and inspection requirements for installing an elevator; authorizing the adoption of certain regulations to enhance the safety of certain elevator units; defining a certain term; and generally relating to assisted living programs and the registration and inspection of elevators.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–804  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 266 – Senator Conway**

AN ACT concerning

**State Board of Nursing – Membership – Nominations for Vacancies**

FOR the purpose of adding a currently practicing nurse who has practiced acute care nursing for at least a certain number of years to the State Board of Nursing; adding certain degrees that qualify an individual for the nurse administrator member of the Board; requiring the registered nurse member of the Board who is certified in advanced practice nursing to rotate among certain specialties; authorizing certain professional nursing organizations to submit certain lists from which the Governor can appoint certain Board members; authorizing certain licensed nurses to submit certain petitions from which the Governor can appoint certain Board members; requiring that certain petitions have a certain number of signatures; requiring the Board to notify certain licensed nurses and professional nursing organizations of certain vacancies on the Board; providing that members appointed to the Board reflect certain diversity of the State; clarifying the term limitations for a member of the Board who is appointed after a term has begun; and generally relating to membership and nominations for the State Board of Nursing.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–202(a), (b), and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 267 – Senators Kramer, Forehand, King, Klausmeier, and Pugh**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Camp Brighton Woods**

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

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

**Senate Bill 268 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Automotive Vocational Training Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$145,000, the proceeds to be used as a grant to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 269 – Senator Simonaire**

AN ACT concerning

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

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to authorize the matching fund required for a certain grant to include funds expended prior to the effective date of the Act.

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

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

**Senate Bill 270 – Senators Simonaire and Reilly**

AN ACT concerning

**Anne Arundel County – Board of Education and School Board Nominating Commission – Open Meetings and Public Records**

FOR the purpose of requiring that all actions of the Anne Arundel County Board of Education and the School Board Nominating Commission of Anne Arundel County be taken at a public meeting and that certain records and certain actions be made public; providing that this Act does not prohibit the county board or the Commission from meeting in executive session provided that certain information is contained in a public record; and generally relating to meetings and records of the Anne Arundel County Board of Education and the School Board Nominating Commission of Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–110  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 271 – Senators Simonaire and Reilly**

AN ACT concerning

**Anne Arundel County – Property Tax Payment Deferral – Eligibility**

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel County under certain circumstances to specify the duration and certain amounts, restrictions, and income and age eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Anne Arundel County under certain circumstances to provide certain information in a taxpayer's annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; providing for the application of this Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to

Article – Tax – Property  
Section 10–204.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 272 – Senators Simonaire and Reilly**

AN ACT concerning

**Anne Arundel County – Property Tax Payment Deferral – Amounts**

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel County under certain circumstances to specify the duration and amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; providing for the application of this Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to

Article – Tax – Property  
Section 10–204.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 273 – Senators Brochin, Mooney, and Stone**

AN ACT concerning

**Vehicle Laws – Leaving the Scene of an Accident Resulting in Death –  
Penalty**

FOR the purpose of increasing the maximum term of imprisonment for a person who was involved in a vehicular accident that resulted in the death of another person if the person left the scene of the accident in violation of a certain provision of law and knew or should have known that the accident might result

in the death of another person; and generally relating to the penalty for leaving the scene of an accident resulting in the death of another person.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 20–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 27–113  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 274 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Law – Violation of Restriction Against Possession of Firearms  
– Penalties**

FOR the purpose of expanding a certain prohibition against the possession of regulated firearms by a person convicted of a certain crime of violence or drug-related crime to apply to all firearms; increasing the maximum term of imprisonment that may be imposed for a violation of this Act; creating a certain exception regarding eligibility of a certain person for parole; and generally relating to restrictions against possession of firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133(c)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–143  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 275 – The President (By Request – Administration) and Senators Pinsky and King**

AN ACT concerning

**Education – Maryland Longitudinal Data System**

FOR the purpose of establishing the Maryland Longitudinal Data System as a statewide data system containing certain student data from all levels of education and into the State’s workforce; establishing the purpose of the Maryland Longitudinal Data System; establishing the Maryland Longitudinal Data System Center as an independent unit of State government; providing for the organizational placement, location, staffing, and funding of the Center; providing for the functions and duties of the Center; establishing the Governing Board of the Maryland Longitudinal Data System Center; providing for the membership of the Governing Board; providing for the appointment and terms for certain members of the Governing Board; providing for the duties of the Governing Board; requiring certain agencies and public institutions to make certain efforts to comply with certain requirements for the Maryland Longitudinal Data System; authorizing private institutions of higher education and private secondary schools to provide student data for the Maryland Longitudinal Data System; requiring the Governing Board to issue certain reports; defining certain terms; and generally relating to the establishment of the Maryland Longitudinal Data System.

BY adding to

Article – Education

Section 24–701 through 24–706 to be under the new subtitle “Subtitle 7. Maryland Longitudinal Data System”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 276 – The President (By Request – Administration) and Senators Astle, Brochin, Della, Exum, Forehand, Frosh, Harrington, Kasemeyer, King, Lenett, Madaleno, Miller, Muse, Peters, Pinsky, Pugh, Robey, Rosapepe, and Stone**

EMERGENCY BILL

AN ACT concerning

**Real Property – Residential Property Foreclosure Procedures – Foreclosure Mediation**

FOR the purpose of requiring a certain notice of intent to foreclose to include certain information; requiring a certain notice of intent to foreclose to be accompanied by a certain loss mitigation application, instructions for completing the application, certain other information, and a certain envelope; requiring an order to docket or complaint to foreclose to be accompanied by a certain loss mitigation affidavit in a certain form, a certain request for foreclosure mediation, affidavit, and worksheet in a certain form, certain envelopes, and an additional filing fee in a certain amount; requiring the fee to be used for certain purposes; prohibiting the fee from being passed on to the mortgagor or grantor; altering the information required to be included in a certain notice form; requiring the clerk of the court to schedule a case for foreclosure mediation if the defendant in a certain foreclosure action files a certain completed request and affidavit within a certain time; requiring and authorizing certain individuals to be present at a foreclosure mediation; providing that the participants in a foreclosure mediation should address certain options; authorizing the defendant in a certain foreclosure action to file a motion to stay the sale under certain circumstances; providing that a request for foreclosure mediation constitutes good cause for failure to file a motion to stay within a certain time; altering the time after which a foreclosure sale may occur; defining certain terms; making this Act an emergency measure; and generally relating to foreclosure of mortgages and deeds of trust on certain residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 277 – The President (By Request – Administration) and Senators Garagiola, Forehand, Frosh, Harrington, King, Lenett, Madaleno, McFadden, and Pinsky**

AN ACT concerning

**Renewable Energy Portfolio Standard – Solar Energy**

FOR the purpose of altering a certain renewable energy portfolio standard in certain years for electricity derived from solar energy; altering certain compliance fees for a shortfall from the requirement for solar energy in meeting a certain standard; providing for the effective date of this Act; and generally relating to the renewable energy portfolio standard and solar energy.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–703 and 7–705(b)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 278 – The President (By Request – Administration) and Senators Astle, Della, Exum, Forehand, Gladden, Harrington, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Peters, Pinsky, Pugh, and Stone**

AN ACT concerning

**Smart, Green, and Growing – Maryland Sustainable Growth Commission**

FOR the purpose of repealing the Task Force on the Future for Growth and Development in Maryland; establishing the Maryland Sustainable Growth Commission; establishing the membership and the charge of the Commission; providing for the terms of the members; requiring the Governor to designate the chair and the vice chair of the Commission; authorizing the Commission to adopt rules of procedure; requiring the Commission to submit an annual report of its activities on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to the Maryland Sustainable Growth Commission.

BY repealing

Chapter 381 of the Acts of the General Assembly of 2006, as amended by  
Chapter 626 of the Acts of the General Assembly of 2007  
Section 4

BY adding to

Article – State Finance and Procurement  
Section 5–701 through 5–707 to be under the new subtitle “Subtitle 7. Maryland Sustainable Growth Commission”  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 279 – The President (By Request – Administration) and Senators Frosh, Lenett, Currie, Della, Gladden, Harrington, Kelley, Klausmeier, Madaleno, Middleton, Pinsky, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Maryland False Health Claims Act of 2010**

FOR the purpose of prohibiting certain actions constituting false claims against a State health plan or a State health program; providing certain penalties for making false claims against a State health plan or a State health program; authorizing the State to file a civil action against a person who makes a false claim against a State health plan or a State health program under certain circumstances; authorizing a person other than the State to file a civil action on behalf of the person and the State against a person who makes a false claim against a State health plan or a State health program; providing for the procedures to be followed in a civil action; providing for certain remedies under a civil action; requiring the State to investigate a civil action alleging a false claim against a State health plan or a State health program; authorizing the State to intervene and proceed with the action with or without the person who initiated the action; authorizing the State to elect not to intervene and proceed with the action; authorizing the person that initiated the action to proceed if the State elects not to intervene; authorizing the court to limit the participation of the person who initiated the action under certain circumstances; authorizing the State to intervene at a later time in the proceedings or to pursue alternative remedies; providing for certain damages and payments to the person who initiated the action under certain circumstances; providing for certain payments to the person charged under certain circumstances if the person charged prevails; providing certain limitations on civil actions filed under this Act; prohibiting a person from taking retaliatory action against an employee, contractor, or agent under certain circumstances; authorizing an employee, contractor, or agent to file a civil action against a person who takes retaliatory action against the employee, contractor, or agent under certain circumstances; providing certain remedies for retaliatory action; requiring an employer to make certain disclosures to employees; requiring the Comptroller to deposit a certain penalty or damages in the General Fund of the State; requiring certain persons to report certain information annually to the General Assembly; authorizing the Department of Health and Mental Hygiene or the Inspector General of the Department to adopt certain regulations; defining certain terms; and generally relating to false claims against State health plans and State health programs.

BY adding to

Article – Health – General

Section 2–601 through 2–611 to be under the new subtitle “Subtitle 6. False Claims Against State Health Plans and State Health Programs”

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 280 – The President (By Request – Administration) and Senators Astle, Brinkley, Brochin, Colburn, DeGrange, Della, Edwards, Exum, Forehand, Garagiola, Harrington, Jacobs, Jones, Kasemeyer, King,**

**Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Munson,  
Muse, Peters, Pugh, Raskin, Robey, Simonaire, Stone, and Zirkin**

AN ACT concerning

**Criminal Procedure – Sexual Offenders – Lifetime Supervision**

FOR the purpose of repealing the requirement that the Maryland Parole Commission administer extended sexual offender parole supervision; altering certain provisions relating to extended sexual offender supervision of certain offenders; altering the term for certain extended sexual offender supervision; requiring a sentence for certain persons to include a term of lifetime sexual offender supervision; altering the term of lifetime sexual offender supervision; establishing that lifetime sexual offender supervision is imposed on a defendant for a crime committed on or after a certain date; requiring a certain sentencing court to impose certain conditions of lifetime sexual offender supervision and to advise certain persons of the conditions of lifetime sexual offender supervision; requiring the sentencing court to order a presentence investigation under certain circumstances; authorizing a certain sentencing court to adjust certain conditions of lifetime sexual offender supervision under certain circumstances; establishing a certain offense and penalty for violation of lifetime sexual offender supervision; authorizing certain procedures for violations of lifetime sexual offender supervision; requiring certain judges to hear certain violations and certain petitions; authorizing a certain sentencing court to deny a certain petition under certain circumstances; providing for the discharge of certain persons from lifetime sexual offender supervision under certain circumstances; requiring a certain sentencing court to hear and adjudicate certain petitions; altering the composition of a certain sexual offender management team; requiring certain progress reports of a certain sexual offender management team; authorizing the Department of Public Safety and Correctional Services to adopt certain regulations; making a certain technical correction; deleting certain terms; making certain conforming changes; and generally relating to sexual offender supervision.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–206  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701 and 11–723 through 11–726  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 281 – The President (By Request – Administration) and Senators DeGrange, Robey, Kramer, King, Currie, Munson, Brochin, Forehand, Frosh, Garagiola, Klausmeier, and Lenett**

AN ACT concerning

**Motor Vehicle Excise Tax – Tax Credit for Electric Vehicles**

FOR the purpose of repealing a certain obsolete credit against the motor vehicle excise tax for certain qualified hybrid vehicles and certain qualified electric vehicles; allowing a credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles for a certain period; transferring certain money from the Strategic Energy Investment Fund to the Transportation Trust Fund in a certain fiscal year; requiring the Governor to transfer money from the Strategic Energy Investment Fund to the Transportation Trust Fund in certain fiscal years; and generally relating to a motor vehicle excise tax credit for certain qualified plug-in electric drive vehicles.

BY repealing

Article – Transportation  
Section 13–815  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation  
Section 13–815  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 282 – The President (By Request – Administration) and Senators Klausmeier, Forehand, Harrington, King, Madaleno, McFadden, and Pinsky**

AN ACT concerning

**Off-Shore Wind Generation – Qualified Submerged Renewable Energy Lines**

FOR the purpose of exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; requiring a certificate of public convenience for certain energy lines before constructing, installing, or exercising a right of condemnation; requiring the Public Service Commission to conduct certain proceedings and

consider certain factors in deciding on a certificate for certain energy lines; defining a certain term; and generally relating to qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–207 and 7–208  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 283 – The President (By Request – Administration) and Senators Currie, Kasemeyer, Dyson, Munson, King, and Rosapepe**

AN ACT concerning

**Higher Education Investment Fund – Tuition Stabilization and Funding**

FOR the purpose of requiring the Comptroller to continue to distribute certain income tax revenue from corporations to the Higher Education Investment Fund; expanding the authorized uses of the Fund; establishing a Tuition Stabilization Trust Account in the Fund; requiring certain funds to be transferred to the Trust Account under certain circumstances; setting a certain State goal regarding resident tuition and fees at public institutions of higher education; providing that the Trust Account consists of certain money; limiting the authorized use of funds in the Trust Account; and generally relating to funding and authorized uses of the Higher Education Investment Fund.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.6  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–613.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 284 – The President (By Request – Administration) and Senators Garagiola, Harrington, Jones, King, Lenett, Madaleno, Muse, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Collective Negotiations by Family Child Care Providers**

FOR the purpose of establishing collective bargaining rights for certain family child care providers who participate in the Maryland Child Care Subsidy Program; requiring that there be only one appropriate bargaining unit for certain family child care providers; authorizing providers to designate an exclusive representative; requiring that certain procedures relating to the election and certification of an exclusive representative, collective bargaining process, and bargaining agreements be governed by certain provisions of the collective bargaining law for State employees; prohibiting the State Labor Relations Board from conducting a certain election within a certain period; requiring an exclusive representative to represent all family child care providers, whether or not they are members of the provider organization; providing for the scope of collective bargaining for family child care providers; authorizing collective bargaining negotiations pertaining to family child care providers to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; providing that certain family child care providers are not required to pay certain fees and are required to make certain other payments; specifying that the certification of certain exclusive representatives under this Act does not prevent provider organizations from appearing before or making proposals to certain State agencies at a public meeting or hearing; prohibiting a provider organization from calling or directing a strike; providing that the provisions of this Act may not alter certain roles and rights of parents with regard to family child care providers; declaring the legislative intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws; providing for the application and construction of this Act; requiring that a certain provider organization certified as the majority representative in a certain election pursuant to a certain Executive Order shall continue as the exclusive representative of family child care providers without the requirement of an additional election and certification; defining certain terms; declaring that the provisions of this Act are severable; and generally relating to collective bargaining for family child care providers.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–550(d) and 5–552(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Family Law

Section 5–595 through 5–595.6 to be under the new part “Part XI. Collective Negotiations by Family Child Care Providers”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 285 – The President (By Request – Administration) and Senators Della, Exum, Forehand, Gladden, Harrington, Jones, King, Klausmeier, Lenett, Madaleno, Middleton, Peters, Pinsky, Pugh, and Stone**

AN ACT concerning

**Smart, Green, and Growing – The Sustainable Communities Act of 2010**

FOR the purpose of stating certain findings and the intent of the General Assembly concerning sustainable communities; providing for the designation of certain areas as sustainable communities eligible for certain programs; altering the criteria to consider a sustainable community area; authorizing the Smart Growth Subcabinet to designate sustainable communities and approve sustainable community plans; abolishing certain boards; authorizing the Secretary of Housing and Community Development to administer the Community Legacy Program and to take certain actions; repealing certain authority for certain political subdivisions to approve a designated neighborhood for certain purposes under certain circumstances; requiring the Department of Transportation to consider sustainable communities during the revisions to the Consolidated Transportation Program; requiring the Department of Transportation to consult with the Smart Growth Subcabinet concerning sustainable communities; altering certain authority of the Secretary of Transportation to designate certain facilities, structures, and uses as transit-oriented development for certain purposes; authorizing the Department of Transportation to exercise certain powers with respect to sustainable communities; requiring the Secretary of Business and Economic Development to receive a recommendation of the Smart Growth Subcabinet prior to designating a BRAC Revitalization and Incentive Zone; altering the membership of the Smart Growth Subcabinet; authorizing the Smart Growth Subcabinet to work on sustainable communities, make certain recommendations, and certify certain local jurisdictions for certain purposes; reestablishing and altering the Maryland Heritage Structure Rehabilitation Tax Credit Program to be the Sustainable Communities Tax Credit Program; providing a certain tax credit for rehabilitation of certain properties; requiring the Director of the Maryland Historical Trust to adopt certain regulations; providing limits on the amount of tax credits for certain purposes; providing for an additional credit if a certain rehabilitation meets a certain high performance building standard; providing for the issuance of credit certificates for certain rehabilitations, subject to

certain requirements and limitations; providing certain limits on the amount of the credit that may be claimed for certain rehabilitations; authorizing the Director to charge a certain fee for certain purposes; prohibiting the Director from issuing credit certificates that exceed a certain amount; prohibiting the Director from issuing certain credit certificates before a certain date or after a certain date; establishing the Maryland Department of Planning Sustainable Communities Tax Credit Administration Fund; providing for amended tax returns under certain circumstances; authorizing the allocation of the credit in a certain manner; providing for certain determinations by the Comptroller; providing for certain reporting requirements; providing for the recapture of the credit under certain circumstances; providing for the termination of the Sustainable Communities Tax Credit Program; requiring certain funds in the Heritage Structure Rehabilitation Tax Credit Reserve Fund to revert to the General Fund on a certain date; providing for the application of certain provisions of this Act; providing for the retroactive application of a certain provision of this Act; authorizing the Comptroller to make certain determinations and adopt certain regulations; defining certain terms; and generally relating to sustainable communities.

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 5–1304  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY adding to

Article – Housing and Community Development  
Section 6–104  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development  
Section 6–201, 6–202, 6–204 through 6–211, 6–213, 6–301, 6–303, 6–304, and  
6–306  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

BY repealing

Article – Housing and Community Development  
Section 6–203, 6–212, and 6–305  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

BY adding to

Article – State Finance and Procurement

Section 5–901 through 5–911 to be under the new subtitle “Subtitle 9.  
Sustainable Communities Tax Credit Program”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1406(b)(12) and (13) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – State Government  
Section 9–1406(b)(14) through(16)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Transportation  
Section 2–701 through 2–703 to be under the new subtitle “Subtitle 7.  
Sustainable Communities”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 6–105.2  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–704.5  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments, and transferring to the Session Laws  
Article – State Finance and Procurement  
Section 5A–303  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 286 – The President (By Request – Administration) and Senators Currie and Conway**

AN ACT concerning

**Governor’s P–20 Leadership Council of Maryland**

FOR the purpose of establishing the Governor’s P–20 Leadership Council of Maryland; providing for the membership, tenure, chair, and staffing of the Council; establishing an Executive Committee of the Council; providing for the duties of the Executive Committee and the Council; requiring the Council to submit a certain annual report to the Governor and General Assembly on or before a certain date; and generally relating to the Governor’s P–20 Leadership Council of Maryland.

BY adding to

Article – Education

Section 24–701 to be under the new subtitle “Subtitle 7. Governor’s P–20 Leadership Council of Maryland”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 287 – The President (By Request – Administration) and Senators King, Madaleno, McFadden, Munson, Forehand, Garagiola, Harrington, Klausmeier, Lenett, and Pinsky**

AN ACT concerning

**Maryland Clean Energy Incentive Act of 2010**

FOR the purpose of extending a certain credit against the State income tax for electricity produced by certain facilities from certain qualified energy resources until a certain date; extending the period in which the Maryland Energy Administration may issue certain qualifying certifications; and generally relating to a certain income tax credit for electricity produced from qualified energy resources.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–720

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

### INTRODUCTION OF JOINT RESOLUTIONS

**Senate Joint Resolution 3 – Senators Stone, Astle, Brochin, Colburn, Currie, DeGrange, Della, Dyson, Forehand, Frosh, Garagiola, Glassman, Haines, Harris, Jacobs, Jones, Kasemeyer, Kelley, Kittleman, Klausmeier, McFadden, Middleton, Mooney, Munson, Raskin, Rosapepe, Simonaire, and Zirkin**

A Senate Joint Resolution concerning

#### **Maryland American Legion Day**

FOR the purpose of supporting the goals and ideals of American Legion Day and calling on the people of Maryland to observe American Legion Day with appropriate programs and activities.

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

### LETTERS OF REASSIGNMENT

#### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 249 – The President (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

#### **Public Utilities and Washington Suburban Sanitary Commission – Cross-References**

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

Read and ordered journalized.

### THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1

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

**Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, and Glassman**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 51)

**ADJOURNMENT**

At 8:33 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 26, 2010.

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**Annapolis, Maryland**  
**Tuesday, January 26, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:16 A.M.

Prayer by Reverend John Kazanjian, Pastor, Kenwood Presbyterian Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of January 22, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 59)

Remarks honoring Senator Charles Mac Mathias

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 132 – Senator Alexander X. Mooney:**

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Tuscarora Titans Girls Soccer Team

in recognition of

the discipline, passion and resilience demonstrated in winning the Division 3A State  
Championship. We applaud your outstanding season and wish you many more.

Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 26th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 60)

**THE COMMITTEE ON FINANCE REPORT #1**

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

**Senate Bill 34 – Senator Middleton (Joint Committee on Unemployment Insurance Oversight) and Senators Kelley and Exum**

AN ACT concerning

**Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Department of Disabilities – Maryland Commission on Disabilities – Duties and Responsibilities**

**SB0052/387876/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 52

(First Reading File Bill)

On page 3, in line 10, strike “one individual” and substitute “**TWO INDIVIDUALS**”; and in line 11, after “disability” insert “**, INCLUDING ONE WITH AN INTELLECTUAL DISABILITY**”.

The preceding amendment was read only.

Senator Madaleno moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

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

**Senate Bill 54 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Business and Economic Development – Maryland Economic Adjustment Fund**

**SB0054/117076/2**

BY: Finance Committee

AMENDMENT TO SENATE BILL 54  
(First Reading File Bill)

On page 1, in the sponsor line, after “Development)” insert “and Senators Garagiola, Klausmeier, and Middleton”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 55 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Business and Economic Development – Maryland Military Installation Council – Sunset Repeal, Membership, and Terms**

Favorable report adopted.

FLOOR AMENDMENT

**SB0055/427170/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 55

(First Reading File Bill)

On page 1, in line 6, after “Council;” insert “altering the membership of the Council;”.

On page 3, in line 5, strike “Naval Energetics Alliance” and substitute “**INDIAN HEAD DEFENSE ALLIANCE**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Health Insurance – Medicare Supplement Policies – Repeal of Requirement to Offer Plan I**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 61)

**ADJOURNMENT**

At 10:39 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 27, 2010, in memory of former United States Senator Charles "Mac" Mathias.

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**Annapolis, Maryland**  
**Wednesday, January 27, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer by Priest Kiritbhai Patel, Pujari, BAPS Swaminarayan Mandir, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of January 26, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 65)

**INTRODUCTION OF BILLS**

**Senate Bill 288 – Senator Edwards**

AN ACT concerning

**Maryland Dormant Mineral Interests Act**

FOR the purpose of stating the purpose of this Act; authorizing a certain owner of real property to maintain an action to terminate a certain mineral interest under certain circumstances; establishing certain actions that constitute use of a mineral interest; requiring a certain owner to bring a certain action in the circuit court of a certain jurisdiction under certain circumstances; authorizing an owner of a mineral interest to record the mineral interest under certain circumstances; providing that a mineral interest is preserved in the county in which the notice is recorded; authorizing certain individuals to record a certain notice under certain circumstances; requiring certain information to be included in a certain notice; requiring a mineral interest to be identified in a certain manner; requiring a court to permit a certain owner to record a late notice under certain circumstances; authorizing the circuit court of a certain jurisdiction to place a severed mineral interest into trust under certain circumstances, to appoint a trustee for the trust, and to order or authorize the trustee to take certain actions on behalf of the trust; authorizing a person vested in certain property to institute proceedings to create a trust and to

appoint a trustee; authorizing a certain trustee to file a petition containing certain elements to terminate the trust and to convey title to a severed mineral interest under certain circumstances; requiring the court to enter an order requiring the trustee to convey the title to a severed mineral interest to a certain party under certain circumstances; requiring the trustee to take certain actions if the court issues the order; providing that certain surface owners are entitled to certain proceeds after the conveyance of the severed mineral interest by the trustee; requiring the court to terminate the trust and discharge the trustee after receiving a certain report from the trustee; providing that a certain lease will remain in force and effect following certain events unless it has previously expired by its own terms; requiring certain provisions to be administered in accordance with the Maryland Rules; requiring certain notice, forms, and hearing procedures to be in accordance with the Maryland Rules; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to dormant mineral interests.

BY adding to

Article – Environment

Section 15–1201 through 15–1206 to be under the new subtitle “Subtitle 12.  
Maryland Dormant Mineral Interests Act”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 289 – Senator Edwards**

AN ACT concerning

#### **Allegany County and Garrett County – Turkey Hunting – Sundays**

FOR the purpose of authorizing a person to hunt turkey on certain Sundays during certain months in Allegany County and Garrett County; and generally relating to hunting on Sundays.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–410(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 290 – Senator McFadden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Maryland Independent College and University Association – Sojourner–Douglass College**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to extend the date by which the Board of Trustees of Sojourner–Douglass College must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA00(M)

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

**Senate Bill 291 – Senator Conway**

AN ACT concerning

**Health Occupations Boards – Revisions**

FOR the purpose of requiring certain health occupations boards to provide certain notification to certain licensees or certificate holders of board vacancies; requiring certain health occupations boards to collect certain racial and ethnic information; requiring that, to the extent practicable, certain members of certain health occupations boards reasonably reflect certain geographic, racial, ethnic, cultural, and gender diversity; requiring certain health occupations boards to develop collaboratively certain training and materials for certain board members; requiring the Secretary of Health and Mental Hygiene to confirm the appointment of certain directors; requiring that after certain consultation and to the extent permitted by certain resources, certain health occupations boards establish certain subcommittees to be responsible for certain investigations, determine whether certain charges should be brought, and participate in certain preadjudication case resolution conferences; prohibiting certain health occupations boards from bringing certain charges based solely on certain complaints the board receives after a certain period of time; requiring certain health occupations boards that are authorized to use peer review to provide certain licensees and certificate holders an opportunity to review and respond to certain reports; requiring certain health occupations boards to consider certain reports and responses before taking certain action; authorizing certain health occupations boards to establish certain programs to provide certain training, mentoring, or other remediation for certain licensees or certificate holders who commit a certain number of standard of care violations; requiring certain health occupations boards to adopt certain sanctioning guidelines; requiring certain health occupations boards to post certain orders for

disciplinary action on certain websites; requiring the Secretary to establish certain goals for the timeliness of complaint resolution; requiring the Secretary to monitor the timeliness of complaint resolution for certain health occupations boards; requiring the Secretary to establish certain goals on or before a certain date; requiring certain health occupations boards to collaborate with the Office of the Attorney General to make certain information available to the public concerning certain roles for assistant attorneys general; establishing that certain departure from sanctioning guidelines, failure to meet certain timeliness goals, and noncompliance with certain guidelines concerning certain roles for assistant attorneys general may not be grounds for certain hearings or appeals; requiring the Secretary, Department, and health occupations boards to make certain reports to certain committees of the General Assembly on or before certain dates; providing for the construction and the application of this Act; defining certain terms; and generally relating to revisions for the health occupations boards.

BY adding to

Article – Health Occupations

Section 1–214 through 1–218; and 1–601 through 1–609 to be under the new subtitle “Subtitle 6. General Clarification of the Disciplinary Process”

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 292 – Senators Raskin, Brochin, Conway, Forehand, Garagiola, Glassman, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Rosapepe, and Stone**

AN ACT concerning

**Elections – Voter Registration and Voting – Age**

FOR the purpose of altering the qualifications for voter registration to allow an individual who is at least 16 years old to register to vote; specifying that an individual is not eligible to vote until a certain election in which the individual is 18 years old or older; and generally relating to the age when an individual becomes qualified to register to vote and to vote.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–102

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 293 – Senators Raskin, Conway, Forehand, Frosh, Harrington, King, Madaleno, Peters, and Pinsky**

AN ACT concerning

**Elections – Permanent Absentee Ballot List**

FOR the purpose of requiring the State Board of Elections to establish guidelines for a permanent absentee ballot list; authorizing an individual to apply for permanent absentee ballot status; authorizing an application for permanent absentee ballot status to be made by certain methods; requiring a written request for permanent absentee ballot status to include certain information; requiring that a voter be placed on the permanent absentee ballot list under certain circumstances; requiring that an absentee ballot be sent to a voter on the permanent absentee ballot list for certain elections; requiring that a voter be removed from the permanent absentee ballot list under certain circumstances; requiring a voter that has permanent absentee ballot status to notify the local board with certain information under certain circumstances; and generally relating to permanent absentee ballot lists.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–303, 9–304, and 9–305(a)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law

Section 9–305.1

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 294 – Senator Glassman**

AN ACT concerning

**Vehicle Laws – Distracted Driving – Prohibition**

FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle when the inattention is caused by the person engaging in a certain preoccupying activity;

providing that a violation of this Act is not a moving violation for the purpose of assessing certain points; authorizing a police officer to enforce this Act only as a secondary offense; defining certain terms; and generally relating to distracted driving.

BY adding to

Article – Transportation  
Section 21–901.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 295 – Senator Jones**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Garrett–Jacobs Mansion Ballroom**

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

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

### **Senate Bill 296 – Senators Jones and Miller**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Baltimore Leadership School for Young Women**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the Foundation for the Baltimore Leadership School for Young Women, Inc. for certain development or improvement purposes; providing for disbursement of the loan

proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 297 – Senators Simonaire, Colburn, Harrington, Harris, Lenett, Reilly, and Stoltzfus**

AN ACT concerning

**Election Law – Notices to Candidates – Mailing**

FOR the purpose of requiring the State Board of Elections and local boards of elections to mail a certain notice to a candidate's home address under certain circumstances; and generally relating to notices to candidates.

BY adding to

Article – Election Law

Section 2–304

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 298 – Senators Simonaire, Haines, Jacobs, and Stone**

AN ACT concerning

**Crimes – Harassment – Prohibitions and Penalties**

FOR the purpose of expanding the prohibition against a person engaging in conduct that alarms or seriously annoys another to include conduct with the intent to abuse, torment, or embarrass the other; expanding the prohibition against telephone harassment to include anonymous and repeated calls that are reasonably expected to or are intended to alarm another; providing that the prohibition against telephone harassment does not apply to a peaceable activity intended to express a political view or provide information to others; expanding the scope of the existing prohibition against using electronic mail with the intent to harass to include the intent to alarm, annoy, abuse, torment, or embarrass; prohibiting the making of an Internet transmission or posting with the intent to harass, alarm, annoy, abuse, torment, or embarrass under certain circumstances; increasing certain penalties; and generally relating to harassment prohibitions and penalties.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–803, 3–804, and 3–805  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 299 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Greenmount West Community  
Resource Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of The “New” Greenmount West Community Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 300 – Senators Peters, DeGrange, Edwards, King, and Robey**

**EMERGENCY BILL**

AN ACT concerning

**Unemployment Insurance – Contributions – Installment Payment Option**

FOR the purpose of allowing certain employing units to pay to the Secretary of Labor, Licensing, and Regulation certain contributions in a certain manner during a certain period of time; requiring the Department of Labor, Licensing, and Regulation to notify certain employing units of a certain option to pay certain contributions in a certain manner during a certain period of time; providing for the application of this Act; making this Act an emergency measure; and generally relating to the payment of unemployment insurance contributions.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 8–101(a), (k), and (p), 8–607(a), (c), and (d)(1) and (2), and 8–626  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 301 – Senator Edwards**

AN ACT concerning

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

FOR the purpose of authorizing the County Commissioners of Garrett County to enact ordinances regulating the setback of commercial wind turbine structures in Garrett County and setting a fee for decommissioning a certain commercial wind turbine structure in Garrett County; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners  
Section 236G  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 302 – Senator Glassman**

AN ACT concerning

**Commercial Law – Equipment Dealer Contract Act – Outdoor Power Sports  
Equipment**

FOR the purpose of expanding the scope of the Equipment Dealer Contract Act to include outdoor power sports equipment; defining a certain term; altering certain definitions; and generally relating to the Equipment Dealer Contract Act.

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 19–101, 19–202, and 19–203  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 303 – Senator Kittleman**

AN ACT concerning

**Labor and Employment – Exemption from Covered Employment – Home Care Workers**

FOR the purpose of clarifying that work performed by a home care worker under certain circumstances is not covered employment for purposes of unemployment insurance; and generally relating to coverage of individuals providing home care work under the unemployment insurance law.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 8–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Labor and Employment  
Section 8–206(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 304 – Senator Munson**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Washington County –  
Chesapeake and Ohio Canal National Historical Park**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to remove the requirement that the Chesapeake and Ohio Canal National Historical Park grant and convey a certain easement.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA02 (CD)

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

**Senate Bill 305 – Senator Munson**

AN ACT concerning

**Public Safety – Emergency Medical Services Provider Killed in Performance  
of Duty – Flag Benefit for Family**

FOR the purpose of requiring the Secretary of State to issue a State flag to the family of a professional or volunteer emergency medical services provider who is killed in the performance of duty; requiring the flag to be presented to the family of the deceased by the State Senator of the legislative district in which the deceased resided or served; and generally relating to emergency medical services providers.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 13–516(a)(6)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–202(a) and (e)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

### **Senate Bill 306 – Senator Stoltzfus**

AN ACT concerning

#### **Worcester County – Liquor Control Board – Ethics**

FOR the purpose of including the Liquor Control Board for Worcester County in the definition of “executive unit” as it relates to the Maryland Public Ethics Law to clarify that the Maryland Public Ethics Law applies to the Liquor Control Board; and generally relating to the Liquor Control Board for Worcester County.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–101(b), 15–102(a), and 15–103(b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–102(m)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 307 – Senator Stoltzfus**

AN ACT concerning

**Worcester County – Real Property – Recording**

FOR the purpose of altering certain procedures for recording certain deeds in Worcester County so as to require that certain deeds granting property within a certain sanitary district operated by the County Commissioners of Worcester County be marked by the county to indicate that certain assessments and charges due to the county have been paid before the deed may be accepted by the Clerk of the Circuit Court for recording; and generally relating to the recordation of property lying in the boundaries of a sanitary district operated by the County Commissioners of Worcester County.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–104(f)(4)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 308 – Senators Conway, Currie, Dyson, Exum, Frosh, Harrington, Kelley, King, Lenett, McFadden, Middleton, Pinsky, Pugh, and Rosapepe**

AN ACT concerning

**Health Occupations – Licensure of Physician Assistants**

FOR the purpose of requiring an individual to be licensed rather than certified by the State Board of Physicians before the individual may practice as a physician assistant; repealing certain language prohibiting a physician assistant from practicing within the scope of certain health occupations; requiring hospitals, related institutions, alternative health care systems and employers to report to the State Board certain changes in the terms of employment of physician assistants; making certain exceptions for alcohol- or drug-impaired physician assistants; authorizing the State Board to impose a certain civil penalty for failure to make a certain report; repealing the Physician Assistant Advisory Committee within the State Board and certain provisions of law relating to the Committee; repealing certain obsolete language; limiting the scope of practice of physician assistants to certain medical acts; repealing the authority of the State Board to review and approve certain delegation agreements; requiring

physicians to file completed delegation agreements with the State Board in order to supervise physician assistants; authorizing physician assistants to perform certain functions that are delegated by primary or alternate supervising physicians; requiring primary or alternate supervising physicians to provide certain supervision; requiring primary supervising physicians to execute certain delegation agreements and file certain agreements with the State Board; repealing a requirement that certain patients be seen by supervising physicians within a certain number of appointments or days; authorizing certain physicians to delegate certain medical acts to physician assistants under certain circumstances; requiring the State Board to set a certain fee in a certain manner; authorizing physician assistants to practice in accordance with certain delegation agreements; authorizing primary or alternate supervising physicians to delegate dispensing of certain controlled dangerous substances, prescription drugs, or medical devices under certain circumstances; altering certain circumstances when primary or alternate supervising physicians may delegate prescribing and administering of certain controlled dangerous substances, prescription drugs, and medical devices to physician assistants; authorizing physician assistants to prepare and dispense starter dosages of certain drugs under certain circumstances; establishing certain qualifications for licensure of physician assistants; making a certain exception; authorizing the State Board to place certain licensees on inactive status; requiring licensees to keep licenses for inspection at their primary place of business and notify the State Board of certain changes; authorizing the Physician Assistant Rehabilitation Board to request the State Board to direct physician assistants to submit to certain examinations under certain circumstances; repealing certain language relating to entities with whom the State Board contracts under the Physician Assistant Rehabilitation Program; altering certain provisions relating to the discipline of physician assistants; adding certain grounds for the discipline of physicians; authorizing certain physician assistants to respond to a need for medical care without supervision or with any available supervision under certain emergency circumstances; exempting physicians who supervise physician assistants under certain emergency circumstances from certain requirements; authorizing the State Board to assess a certain civil penalty under certain circumstances; repealing certain definitions; altering certain definitions; making certain stylistic and technical changes; and generally relating to the licensure of physician assistants.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 15–101, 15–102, 15–103, 15–205, 15–206, 15–301, 15–302, 15–302.2, 15–303, 15–304, 15–305, 15–306, 15–307, 15–308, 15–309, 15–310, 15–311, 15–312, 15–313, 15–314, 15–315, 15–401, 15–402, and 15–403

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing

Article – Health Occupations  
Section 15–201, 15–202, 15–203, 15–204, and 15–302.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health Occupations  
Section 15–308.1 and 15–316  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 309 – Senators Kelley, Astle, Conway, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Haines, Harrington, Jacobs, Jones, Kasemeyer, Klausmeier, McFadden, Middleton, Muse, Peters, Pipkin, Pugh, Raskin, Robey, Rosapepe, and Stone**

AN ACT concerning

### **Uniform Power of Attorney Act**

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the 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 a signature on a power of attorney is presumed to be genuine after a certain acknowledgment; 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 under certain circumstances; 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; 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 of expenses 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; authorizing a principal or an interested person to file a certain petition for injunctive relief in a certain court for certain purposes; 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 request and rely on a certain certification, translation, or opinion, without further investigation and without liability under certain circumstances; establishing that a certain person is without actual knowledge of a certain fact under certain circumstances; requiring a person to either accept a certain power of attorney or request a certain certification, translation, or opinion of counsel within a certain period after presentation of the power of attorney, except under certain circumstances; requiring a person to accept a certain power of attorney within a certain period after receiving the certification, translation, or opinion of counsel, except under certain circumstances; prohibiting a person from requiring a certain additional or different power of attorney under certain circumstances; establishing that this Act does not supersede and is controlled by certain other laws; authorizing a certain agent to perform 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 perform certain acts; establishing that certain language authorizes a certain agent to perform 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 perform certain acts; establishing that certain language in a power of attorney authorizes the agent to perform 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 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 17–101 through 17–404 to be under the new title “Title 17. Uniform Power of Attorney Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 310 – Senators Kasemeyer, Currie, DeGrange, Garagiola, Kittleman, Madaleno, McFadden, Middleton, and Munson**

EMERGENCY BILL

AN ACT concerning

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

FOR the purpose of altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; clarifying the maintenance of effort requirement for which a county may apply for a waiver; requiring the State Board of Education to consider certain factors when making a decision whether to grant a waiver;

altering the date by which the State Board of Education must inform the county governing body whether the waiver application has been granted or denied; making this Act an emergency measure; and generally relating to the maintenance of effort requirement for primary and secondary education.

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

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

**Senate Bill 311 – Senators Miller, Klausmeier, Astle, Brochin, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Middleton, Peters, Pinsky, Pugh, Raskin, and Robey**

AN ACT concerning

### **Chesapeake Conservation Corps**

FOR the purpose of establishing the Chesapeake Conservation Corps as a body politic and corporate; providing for the purposes of the Corps; establishing a Board of Directors of the Corps, with specified membership, officers, duties, and terms; providing for an Executive Director of the Corps, with certain duties and powers; providing that the Attorney General is the legal advisor of the Corps; authorizing the Corps to retain certain staff; providing for the application of certain laws to the Corps and its personnel; establishing the powers of the Corps; requiring the Corps to undertake certain projects for certain purposes; requiring the Corps to develop and implement certain volunteer service programs, including stipend volunteers; authorizing certain educational institutions to assist the Corps in certain manners; encouraging and requiring the Corps to seek assistance from certain sources in developing certain programs; providing that the Corps is exempt from State and local taxes; providing that the books and records of the Corps are subject to audit; requiring the Corps to report each year to certain persons on certain matters; providing for certain funding for the Corps in certain fiscal years from the Environmental Trust Fund; defining certain terms; making stylistic changes; providing for the initial terms of the members of the Board; and generally relating to the Chesapeake Conservation Corps.

BY renumbering  
Article – Natural Resources  
Section 8–1901 through 8–1909, respectively  
to be Section 8–1902 through 8–1910, respectively  
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 3–302(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 3–302(c)(1)(v)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Natural Resources  
Section 3–302(f); 8–1901 to be under the amended subtitle “Subtitle 19.  
Chesapeake Bay Trust and Related Units” and the new part “Part I.  
General Provisions”; and 8–1913 through 8–1931 to be under the new  
part “Part II. Chesapeake Conservation Corps”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1905  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 312 – Senators Lenett, Pugh, Conway, Currie, Exum, Harrington,  
Jones, Kelley, King, Klausmeier, Madaleno, McFadden, Miller, Muse,  
Peters, Pinsky, Raskin, and Stone**

AN ACT concerning

**Labor and Employment – Credit Reports and Credit Histories of Applicants  
and Employees – Limitations on Use by Employers**

FOR the purpose of prohibiting an employer from using a certain individual’s credit report or credit history for certain purposes; authorizing an employer to request or consider a certain individual’s credit report or credit history under certain circumstances; requiring the Commissioner of Labor and Industry to adopt certain regulations; authorizing certain civil actions under certain

circumstances; providing that this Act does not apply to certain employers; and generally relating to the credit reports and credit histories of applicants and employees.

BY adding to

Article – Labor and Employment

Section 3–710

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 313 – Senators King, Miller, Harrington, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

AN ACT concerning

### **Health Insurance – Annual Preventive Care**

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations that provide covered benefits for annual preventive care from denying coverage solely because a certain number of days has not elapsed since the previous annual preventive care occurred; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for the annual preventive care if certain conditions are met; prohibiting certain provisions from being construed to require coverage for a certain service; making certain requirements applicable to health maintenance organizations; defining a certain term; and generally relating to health insurance coverage for annual preventive care.

BY adding to

Article – Insurance

Section 15–134

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General

Section 19–706(cccc)

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 314 – Senators Garagiola, Kelley, Astle, DeGrange, Exum, Forehand, Frosh, Gladden, Jones, Kasemeyer, King, Kramer, McFadden, Miller, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Health Insurance – Assignment of Benefits and Reimbursement of Nonpreferred Providers**

FOR the purpose of providing that an insured of certain health insurance carriers may not be liable to certain on-call physicians for certain services under certain circumstances; prohibiting certain on-call physicians from taking certain actions against an insured under certain circumstances; authorizing the on-call physicians to collect certain payments from an insured under certain circumstances; requiring certain carriers or their agents to pay certain on-call physicians for certain health care services delivered to an insured at a certain rate under certain circumstances; requiring certain carriers to disclose certain information under certain circumstances; authorizing certain carriers to seek reimbursement from an insured for a claim or portion of a claim submitted by certain on-call physicians under certain circumstances; authorizing certain carriers to require certain on-call physicians to provide certain information under certain circumstances; authorizing the enforcement of certain provisions of this Act in a certain manner under certain circumstances; requiring the Maryland Health Care Commission to review annually payments to certain on-call physicians and report its findings to the Maryland Insurance Administration; authorizing the Administration to take a certain action to investigate and enforce a violation of certain provisions of this Act; requiring the Administration, in consultation with the Maryland Health Care Commission, to adopt certain regulations; providing that certain carriers may not prohibit the assignment of benefits to a provider by an insured, subscriber, or enrollee; prohibiting certain carriers from refusing to directly reimburse a provider under an assignment of benefits; requiring certain carriers to include certain information with a payment to an insured, subscriber, or enrollee under certain circumstances; requiring certain physicians to provide certain information to a patient under certain circumstances; requiring the Maryland Insurance Commissioner to develop certain forms; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration and the Office of the Attorney General, to conduct a certain study and submit certain reports; defining certain terms; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the assignment of benefits and reimbursement of nonpreferred providers.

BY adding to

Article – Health – General

Section 19-706(cccc)

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – Insurance

Section 14–205.2 and 15–134

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 315 – Senators Raskin, Peters, Miller, Astle, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Glassman, Harrington, Jones, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Muse, Pinsky, Rosapepe, and Stone**

AN ACT concerning

**Public Ethics Laws – Elected Local Officials and Board of Education  
Members – Requirements**

FOR the purpose of requiring certain local ethics commissions or other appropriate entities to certify to the State Ethics Commission compliance with certain provisions of law relating to elected local officials on or before a certain date each year; requiring certain conflict of interest and financial disclosure provisions for elected local officials enacted by a county or municipal corporation to be equivalent to or exceed certain requirements under certain provisions of law; requiring that certain financial disclosure statements be filed by a certain date each year; requiring, instead of authorizing, local school boards to adopt certain conflict of interest and financial disclosure provisions for members of the school board; requiring certain regulations enacted by a local school board to be equivalent to or exceed certain requirements under certain provisions of law; and generally relating to public ethics laws for elected local officials and members of boards of education.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–803, 15–804, 15–805, 15–812, and 15–813

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 316 – Senators DeGrange, Astle, Conway, Currie, Della, Dyson, Exum, Forehand, Garagiola, Glassman, Harrington, Jones, Kasemeyer, King, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Peters, Pugh, Robey, Rosapepe, Simonaire, and Stone**

AN ACT concerning

**Sex Offenders – Registry Information Expansion and Interstate Data Sharing**

FOR the purpose of altering certain requirements relating to the registration of individuals who have committed certain offenses on a certain registry; altering the offenses for which a person can be required to register on a certain registry for committing, attempting to commit, or conspiring to commit; requiring certain persons to register on a certain registry if they have been convicted of certain crimes in certain countries; altering the requirements for registration on a certain registry for a certain person granted probation before judgment; providing that certain requirements for a person to register on a certain registry are to be applied retroactively under certain circumstances; providing for the calculation of a certain term of registration; altering certain requirements for persons under a certain age to register on a certain registry under certain circumstances; establishing that certain individuals who are under the protection of certain witness protection programs are exempt from certain registration requirements; altering certain time periods relating to certain registration, notice, and reporting requirements; requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring a certain registrant who makes changes in certain identifying information to send a certain notice to a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant leaves the United States under certain circumstances or temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring a certain registrant to provide a digital image instead of a photograph under certain circumstances; requiring a certain registrant to provide a palm print; repealing an exemption from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing certain terms of registration to be reduced under

certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include the county where the registrant habitually lives or intends to habitually live and the out of state registration status for certain registrants; requiring a certain supervising authority to notify the local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–701, 11–702, 11–702.1, 11–704 through 11–710, 11–712, 11–713, 11–714, 11–717, 11–718(a), and 11–721 to be under the amended subtitle “Subtitle 7. Sex Offender Registration”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–703

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–704.1 and 11–704.2

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 317 – Senators McFadden, Kasemeyer, Astle, Conway, Currie, DeGrange, Dyson, Exum, Forehand, Frosh, Garagiola, Harrington,**

**Jones, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Munson, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

**EMERGENCY BILL**

AN ACT concerning

**State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments**

FOR the purpose of providing that certain annual retirement allowance adjustments shall be a certain amount under certain circumstances; requiring the Board of Trustees for the State Retirement and Pension System to conduct a certain study regarding the effects of a certain Consumer Price Index on other public state pension plans; requiring the Board of Trustees to submit a report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions by a certain date; defining certain terms; making this Act an emergency measure; and generally relating to annual retirement allowance adjustments for retirees of the several systems of the State Retirement and Pension System.

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

**Senate Bill 318 – Senators Kramer, Astle, Brinkley, Brochin, Conway, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Glassman, Haines, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

**Income Tax Checkoff for Developmental Disabilities**

FOR the purpose of establishing a certain income tax checkoff system for voluntary contributions to the Waiting List Equity Fund to provide certain services for individuals with developmental disabilities; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff system for contributions to provide certain services for individuals with developmental disabilities.

BY adding to

Article – Tax – General  
Section 2–113 and 10–804(i)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 7–205(a), (b), and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 7–205(d)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 319 – Senators Miller, Currie, McFadden, Astle, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Peters, Pinsky, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

### **African American Heritage Preservation Program**

FOR the purpose of establishing the African American Heritage Preservation Program in the Maryland Historical Trust to identify and preserve certain buildings, communities, and sites of historical and cultural importance to the African American experience; requiring the Trust to develop and administer the Program in consultation with the Commission on African American History and Culture; authorizing certain entities to submit, on or before a certain date, an application to receive a grant for an African American heritage preservation capital project; requiring that grants under the Program require a certain matching fund; requiring the Trust to review grant applications before a certain date and make certain recommendations to the Commission; requiring the Trust and Commission to approve capital projects for funding in the State capital budget; requiring the Governor to include certain funding in the annual capital budget submission; requiring the Trust to report to the Governor and General Assembly on or before a certain date; requiring the Trust to adopt certain regulations to implement the Program; defining certain terms; providing for the termination of this Act; and generally relating to a State capital grant program for African American heritage preservation.

BY adding to  
Article – State Finance and Procurement  
Section 5A–330  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 282 – The President (By Request – Administration) and Senators Klausmeier, Forehand, Harrington, King, Madaleno, McFadden, and Pinsky**

AN ACT concerning

**Off-Shore Wind Generation – Qualified Submerged Renewable Energy Lines**

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

Read and ordered journalized.

**LAID OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Department of Disabilities – Maryland Commission on Disabilities – Duties and Responsibilities**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

Senator Madaleno moved, duly seconded, to make the Bill a Special Order for January 29, 2010.

The motion was adopted.

### QUORUM CALL

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

(See Roll Call No. 66)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #2

Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, ~~and Glassman~~ Glassman, Edwards, Klausmeier, Frosh, Gladden, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, and Simonaire

#### EMERGENCY BILL

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 67)

The Bill was then sent to the House of Delegates.

### QUORUM CALL

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

(See Roll Call No. 68)

### ADJOURNMENT

At 10:30 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 28, 2010.

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**Annapolis, Maryland**  
**Thursday, January 28, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Reverend Roger Carlson, Pastor, Asbury United Methodist Church, guest of Senator Forehand.

(See Exhibit A of Appendix III)

The Journal of January 27, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 70)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 79 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Carol Greider, Ph.D.  
in recognition of  
receiving the 2009 Nobel Prize in Medicine for discovering how chromosomes are  
protected by telomeres and discovering the  
enzyme, telomerase. This groundbreaking research laid the  
foundation for studies that have linked telomerase and  
telomeres to human cancer and age-related conditions.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 71)

## INTRODUCTION OF BILLS

### Senate Bill 320 – Senator Stone

AN ACT concerning

#### **Income Tax – Credit for Long-Term Care Premium**

FOR the purpose of repealing a certain limitation on a certain credit against the State income tax for certain long-term care premiums paid by an individual; altering the amount a taxpayer may claim as credit; 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 2009 Supplement)

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

### Senate Bill 321 – Senator Stone

AN ACT concerning

#### **The Delegate John Arnick Electronic Communications Traffic Safety Act of 2010**

FOR the purpose of prohibiting a driver of a certain school vehicle from using a handheld telephone under certain circumstances; prohibiting a holder of a learner's instructional permit or provisional driver's license who is 18 years of age or older from driving a motor vehicle while using a handheld telephone; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use a handheld telephone except under certain circumstances; providing that a violation of this Act may be enforced only as a secondary action; establishing penalties for a violation of this Act; authorizing the court to waive a certain penalty under certain circumstances; providing for exceptions to certain provisions of this Act relating to prohibitions on using handheld telephones while driving; defining certain terms; and generally relating to prohibitions against the use of handheld telephones while operating a motor vehicle.

BY adding to

Article – Transportation  
Section 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 322 – Senator Stone**

AN ACT concerning

**Motor Vehicles – Use of Video Display Equipment**

FOR the purpose of altering the types of video display equipment that are prohibited from being located in certain areas of a motor vehicle; altering the standards for the location of video display equipment in a motor vehicle; altering certain exceptions to the prohibition against the use of video display equipment in certain locations in a motor vehicle; and generally relating to the use of video display equipment in a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–414  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 323 – Senator Jones (Chair, Joint Audit Committee) and Senators Currie, Haines, Kramer, McFadden, and Pugh**

AN ACT concerning

**Office of Legislative Audits – Auditing Local School Systems**

FOR the purpose of continuing the requirement that the Office of Legislative Audits conduct audits of certain local school systems by requiring the Office to conduct audits of each local school system within certain periods of time; and generally relating to audits of local school systems by the Office of Legislative Audits.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1220(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 324 – Senator Glassman**

AN ACT concerning

**Motor Vehicles – Approaching Emergency Vehicles and Personnel**

FOR the purpose of requiring drivers approaching an emergency vehicle that is stopped, standing, or parked on a highway and using any visual signals, unless otherwise directed by a police officer or traffic control device, to vacate the lane closest to the emergency vehicle under certain circumstances or to slow to a reasonable and prudent speed that ensures the safety of the emergency services personnel under certain circumstances; and generally relating to the rules of the road when approaching emergency vehicles and personnel.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–405  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 325 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

AN ACT concerning

**State Board of Dental Examiners – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Dental Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; authorizing the solicitation of nominations for certain Board vacancies to be sent by electronic mail; expanding the grounds for discipline for a dentist and dental hygienist; altering certain defined terms; renaming and expanding the services of a certain committee to certain dental professionals; making technical changes; requiring the Board to report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations

Section 4–202(b), 4–315(a)(30) and (31) and (b)(16) and (17), 4–501.1, 4–508,  
and 4–702

Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health Occupations  
Section 4–315(a)(32) and (b)(18)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

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

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–403(b)(16)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 326 – Senator Conway (Chair, Education, Health, and  
Environmental Affairs Committee)**

AN ACT concerning

**Environment – State Board of Waterworks and Waste Systems Operators –  
Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Waterworks and Waste Systems Operators 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; clarifying that the Department of the Environment is responsible for the enforcement of certain provisions; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; repealing obsolete language; and generally relating to the State Board of Waterworks and Waste Systems Operators.

BY repealing and reenacting, with amendments,  
Article – Environment

Section 12–101(c)(2), 12–308, 12–402, 12–501, and 12–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing

Article – Environment  
Section 12–305(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

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

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–403(b)(67)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 327 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

AN ACT concerning

**State Board of Barbers and State Board of Cosmetologists – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Barbers and the State Board of Cosmetologists (boards) 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 boards; altering the membership composition of the boards; requiring the boards to adopt certain regulations regarding certain curriculum standards; altering the requirements for the renewal of certain licenses issued by the boards; repealing a requirement that certain complaints be signed by a complainant; requiring certain complaints to contain certain information; altering the procedures for the inspection of certain barbershops, beauty salons, and cosmetology schools; providing that an individual may renew a certain apprentice registration one time; repealing the requirement that certain apprentice barbers take a certain examination at a certain time and authorizing the renewal of a certain apprentice registration based on the failure of a certain

examination; requiring the State Board of Cosmetologists to reimburse certain inspectors for certain expenses under the Standard State Travel Regulations; authorizing the State Board of Cosmetologists to set certain licensing fees; requiring the boards to pay certain fees to the State Comptroller; requiring the Comptroller to distribute certain fees into a certain fund; requiring the boards to pay certain fines into the General Fund of the State; establishing a State Barbers and Cosmetologists Boards' Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; requiring the Fund be used for certain purposes; providing for the administration of, auditing of, and distribution of money from the Fund; requiring the boards to submit certain reports to certain committees of the General Assembly on or before certain dates; defining certain terms; making certain stylistic and technical changes; providing for a delayed effective date for certain provisions of this Act; and generally relating to the authority of the State Board of Barbers and the State Board of Cosmetologists.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 4–202(a), 4–206, 4–207, 4–310, 4–314(d), 4–405, 4–511(a) and (e),  
4–512, 4–702, 5–202(a), 5–205, 5–208, 5–311, 5–314(c), 5–405, 5–509(d),  
5–520, and 5–702

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 4–314(c) and 5–509(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(9) and (14)

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – Business Regulation

Section 2–106.7 and 2–106.8

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 328 – Senators Middleton and Della**

AN ACT concerning

**Hospitals – Financial Assistance and Debt Collection**

FOR the purpose of requiring the State Health Services Cost Review Commission to require certain chronic care hospitals to develop a certain financial assistance policy for providing free and reduced–cost care to certain patients; requiring a certain hospital financial assistance policy to provide reduced–cost medically necessary care to certain patients who have a financial hardship; requiring a hospital to apply a reduction that is most favorable to a patient under certain circumstances; providing that a patient or any family member of the patient shall remain eligible for certain reduced–cost care under certain circumstances; requiring the patient or family member to inform a hospital of the patient’s or family member’s eligibility for certain reduced–cost care under certain circumstances; altering the requirements for a notice that a hospital must post regarding patient financial assistance; specifying that, for certain purposes, the rights and obligations of a patient with regard to a hospital bill include the rights and obligations with regard to certain reduced–cost care; requiring a hospital’s policy on the collection of debts owed by patients to provide for a refund of certain amounts collected from a patient or the guarantor of a patient, require the hospital to seek to vacate a judgment or strike adverse information reported to a consumer reporting agency under certain circumstances, and provide a mechanism for a patient to request a reconsideration of the denial of free or reduced–cost care and file a complaint regarding the handling of the patient’s bill; requiring a hospital, beginning on a certain date, to provide for a refund of certain amounts collected from a patient or the guarantor of a patient who, within a certain time period, was found to be eligible for free care; authorizing a hospital to reduce the time period under certain circumstances; requiring a hospital’s refund to policy provide for a refund that complies with a patient’s means–tested government health care plan under certain circumstances; prohibiting a hospital, for a certain period of time, from reporting adverse information about a patient to a consumer reporting agency or commencing civil action against a patient for nonpayment of a bill unless the hospital documents a certain lack of cooperation; requiring a hospital to promptly report to a certain consumer reporting agency the fulfillment of a patient’s payment obligation; prohibiting a hospital from forcing the sale or foreclosure of a patient’s primary residence to collect a debt owed on a hospital bill; authorizing a hospital to maintain its position as a secured creditor under certain circumstances; requiring a hospital to fulfill certain requirements if the hospital delegates collection activity to an outside collection agency; requiring the board of directors of each hospital to review and approve the financial

assistance and debt collection policies of the hospital at certain intervals; prohibiting a hospital from altering its financial assistance and debt collection policies without approval of its board of directors; requiring a hospital to provide to a patient, on request, a written estimate of certain charges; requiring the written estimate to include a certain statement; authorizing a hospital to restrict the availability of the written estimate; providing that the requirements pertaining to written estimates do not apply to emergency services; defining certain terms; making certain conforming changes; and generally relating to hospital financial assistance and debt collection requirements.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–214.1, 19–214.2, and 19–350(b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 329 – Senator Zirkin**

AN ACT concerning

#### **Domestic Violence – Requirement to Advise Respondent of Consequences of Final Protective Order**

FOR the purpose of requiring a judge, in a proceeding for relief from domestic violence, to advise the respondent of certain consequences resulting from the issuance of a final protective order before the respondent may consent to waive a temporary protective order hearing or consent to the entry of a final protective order; authorizing a respondent to withdraw consent to the entry of a final protective order at any time before a final protective order is entered and requiring the court to proceed with a final protective order hearing; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505(d) and 4–506(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–506(a), (b), (d), and (e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 330 – Senators Zirkin, Frosh, Mooney, Muse, and Stone**

AN ACT concerning

**Human Services – Quality Care – Juvenile Facilities**

FOR the purpose of requiring each committed facility licensed by the Department of Juvenile Services to serve no more than 48 children at one time; and generally relating to juvenile facilities.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 9–238.1(a)

Annotated Code of Maryland

(2007 Volume and 2009 Supplement)

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

**Senate Bill 331 – Senator Madaleno**

AN ACT concerning

**Jury Duty – Exemption from Service – Election Judge**

FOR the purpose of exempting from jury service an individual who has served as an election judge for a county board of elections in the State under certain circumstances; and generally relating to exemption from jury service.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 8–306

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 332 – Senators Frosh, Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Ivymount School Annex Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000,

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

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

**Senate Bill 333 – Senators Mooney and Frosh**

AN ACT concerning

**Environment – Permits to Construct Incinerators – Limitation on Issuance  
near National Parks**

FOR the purpose of prohibiting the Secretary of the Environment from issuing a permit to construct an incinerator within a certain distance of a battlefield, wildlife, or a recreational area in the National Park System; providing for the application of this Act; defining a certain term; and generally relating to the authority of the Secretary of the Environment to issue a permit to construct an incinerator.

BY adding to

Article – Environment

Section 9–204.3

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 334 – Senator Rosapepe**

AN ACT concerning

**Public Institutions of Higher Education – New Design and Substantial  
Exterior Modification – Notice and Consultation**

FOR the purpose of requiring certain institutions of higher education to make certain efforts to provide certain notice to and consult with certain communities under certain circumstances; and generally relating to providing notice and consulting with communities before designing a new structure or substantially modifying the exterior of an existing structure.

BY adding to

Article – Education

Section 15–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 335 – Senators Simonaire, Haines, Jacobs, Mooney, and Stone**

AN ACT concerning

**Criminal Law – “Student Protection Act of 2010”**

FOR the purpose of establishing penalties for the crime of sexual offense in the fourth degree between a person in a position of authority and a minor student; establishing increased penalties for a certain violation if the offender was previously convicted of a certain sexual offense; requiring the State to comply with certain procedural rules relating to the indictment and trial of a subsequent offender under certain circumstances; making conforming changes; and generally relating to the crime of sexual offense in the fourth degree between a person in a position of authority and a minor student.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 336 – Senators King, Currie, Harrington, Lenett, McFadden, Pinsky, and Raskin**

AN ACT concerning

**Maryland Business Tax Reform Commission – Reporting Requirements**

FOR the purpose of repealing a requirement that the Maryland Business Tax Reform Commission submit an interim report of its findings and recommendations to the Governor and General Assembly by a certain date; altering the due date for the Commission to submit a final report; and generally relating to the Maryland Business Tax Reform Commission.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–110  
Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 337 – Senator Frosh**

EMERGENCY BILL

AN ACT concerning

**Estates and Trusts – Construction of References in Will or Trust to Federal Estate Tax or Generation–Skipping Transfer Tax**

FOR the purpose of establishing that certain provisions in a will or trust of a decedent who dies between certain dates shall be deemed to refer to the federal estate tax or generation–skipping transfer tax laws on a certain date; providing for the application and construction of certain provisions of this Act; authorizing a personal representative or any interested person to bring a certain proceeding to construe certain provisions in a will or other instrument; requiring that a certain proceeding be commenced within a certain time; making this Act an emergency measure; and generally relating to the construction of certain provisions in wills and trusts.

BY adding to

Article – Estates and Trusts

Section 11–110

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 338 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Elective Share – Extension of Time for Making Election**

FOR the purpose of authorizing a surviving spouse, within the period provided for making an election to take an elective share of the deceased spouse's estate, to file with the court a petition for an extension of time, with a copy given to the personal representative; repealing the limitation that the court may only grant an extension before the expiration of the time in which to make the election; and generally relating to the election by a surviving spouse to take an elective share of the deceased spouse's estate.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 3–206  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 339 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Guardianship – Payment of Expenses After Death of Ward**

FOR the purpose of requiring that, after the death of a minor or disabled person for whom a guardian of the property has been appointed, the guardian of the property of the minor or disabled person pay from the estate all commissions, fees, and expenses shown on the court–approved final guardianship account and retain the balance of the estate for delivery to an appointed personal representative of the decedent or other person entitled to it; and generally relating to guardianship of the property of a minor or disabled person.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–214(c)(3)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 340 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Maryland International Wills Act**

FOR the purpose of providing for the execution of an international will; establishing certain requirements for an international will; authorizing certain persons to supervise the execution of international wills; providing for a certain certificate; providing for the revocation of an international will; providing for the construction of this Act; defining certain terms; and generally relating to international wills.

BY adding to  
Article – Estates and Trusts  
Section 4–601 through 4–609 to be under the new subtitle “Subtitle 6. Maryland International Wills Act”  
Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 341 – Senator Frosh**

AN ACT concerning

**Real Property – Effect of Deed Granting Property from Trust or Estate**

FOR the purpose of providing that a grant of property by deed from a certain trust has the same effect as if the grantee had received the property from a certain trustee; providing that a grant of property by deed from a certain estate has the same effect as if the grantee had received the property from a certain personal representative; providing for the application of this Act; and generally relating to grants of property by deed from certain trusts or estates.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 2–122

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 342 – Senators Frosh, Conway, Forehand, Harrington, Lenett, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Natural Resources – Oyster Poaching – Hearing**

FOR the purpose of providing that a certain person who receives a citation for a certain offense related to unlawfully taking oysters may have a certain license revoked under certain circumstances; establishing certain grounds for the revocation of a certain license; requiring the Department of Natural Resources to hold a certain hearing under certain circumstances in accordance with the Administrative Procedure Act; requiring the Department to revoke a person's license to catch oysters under certain circumstances; authorizing certain aggrieved persons to obtain judicial review of a certain decision; prohibiting a certain person from using or receiving a certain license under certain circumstances; and generally relating to unlawfully taking oysters and license revocation.

BY adding to

Article – Natural Resources

Section 4–1210

Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 343 – Senators Stone, Della, Jacobs, Klausmeier, McFadden, Mooney, Pinsky, and Simonaire**

AN ACT concerning

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

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

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

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

**Senate Bill 344 – Senator Glassman**

AN ACT concerning

**Motor Vehicles – Medium Speed Vehicles – Requirements and Prohibitions**

FOR the purpose of prohibiting a person from driving a medium speed vehicle on certain highways; prohibiting a person from driving a medium speed vehicle on a highway unless the vehicle displays a certain emblem; establishing certain standards for a certain emblem; prohibiting a motor vehicle dealer from selling a medium speed vehicle unless the dealer permanently affixes a certain emblem to the vehicle and informs the buyer that certain driving restrictions apply; requiring the application for registration of a medium speed vehicle to be submitted electronically; requiring a dealer of medium speed vehicles under certain circumstances to obtain a registration application from the vehicle's owner, collect registration fees, and transmit the application and fees in a certain manner within a certain time period; defining a certain term; and generally relating to requirements and prohibitions for medium speed vehicles.

BY adding to

Article – Transportation  
Section 11–132.1 and 21–805.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 13–403, 15–313, and 21–804  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 345 – Senators Kelley, Forehand, Gladden, and Stone**

AN ACT concerning

**Condominiums and Homeowners Associations – Reserves and Reserve Studies**

FOR the purpose of requiring the governing body or the council of unit owners of certain condominiums to have a reserve study conducted of the common elements of the condominium by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common elements of a condominium to meet certain criteria; requiring the governing body of certain homeowners associations or certain homeowners associations to have a reserve study conducted of the common areas of the homeowners association by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common areas of a homeowners association to meet certain criteria; requiring the annual budget of a certain homeowners association development to provide for reserves under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to the reserves and reserve studies of condominiums and homeowners associations.

BY repealing and reenacting, without amendments,

Article – Real Property  
Section 11–109.2 and 11–110(b)(1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Real Property  
Section 11–109.4 and 11B–112.2  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 346 – Senators Garagiola, Currie, Exum, Forehand, Frosh, Lenett, Madaleno, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Tobacco Products – Tax Stamps – Regulations**

FOR the purpose of authorizing the Attorney General or the Comptroller to adopt regulations requiring that the tobacco tax stamps that are required to be affixed to certain cigarettes be generated by a technology capable of being read by certain devices and encrypted with certain information; and generally relating to the regulation of tobacco products.

BY adding to

Article – Business Regulation  
Section 16–224  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 347 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**Political Subdivisions – Financial Reports**

FOR the purpose of amending certain provisions relating to the timeframes for the submission of comprehensive annual reports on the financial condition of political subdivisions in the State to the Department of Legislative Services and the State Treasurer to conform those timeframes to those required for the submission to the Department of certain other reports of counties, municipal corporations, and special taxing districts in the State; making technical changes; and generally relating to financial reports of political subdivisions in the State.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 2–101(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 348 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**Capital Debt Affordability**

FOR the purpose of altering the due date for the annual report of the Capital Debt Affordability Committee and the annual deadline for the Governor to determine the amount of advisable new State debt; and generally relating to State debt affordability.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 8–112 and 8–113  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 349 – Senators Forehand and Madaleno**

AN ACT concerning

**Local Correctional Facilities – Sentenced Inmates**

FOR the purpose of altering the circumstances under which a judge may sentence an individual to a local correctional facility; prohibiting a judge from sentencing an individual to a local correctional facility for a period exceeding a certain amount of time; and generally relating to the sentencing of inmates to a local correctional facility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 350 – Senator Currie**

AN ACT concerning

**Maryland Transit Administration – Transit–Oriented Development  
– Expansion of Geographic Area**

FOR the purpose of altering a certain definition to expand the geographic area within which a certain project could be constructed and yet qualify as a transit–oriented development; and generally relating to transit–oriented development.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–102(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 351 – Senator Currie**

AN ACT concerning

**Prince George’s County – Kettering Largo Boys & Girls Club Storage Facility  
Loan of 2001**

FOR the purpose of amending the Prince George’s County – Kettering Largo Boys & Girls Club Storage Facility Loan of 2001 to extend the deadline by which the Board of Directors of Kettering Largo Boys & Girls Club may present evidence to the Board of Public Works that a matching fund will be provided; and requiring that the loan proceeds be encumbered by the Board or expended for certain purposes by a certain date.

BY repealing and reenacting, with amendments,  
Chapter 326 of the Acts of the General Assembly of 2001, as amended by  
Chapter 30 of the Acts of the General Assembly of 2003, Chapter 188 of  
the Acts of the General Assembly of 2005, and Chapter 219 of the Acts of  
the General Assembly of 2008  
Section 1

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

**Senate Bill 352 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Capital Area Food Bank**

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 Capital Area 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 Budget and Taxation.

**Senate Bill 353 – Senators Lenett, Forehand, Frosh, Garagiola, Gladden, Glassman, Harrington, Jacobs, Jones, King, Klausmeier, Madaleno, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Environment – Brominated Flame Retardants – Decabrominated Diphenyl Ether – Prohibition**

FOR the purpose of prohibiting, on or after a certain date, the manufacturing, processing, selling, or distributing of certain products that contain a certain amount of decabrominated diphenyl ether; providing that the prohibition does not apply to certain processing of certain recyclables, certain manufacturer replacement service parts or other products, certain vehicles, or certain products, parts, or replacement parts for use in certain vehicles; defining a certain term; providing for a delayed effective date; and generally relating to the use of brominated flame retardants.

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–1201 and 6–1202

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 354 – Senators Pinsky, Della, Frosh, Harrington, Lenett,  
Madaleno, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Corporate Income – Combined Reporting – Pension Sustainability Trust  
Fund**

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; requiring the Comptroller to make certain estimates and distribute certain income tax revenue from corporations to a certain special fund; providing that, 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 the members of the group; requiring the Comptroller to adopt certain regulations; requiring certain regulations to be consistent with certain regulations adopted by the Multistate Tax Commission; establishing the Pension Sustainability Trust Fund; requiring the Secretary of Budget and Management to administer the Trust Fund; providing that the Trust Fund may be used only to transfer certain amounts to the General Fund of the State to offset certain contributions to certain systems of the State Retirement and Pension System; defining certain terms; providing for the application of this Act; and generally relating to the Maryland corporate income tax and the State's contribution to certain plans in the State Retirement and Pension System.

BY adding to

Article – Tax – General  
Section 2–613.1 and 10–402.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–613.1, 2–614, 2–615, and 10–811  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 7–327  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 355 – Senators Pinsky, Della, Frosh, Harrington, Pipkin, Raskin,  
and Rosapepe**

AN ACT concerning

**Energy Companies – Net Energy Metering – Payment for Accrued Generation Credit**

FOR the purpose of requiring that a certain net metering contract or tariff credit electricity generated by certain eligible customer–generators at certain rates under certain circumstances; repealing a limitation on the period of time that a certain eligible customer–generator may accrue certain generation credit; repealing a limitation on the time that a certain electric company is required to carry forward a generation credit or a negative kilowatt–hour reading; requiring a certain electric company to carry forward a certain generation credit until certain events occur; repealing a provision relating to the reversion of a certain generation credit to a certain electric company; requiring the amount of generation credit that a certain electric company credits to a certain eligible customer–generator to be at certain rates under certain circumstances; requiring certain generation credit to appear on an eligible customer–generator’s bill in a dollar amount; requiring a certain electric company to reimburse a certain generation credit under certain circumstances; and generally relating to net energy metering and the payment for accrued generation credit.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 356 – Senators Harrington, Lenett, Madaleno, Muse, Peters, Pugh, Raskin, and Stone**

AN ACT concerning

**Public Health – Chain Restaurants – Nutrition Information Labeling**

FOR the purpose of requiring certain chain restaurants to provide certain nutrition information for certain menu items; establishing how the nutrition information is to be determined; authorizing restaurants voluntarily to provide customers with additional nutrition information; authorizing certain restaurants to limit the display of certain nutrition information under certain circumstances; requiring certain nutrition information to be displayed in a certain manner; requiring certain restaurants to display certain statements regarding daily nutrition requirements; establishing certain exceptions to certain enforcement procedures; authorizing a local health department to enforce certain provisions;

providing for certain civil penalties; providing for certain exemptions from certain penalties; defining certain terms; providing for a delayed effective date; and generally relating to nutrition information provided by chain restaurants.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 21–313 and 21–1214  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health – General  
Section 21–353 through 21–356 to be under the new part “Part VIII. Nutrition Information Labeling”  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 357 – Senator Harrington**

AN ACT concerning

#### **Health Occupations – Wellness Practitioners – Exemption from Licensure as Physicians**

FOR the purpose of providing that the provisions of the Maryland Medical Practice Act do not prohibit certain individuals who provide certain complementary and alternative health services from practicing in the State; authorizing a wellness practitioner to practice in the State if the wellness practitioner has not had a license restricted, suspended, or revoked without subsequent reinstatement, has not been convicted of certain crimes or adjudicated to be mentally incompetent, and does not take certain actions as a wellness practitioner or otherwise; requiring certain wellness practitioners to develop certain disclosure statements that include certain information and certain statements; requiring certain wellness practitioners to require certain individuals to sign and acknowledge receipt of certain statements; requiring certain wellness practitioners to retain certain documents for a certain period of time; providing for the application of this Act; defining certain terms; and generally relating to wellness practitioners and the provision of complementary and alternative health services.

BY adding to

Article – Health Occupations  
Section 14–103  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 358 – Senators Muse and Brochin**

AN ACT concerning

**Health Care Malpractice – Expression of Regret or Apology – Inadmissibility**

FOR the purpose of repealing a certain exception to the provision of law that a certain expression of regret or apology made by a health care provider is inadmissible for certain purposes in a certain proceeding or civil action; 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 and 2009 Supplement)

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

**Senate Bill 359 – Senators Lenett, Exum, Harrington, King, McFadden, Pinsky, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Agriculture – Fertilizers and Pesticides – Release Reporting**

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding the reporting on the release of fertilizers and pesticides; declaring certain findings of the General Assembly; requiring a certain person that releases fertilizers and pesticides to submit a certain report to the Department; requiring the report to contain certain information; requiring the report to be submitted annually beginning on a certain date; requiring the Department to establish the format of the report; requiring the Department to adopt standard naming conventions for certain chemicals and products; requiring that a person that withholds certain information from the report to notify the Department and provide a certain explanation; establishing that this Act does not relieve a person from certain reporting requirements under federal, State, or local laws; authorizing the Department to inspect certain records; requiring certain records to be made available to the Department for inspection at a certain time; requiring the Department to provide notice of a certain inspection of records to a certain person; requiring the Department to serve as the repository for certain records; authorizing the Department to delegate

certain data management functions; authorizing the Department to share data management resources with other State departments; requiring the Department to establish an online electronic reporting system; requiring the system to allow certain information to be reported; authorizing the Department to adopt certain regulations regarding electronic reporting; authorizing the Department to adopt regulations regarding the public availability of certain information; requiring the Department to adopt regulations to ensure that certain data will not result in the association of a certain person; requiring the Department to adopt regulations to protect the identity of certain persons; limiting access to certain reports to certain persons; prohibiting access to certain reports unless certain requirements are met; requiring the availability of certain administrative and judicial review under certain circumstances; creating a Fertilizer and Pesticide Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have an annual revenue target; requiring the Department to set the revenue target and adjust the target based on certain conditions; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited into the Fund; requiring the surcharge fees to be used for a certain purpose; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; defining certain terms; and generally relating to fertilizer and pesticide release reporting.

BY adding to

Article – Agriculture

Section 14–101 through 14–403 to be under the new title “Title 14. Fertilizers and Pesticides”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 360 – Senators Astle and DeGrange**

AN ACT concerning

#### **Education – Offenses Reportable to School Authorities**

FOR the purpose of altering certain definitions, including the definition of “reportable offense”, to include certain violations of the Criminal Law Article and the attempt to commit certain crimes; requiring a law enforcement agency to report the arrest of a student for a certain reportable offense to a local superintendent and the public or nonpublic school principal; and generally relating to offenses reportable to school authorities.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–303  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 361 – Senator Astle**

AN ACT concerning

**Natural Resources – Local Forest Conservation Funds – Use of Money**

FOR the purpose of repealing the requirement that, at the end of a certain time period, unused money in a local forest conservation fund be returned to certain persons for certain purposes; and generally relating to the use of money in a local forest conservation fund.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–1610  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 362 – Senator Astle**

AN ACT concerning

**Natural Resources – Suspension of Hunting Licenses and Privileges**

FOR the purpose of authorizing the Department of Natural Resources to suspend for certain periods of time the hunting license or privileges of a person who is convicted of a State or federal hunting violation; requiring the Department to suspend for a certain time period the hunting license or privileges of a person who receives within a certain time period a certain second conviction for a hunting violation; authorizing the Department to order that certain persons not obtain a hunting license for a certain time period; repealing certain provisions of law authorizing the Department to impose a certain fine and certain hunting license suspensions for a conviction for certain hunting violations; authorizing a court to suspend the hunting license of a person convicted of a federal hunting violation and the hunting privileges of a person convicted of a State or federal hunting violation; prohibiting a person whose hunting license is suspended from

hunting or performing certain hunting activities anywhere in the State; prohibiting a person whose hunting privileges are suspended from hunting, or performing certain activities related to hunting, in the State; authorizing the Department to adopt regulations to implement this Act; clarifying certain language; defining a certain term; and generally relating to the suspension of hunting licenses and privileges in the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–205, 10–423, 10–1101, and 10–1108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 363 – Senators Astle and Simonaire**

AN ACT concerning

**Environment – Use of Coal Combustion By–Products for Reclamation – Bond Requirements**

FOR the purpose of requiring the Department of the Environment to require a bond in a certain amount for a permit that authorizes the use of coal combustion by–products for reclamation; and generally relating to bond requirements for permits authorizing the use of coal combustion by–products for reclamation.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 15–823  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 364 – Senators Astle and Simonaire**

AN ACT concerning

**Environment – Coal Combustion By–Products – Permits**

FOR the purpose of requiring the Department of the Environment to hold an informational meeting with respect to certain permit applications involving the disposal of coal combustion by–products; requiring a certain informational meeting to be conducted in a certain location; requiring the Department to hold

a public hearing before the Secretary of the Environment issues certain permits that involve the disposal of coal combustion by-products; requiring the Department to mail written notice of a certain public hearing to certain local governments under certain circumstances; and generally relating to permits issued for the disposal of coal combustion by-products.

BY adding to

Article – Environment  
Section 9–290  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 365 – Senators Astle, DeGrange, Reilly, and Simonaire**

AN ACT concerning

**Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders**

FOR the purpose of excluding from the jurisdiction of juvenile court a child of at least a certain age alleged to have committed, as a member of a criminal gang, a certain act that would be a crime if committed by an adult; providing for the application of this Act; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–8A–03(d)(4)(xvi) and (xvii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–8A–03(d)(4)(xviii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 9–802, 9–803, and 9–804  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 366 – Senators Astle, DeGrange, Reilly, and Simonaire**

AN ACT concerning

**Education – Public Charter School Facility Revolving Loan Fund**

FOR the purpose of establishing the Public Charter School Facility Revolving Loan Fund; specifying the purpose of the Fund; authorizing certain applicants to obtain loans from the Fund; requiring the State Board of Education to administer the Fund and to consider certain factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report certain information to county boards of education each fiscal year; establishing certain requirements for loan repayment; requiring the State Board to adopt certain regulations; and generally relating to the Public Charter School Facility Revolving Loan Fund.

BY adding to

Article – Education

Section 9–111

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 367 – Senator Della**

AN ACT concerning

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

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

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

**Senate Bill 368 – Senator Della**

AN ACT concerning

**Department of Transportation – Repeal of Secretary’s Authority to Abolish Employee Positions**

FOR the purpose of repealing the authority of the Secretary of Transportation to abolish certain employee positions; and generally relating to the authority of the Secretary of Transportation to abolish employee positions.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 2–103.4(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103.4(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 369 – Senator Della**

AN ACT concerning

**Maryland Port Commission – Membership**

FOR the purpose of altering the voting membership of the Maryland Port Commission by adding certain members to represent certain organizations; altering the number of Commission voting members required to constitute a quorum; establishing initial staggered terms for Commission memberships created by this Act; repealing an obsolete provision staggering the initial terms of Commission members; and generally relating to the membership of the Maryland Port Commission.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 6–201  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 370 – Senator Della**

AN ACT concerning

**Pharmacies – Delivery of Controlled Dangerous Substances**

FOR the purpose of requiring certain pharmacies to require an adult to sign for the delivery of a controlled dangerous substance to a residence; and generally relating to pharmacies and the delivery of controlled dangerous substances.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–403(b)(17)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 371 – Senator Della**

AN ACT concerning

**Fines for Parking Violations – Late Fees – Restrictions in Baltimore City**

FOR the purpose of prohibiting Baltimore City from charging a person issued a citation for a parking violation who has failed either to pay the fine by a certain date or to file a notice of intent to stand trial by a certain date more than one late fee or a late fee exceeding a certain amount; and generally relating to restrictions in Baltimore City on the charging of late fees for unpaid fines for parking violations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 372 – Senator Della**

AN ACT concerning

**Property Tax – Tax Sales – Notice to Foreclose Right of Redemption**

FOR the purpose of altering certain notice provisions by requiring a holder of a certificate of sale to send certain notices by certified mail before the holder of a certificate of sale may file a complaint to foreclose the right of redemption; and generally relating to notices to foreclose the right of redemption.

BY repealing and reenacting, without amendments,  
Article – Tax – Property

Section 14-833(a-1)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14-833(a-1)(6) and (8)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 373 – Senator Della**

EMERGENCY BILL

AN ACT concerning

**Property Tax – Tax Sales – Complaint to Foreclose Right of Redemption**

FOR the purpose of authorizing the holder of certain certificates of sale in Baltimore City for which there is no private purchaser to file a complaint at any time after the date of sale to foreclose all rights of redemption in certain abandoned property; altering a certain notice requirement to conform to certain provisions of law establishing the types of expenses for which a holder of a certificate of sale may be reimbursed under certain circumstances; making this Act an emergency measure; and generally relating to tax sales.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14-833(a) and (a-1)(2) and (3)(v)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – Property  
Section 14-833(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 374 – Senator Della**

AN ACT concerning

**Baltimore City – Video Lottery Facility – Local Development Council –  
Membership**

FOR the purpose of altering the membership of the local development council that would be formed if a video lottery facility is located in Baltimore City; requiring that the local development council include one Delegate and one member of the Baltimore City Council who both represent areas where the communities surrounding the facility are located; and generally relating to a local development council in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–31(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 375 – Senator Della**

AN ACT concerning

**Video Lottery Facilities – Local Impact Grants – Residential Parking Permit  
Costs**

FOR the purpose of adding the payment of certain costs related to parking permits for a certain residential parking permit area to the list of purposes for which local impact grants from the proceeds of video lottery terminals may be used; specifying the manner in which an eligible residential parking permit area is to be determined; and generally relating to residential parking permit areas.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–31(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–31(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 376 – Senator Della**

AN ACT concerning

**Baltimore City – Consumption of Alcoholic Beverages – Unlicensed  
Restaurants**

FOR the purpose of prohibiting, with a certain exception, an establishment in Baltimore City that is not licensed by the Board of License Commissioners from performing certain activities, including giving, serving, or dispensing alcoholic beverages on its premises; authorizing certain restaurants not licensed by the Board to allow a patron to consume alcoholic beverages during a certain time under certain conditions; repealing provisions concerning the establishment and registration of bottle clubs; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 1–102(a)(1) and (22)(i) and (ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 20–102  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 377 – Senator Della**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Class C Licensees to Reimburse Board  
for Costs**

FOR the purpose of authorizing the Baltimore City Board of Liquor License Commissioners to collect reimbursement from a holder of a Class C special beer, wine and liquor license for costs the Board incurs while monitoring the event for which the Class C license is issued; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(d)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 378 – Senator Della**

AN ACT concerning

**Baltimore City – 46th District – Alcoholic Beverages – Issuance or Transfer of Licenses Prohibited in Certain Precincts – Food Sales**

FOR the purpose of prohibiting the issuance of alcoholic beverages licenses in, or the transfer of alcoholic beverages licenses into, certain precincts of a certain ward in the 46th alcoholic beverages district of Baltimore City; altering the percentage of average daily receipts derived from the sale of food that is required of certain licensed restaurants in certain wards and precincts in the 46th alcoholic beverages district; and generally relating to alcoholic beverages licenses in certain wards and precincts in the 46th alcoholic beverages district of Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(d)(1)(ix) and 9–204.1(d)(3) and (f)(2)(i) and (ii) and (3)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 9–204.1(a), (b), (c), and (f)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 379 – Senator Rosapepe**

AN ACT concerning

**Prince George’s County – City of Laurel – Tax Rebate for Local Bus Service**

FOR the purpose of requiring Prince George’s County to grant a tax rebate to the City of Laurel equal to the full amount of any county property tax paid by city residents to fund county bus service; authorizing the City of Laurel to use the tax rebate to fund bus service for the greater Laurel area; defining a certain term; providing for the application of this Act; and generally relating to

requiring Prince George's County to grant a tax rebate to the City of Laurel for local bus service.

BY adding to

Article – Tax – Property

Section 6–305.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 380 – Senator Rosapepe**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2007 and 2008 – Prince  
George's County – Historic Laurel Mill Ruins**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2007 and 2008 to alter the purpose of certain grants to the Mayor and City Council of the City of Laurel; extending the deadline by which the grantee must present evidence that a matching fund will be provided; and generally relating to certain grants for the Historic Laurel Mill Ruins and the Laurel Armory Anderson Murphy Community Center.

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by

Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA02(BO)

BY adding to

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA02(BO–1)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item (ZA01)(CA) and Item (ZA02)(BM)

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

**Senate Bill 381 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George's County – LARS Facility  
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Laurel Advocacy and Referral Services, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 382 – Senators Conway, Colburn, Dyson, Harrington, Lenett, Miller, and Reilly**

AN ACT concerning

**Marine Contractors – Licensure and Regulation – Wetland Permits and Authorizations**

FOR the purpose of requiring certain persons to be licensed as marine contractors by the Department of the Environment before performing certain work in this State; authorizing the Secretary of the Environment to exercise certain powers to carry out the Secretary's duties with respect to the licensing and regulation of marine contractors; requiring the Secretary to adopt certain regulations and keep a certain roster containing certain information relating to licensed marine contractors; providing that an applicant for a marine contractor's license must meet certain criteria; requiring an applicant for a marine contractor's license to submit certain documents and pay a certain fee; requiring that the application form provided by the Secretary require certain information from the applicant; requiring that the application form provided by the Secretary contain a certain statement; requiring the applicant to sign the application form under oath; prohibiting the Secretary from issuing a license under certain circumstances; requiring the Secretary to issue a license of a certain duration to certain applicants; requiring the Secretary to include certain information on the license; providing that a license is void under certain circumstances; providing that while a license is in effect, it authorizes the licensee to take certain actions; requiring a licensed marine contractor to include the contractor's license number in certain advertising and to display it on certain equipment; requiring the Secretary to stagger the terms of licenses; providing for the expiration and renewal of licenses; requiring the Secretary to mail a renewal form and notice containing certain information to the applicant at a certain address by a certain time; authorizing a licensed marine contractor to renew the license under certain circumstances, including payment of a certain fee; requiring the Secretary to renew the license of a licensed marine contractor under certain circumstances; requiring a licensee that is a firm to provide written notice to the Secretary under certain circumstances; authorizing the Secretary to deny, suspend, or revoke the license under certain circumstances; requiring the Secretary to follow certain notice procedures and hold a certain hearing before

taking final action to deny, revoke, or suspend the license; providing that acts or omissions by certain parties may be attributed to certain applicants or licensees; providing for certain penalties for knowingly violating certain provisions of law; requiring the Department to grant, deny, or condition certain nontidal wetlands permits on or before a certain length of time under certain circumstances; exempting a certain project from a certain permit application fee; requiring a flat application fee for certain wetlands permits or authorizations under certain circumstances; providing licensed marine contractors with immunity from civil suit under certain circumstances; requiring the Department to provide certain information on the Department's website and make a final decision on a certain permit application by a certain time under certain circumstances; requiring the Department to exempt licensed marine contractors from certain permitting requirements for certain projects; requiring the Department to adopt by regulation certain criteria to identify the projects qualifying for exemption in consultation with a certain association; requiring a person to hire or consult a licensed marine contractor under certain circumstances; establishing certain administrative fines for failing to hire or consult a licensee as required; requiring the Department to adopt certain regulations for certain purposes; defining certain terms and altering the definition of a certain term; and generally relating to the licensure and regulation of marine contractors and the wetlands permitting and authorization process.

BY adding to

Article – Business Occupations and Professions  
Section 22–101 through 22–401 to be under the new title “Title 22. Marine Contractors”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 1–607(b), 5–101, 5–203.1(a)(3), (b), (d), and (e), and 16–101  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment  
Section 5–203.1(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Environment  
Section 5–203.1(d), 16–106, 16–107, and 16–108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 383 – Senator Mooney**

AN ACT concerning

**Public Health – Frederick County – Dogs in Outdoor Dining Areas**

FOR the purpose of authorizing the County Commissioners for Frederick County to enact certain laws, ordinances, rules, or regulations to allow a restaurant to allow dogs in outdoor dining areas of restaurants; requiring the legislation to contain a certain prohibition; requiring the legislation to contain a provision to ensure certain rights are not impeded; and generally relating to the presence of animals in outdoor dining areas in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–304  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 384 – Senator Mooney**

EMERGENCY BILL

AN ACT concerning

**Labor and Employment – Job Creation and Recovery Tax Credit**

FOR the purpose of establishing the Job Creation and Recovery Tax Credit; providing a credit against the State income tax for certain employers employing certain individuals in certain qualified positions; defining certain terms; providing for certification by the Department of Labor, Licensing, and Regulation of persons eligible for the credit and of the maximum amount of credit for which a qualified employer is eligible; limiting to a certain amount the credit each qualified employer may receive; providing for a cap of the total aggregate amount of the tax credit that the Department may approve; allowing the credit as a credit against the payment of certain withholding taxes under certain circumstances; making the credit refundable under certain circumstances; requiring certain reports; authorizing the adoption of certain regulations; providing for the application of this Act; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to tax credits in connection

with the employment of certain individuals in certain qualified positions in the State and the Job Creation and Recovery Tax Credit program.

BY adding to

Article – Labor and Employment

Section 11–1101 through 11–1107 to be under the new subtitle “Subtitle 11. Job Creation and Recovery Tax Credit”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – General

Section 10–728

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 385 – Senators DeGrange, Brinkley, Dyson, Klausmeier, McFadden, Peters, Reilly, and Stoltzfus**

AN ACT concerning

**Building Opportunities for All Students and Teachers (BOAST) in Maryland  
Tax Credit**

FOR the purpose of allowing a credit against the State income tax for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization; requiring the State Department of Education to administer the tax credit; requiring an entity to submit an application to be an eligible educational scholarship organization by a certain date each year; requiring an entity to submit an application by a certain date each year or qualify as a certain State–aided educational institution to be an eligible innovative educational organization; requiring an eligible educational scholarship organization or an eligible innovative educational organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an eligible educational scholarship organization or an eligible innovative educational organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; establishing the Building Opportunities for All Students and Teachers Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the

annual budget bill; requiring the Comptroller to transfer certain amounts from the Fund to the General Fund under certain circumstances; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for contributions made to an eligible educational scholarship organization or an eligible innovative educational organization.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–205(a) and 10–306(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k), 10–306(g), and 10–728  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

#### Senate Bill 288 – Senator Edwards

AN ACT concerning

#### Maryland Dormant Mineral Interests Act

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

Read and ordered journalized.

## THE COMMITTEE ON RULES REPORT #1

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

### Proposed Amendment to Senate Rule 38

SR0038/903826/1

BY: Senator Kittleman

AMENDMENT TO SENATE RULE 38

ORDERED by the Senate of Maryland, that Senate Rule 38, as adopted by the Senate for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

“38.

(A) The final committee vote on any bill, resolution, or nomination of the Executive shall be recorded by individual Member. Any other committee vote, at the request of any committee Member, shall be recorded by individual Member. Any individual Member may request that his or her vote on any committee vote shall be recorded.

(B) (1) Every recorded committee vote shall be [delivered]:

(I) DELIVERED to the Department of Legislative Services and to the Journal Clerk prior to the reporting of the bill or resolution to the floor of the Senate and be maintained as a permanent public record by that Department; AND

(II) MADE AVAILABLE TO THE PUBLIC ON THE INTERNET WITHIN 10 DAYS BY THE DEPARTMENT OF LEGISLATIVE SERVICES.

(2) Every final committee vote shall be printed in the Journal.”.

QUESTION IS ON THE ADOPTION OF THE AMENDMENT TO SENATE RULE 38 OFFERED BY SENATOR KITTLEMAN.

Senator Klausmeier moved, duly seconded, to adopt the amendment to Senate Rule 38.

The motion was adopted by roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 72)

Senate Rule 116. Change in Rules

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

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

QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

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

Senate Rule 116 was adopted by roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 73)

### QUORUM CALL

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

(See Roll Call No. 74)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #3

**Senate Bill 34 – Senator Middleton (Joint Committee on Unemployment Insurance Oversight) and Senators Kelley and Exum**

AN ACT concerning

**Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 75)

The Bill was then sent to the House of Delegates.

**Senate Bill 54 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development) and Senators Garagiola, Klausmeier, and Middleton**

AN ACT concerning

**Business and Economic Development – Maryland Economic Adjustment Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 76)

The Bill was then sent to the House of Delegates.

**Senate Bill 55 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Business and Economic Development – Maryland Military Installation Council – Sunset Repeal, Membership, and Terms**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 77)

The Bill was then sent to the House of Delegates.

**Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Health Insurance – Medicare Supplement Policies – Repeal of Requirement to Offer Plan I**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 78)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 79)

**ADJOURNMENT**

At 10:39 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 29, 2010.

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**Annapolis, Maryland**  
**Friday, January 29, 2010**  
**11:00 A.M. Session**

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The Senate met at 11:08 A.M.

Prayer by Pastor Victor J. McGodman, Sr., Christ International Ministries, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of January 28, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 81)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 159 – Senator Jennie M. Forehand:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Marylanders with Disabilities  
in recognition of  
the 20th Anniversary of the signing of the  
Americans with Disabilities Act.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 29th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 82)

**Senate Resolution No. 155 – Senator Barry Glassman:**

Be it hereby known to all that  
 The Senate of Maryland  
 offers its sincerest congratulations to  
 Alex Griffith  
 in recognition of  
 his being selected a “2009 CNN Hero” for his extraordinary  
 effort to raise more than \$62,000 to fund, design, and build a  
 large playground for patients of the Children’s Hospital #20 in Krasnoyarsk, Russia,  
 where he spent the first 11 months of his life.  
 The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 29th day of January 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 83)

**INTRODUCTION OF BILLS**

**Senate Bill 386 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Glassman, Haines, Harris, Kittleman, Klausmeier, Middleton, Mooney, Munson, Muse, Pipkin, Reilly, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Victims of Crime – Burglary and Crimes of Violence – Civil Immunity**

FOR the purpose of providing that a person is not liable for damages for a personal injury or death of an individual who enters the person’s dwelling or place of business with the intent to commit certain crimes under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to providing certain immunity from civil liability to a victim of certain crimes under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings  
 Section 5–808  
 Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 6–202 through 6–204 and 14–101(a)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 387 – Senator Edwards**

AN ACT concerning

**Garrett County – Noncertificated Public School Employees – Service Fees**

FOR the purpose of authorizing the Garrett 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; prohibiting certain nonmember noncertificated employees from being charged a service fee under certain circumstances; and generally relating to service fees for nonmembers of certain employee organizations in Garrett County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 388 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Allegany County – Allegany Museum**

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

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

**Senate Bill 389 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Garrett County – Oakland B&O Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Oakland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 390 – Senator McFadden**

AN ACT concerning

**Baltimore City – Marriage License Fee – Increase**

FOR the purpose of providing for the maximum amount of the additional fee for a marriage license that the Baltimore City Mayor and the Baltimore City Council are authorized to set by ordinance; requiring the clerk of the court to pay the proceeds from the additional fee to the House of Ruth; requiring the Mayor to prepare and make available a certain annual report on or before a certain date each year; and generally relating to marriage license fees in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–404(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 391 – Senators McFadden and Munson**

AN ACT concerning

**Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist**

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  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 392 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mount Pleasant Family Life 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 Mount Pleasant Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 393 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Fine Arts Center for Archbishop Curley High School**

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 Trustees of Archbishop Curley High School for certain development or improvement purposes; providing for

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

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

**Senate Bill 394 – Senators Exum, Conway, Currie, Harrington, Kelley, Peters, Pinsky, Pugh, and Rosapepe**

AN ACT concerning

**Municipalities – Authority to Enter into Agreements with Other Municipalities**

FOR the purpose of authorizing municipalities to enter into certain agreements with other municipalities for certain purposes; and generally relating to agreements among municipalities.

BY adding to

Article 23A – Corporations – Municipal  
Section 2(b)(38)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 395 – Senators Brochin, Mooney, and Stone**

AN ACT concerning

**Correctional Services – Diminution Credits – Inmate Serving Sentence for Rape of Minor or First- or Second-Degree Sexual Offense Against Minor**

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a minor; and generally relating to the elimination of diminution credits for persons serving sentences for committing certain sexual crimes against minors.

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 3–702 and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 396 – Senator Middleton**

AN ACT concerning

**Maryland Estate Tax – Payment Deferral for Qualified Agricultural Property**

FOR the purpose of providing for a certain payment deferral under certain circumstances for certain Maryland estate tax imposed on certain agricultural property; providing that Maryland estate tax subject to a payment deferral shall become due immediately under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to a payment deferral under certain circumstances for certain Maryland estate tax imposed on certain agricultural property.

BY adding to

Article – Tax – General

Section 7–307(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 397 – Senators Pipkin, Jacobs, and Mooney**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Health Care Freedom Act of 2010**

FOR the purpose of adding a new article to the Maryland Constitution to enact limits on the regulation of health care in the State; prohibiting a law from compelling certain persons to participate in a health care system; prohibiting certain persons from being required to pay penalties or fines for not participating in any health care system; authorizing certain persons to pay directly for certain health care services; authorizing a health care provider to accept direct payment for certain health care services; prohibiting certain persons from being required to pay penalties or fines under certain circumstances; specifying that the purchase or sale of certain health insurance may not be prohibited by law; specifying that this Act does not affect which health care services a health care provider is required to perform or provide, which health care services are authorized or not prohibited by law, and the terms and conditions of any health care system under certain circumstances; specifying that this Act does not prohibit health care provided under any law relating to workers' compensation;

defining certain terms; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
New Article XX – Regulation of Health Care  
Section 1

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

**Senate Bill 398 – Senators Raskin, Gladden, Kelley, and Muse**

AN ACT concerning

**Courts – County Administrative Judge – Responsibilities**

FOR the purpose of establishing that the date for trial of a criminal matter in the circuit court shall be set by the county administrative judge or a designee of the judge; authorizing a county administrative judge to delegate to any judge, committee of judges, or officer or employee of the Judicial Branch of State government any of the administrative responsibilities, duties, and functions of the county administrative judge; and generally relating to the responsibilities of county administrative judges.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 399 – Senators Raskin, Forehand, and Pugh**

AN ACT concerning

**Real Property – Abatement of Nuisance – Prostitution**

FOR the purpose of establishing that the use of real property for prostitution is a nuisance that may be the subject of a certain action for abatement; defining a certain term; making a stylistic change; and generally relating to prostitution and abatement of nuisance actions.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–301(c)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–120  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 400 – Senators Pugh, Raskin, Conway, Currie, Forehand, Harrington, Jones, Kelley, Madaleno, McFadden, Miller, Muse, and Peters**

AN ACT concerning

**No Representation Without Population Act**

FOR the purpose of requiring certain incarcerated individuals to be counted in certain population counts in a certain manner; prohibiting certain incarcerated individuals from being included in certain population counts used for the purpose of creating the legislative districting plan for the General Assembly and certain county legislative districts; and generally relating to population counts of incarcerated individuals and the creation of legislative districts.

BY adding to  
Article – State Government  
Section 2–2A–01 to be under the new subtitle “Subtitle 2A. Creation of the Legislative Districting Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–111  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 401 – Senators Pugh, Conway, Currie, Forehand, Gladden, Harrington, Jones, King, Kramer, Lenett, Madaleno, McFadden, Miller, Muse, Peters, Raskin, Robey, Rosapepe, and Stone**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,

Article – Insurance

Section 20–101(a) and (g)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–404, 20–507, 23–304, and 23–505.2

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 402 – Senators Klausmeier, Conway, Currie, Mooney, and Stone**

AN ACT concerning

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

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

BY adding to

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

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

**Senate Bill 403 – Senators Pinsky, Exum, Harrington, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Education – Maintenance of Effort – Penalty**

FOR the purpose of altering the penalty provisions for a county governing body that fails to meet the maintenance of effort requirement for primary and secondary education; and generally relating to the maintenance of effort requirement for primary and secondary education.

BY repealing and reenacting, with amendments,

Article – Education  
Section 5–213  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 404 – Senators Stone, Miller, Astle, Brinkley, Colburn, Dyson, Glassman, Jacobs, Kasemeyer, Kittleman, Klausmeier, Kramer, Munson, Robey, and Stoltzfus**

AN ACT concerning

**Criminal Law – Death Penalty – Evidence**

FOR the purpose of providing that a defendant found guilty of murder in the first degree may be sentenced to death under certain circumstances in a case in which the State presents to the court or the jury fingerprint or photographic evidence; altering certain provisions of law to require that certain evidence presented by the State in a death penalty case conclusively link the defendant to the murder; and generally relating to evidence in a death penalty case.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–202

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

**Senate Bill 405 – Senators Stone, DeGrange, Haines, Jacobs, Mooney, Peters, Robey, and Simonaire**

AN ACT concerning

**Criminal Procedure – Sexually Violent Offender in Need of Commitment**

FOR the purpose of creating a procedure in which a person who has been convicted of a sexually violent offense and who suffers from a certain mental abnormality or personality disorder may be placed in the custody of the Secretary of Health and Mental Hygiene until the person meets certain criteria; establishing that a term of extended parole supervision commences on the expiration of a certain term of commitment to a certain State facility; requiring the Commissioner of Correction of the Department of Public Safety and Correctional Services to give notice to the Attorney General before certain persons who have been convicted of certain sexually violent offenses are released from confinement; requiring the Attorney General to determine if certain persons meet the criteria of sexually violent offenders in need of commitment; establishing certain procedures for determining whether persons are sexually violent offenders in need of commitment; requiring that a review committee of prosecutors and a multidisciplinary team be formed to make recommendations concerning the identification of sexually violent offenders in need of commitment; making the

Commissioner and certain other individuals immune from civil liability for acts performed in good faith in carrying out this Act; specifying the criteria for finding a person to be a sexually violent offender in need of commitment; authorizing the Attorney General to petition the circuit court to find probable cause that a certain person is a sexually violent offender in need of commitment; authorizing a court to order a certain person taken into custody if the court determines certain probable cause exists; authorizing a court to conduct a trial under certain circumstances to determine if a certain person is a sexually violent offender in need of commitment; allowing a certain person certain rights at trial; requiring that the standard of proof at a trial to determine whether a person is a sexually violent offender in need of commitment be that of proof beyond a reasonable doubt; requiring that a person who is found to be a sexually violent offender in need of commitment be placed in the custody of the Secretary of Health and Mental Hygiene for control, care, and treatment at a State facility until the mental abnormality or personality disorder of the person has so changed that the person is not likely to engage in a certain act if released; requiring that a certain committed person in a State facility be subject to an annual mental examination and an annual status review hearing; authorizing the court to determine at an annual status review hearing that probable cause exists to believe that the committed person is not likely to engage in certain acts if released; authorizing that a release hearing be held under certain circumstances; establishing the procedures for certain hearings; requiring that the court release a committed person under certain circumstances; providing that this Act has no effect on the operation of certain provisions of the Code; defining certain terms; and generally relating to sexually violent offenders in need of commitment.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(a), (f), (j), (k), and (m)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(i) and 11–723  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(a), (c), and (k) and 10–101(e) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General

Section 10–636 through 10–646 to be under the new part “Part VI. Sexually Violent Offender in Need of Commitment”  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 406 – Senators Kramer, Currie, DeGrange, Forehand, Kasemeyer, King, Madaleno, Munson, and Robey**

AN ACT concerning

**Fairness in Taxation for Retirees Act**

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; altering the determination of the maximum annual benefit under the Social Security Act for purposes of determining a certain offset for a certain subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 407 – Senators King, Harrington, Lenett, Brochin, Conway, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Gladden, Glassman, Jones, Kasemeyer, Kittleman, Klausmeier, Kramer, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Maryland Open Government Act**

FOR the purpose of requiring the order of bills to be heard at a certain bill hearing to be made available on the General Assembly website at a certain time under certain circumstances; requiring that certain individuals be allowed to sign up on the General Assembly website during a certain time period to present testimony on a bill; requiring certain bill hearings to be broadcast on the General Assembly website under certain circumstances; requiring the result of

certain votes taken on a bill in a standing committee, and the actions of each member of the committee on the bill, to be made available on the General Assembly website at a certain time; prohibiting a fee from being charged to access information or services provided on the General Assembly website; altering the lobbyist registration fee; requiring a meeting of the Board of Public Works to be broadcast on the Board's website under certain circumstances; requiring certain broadcasts of Board meetings to be archived on the Board's website; requiring the Board to publish a list of certain proposed actions to be considered by the Board on the Board's website a certain time period before it meets; requiring the Board to accept public comment on certain proposed actions for a certain time period before a Board meeting; and generally relating to public access to information concerning the General Assembly and the Board of Public Works.

BY renumbering

Article – State Government  
Section 2–1506  
to be Section 2–1506.3  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – State Government  
Section 2–1506, 2–1506.1, 2–1506.2, and 2–1804  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 15–703(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 15–703(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – State Finance and Procurement  
Section 10–601 and 10–602 to be under the new subtitle “Subtitle 6. Public  
Access”  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 408 – Senators Peters, Astle, Colburn, Garagiola, Klausmeier, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, and Zirkin**

AN ACT concerning

**Public Health – Disposition of Remains – Armed Forces Members**

FOR the purpose of authorizing a certain person designated on a certain form to arrange for the final disposition of the body of a member of the United States armed forces under certain circumstances; and generally relating to the disposition of the remains of United States armed forces members.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–509(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 409 – Senators Peters, Glassman, and Pugh**

AN ACT concerning

**Property Tax – Annual Reassessment**

FOR the purpose of altering the triennial assessment cycle for real property for property tax purposes to an annual assessment cycle; requiring the State Department of Assessments and Taxation to review certain real property assessments each year; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to the valuation and assessment of real property for property tax purposes.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 1–402(9) and (11), 2–203, 8–103, 8–104, and 8–401  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 410 – Senators Peters, Colburn, Garagiola, Pugh, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Education – Public School Holidays – Veterans Day**

FOR the purpose of adding a certain day to the list of public school holidays; removing a certain day from the list of days for which public schools are required to devote a part of the day to certain exercises; and generally relating to the designation of Veterans Day as a public school holiday.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 411 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Della, Edwards, Garagiola, Glassman, Jacobs, Kasemeyer, Kittleman, Klausmeier, Mooney, Munson, Peters, Raskin, and Stone**

AN ACT concerning

**Defense of Dwelling or Place of Business – Civil Immunity**

FOR the purpose of providing that a person is not liable for damages for a personal injury or death of an individual who enters the person's dwelling or place of business under certain circumstances; requiring the court to award costs and reasonable attorney's fees to a certain defendant; defining a certain term; providing for the application of this Act; and generally relating to providing certain immunity from civil liability to certain persons under certain circumstances.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–808  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 412 – Senators Pugh, Forehand, Harrington, Harris, Lenett, Madaleno, Miller, Muse, Peters, and Raskin**

AN ACT concerning

**Teacher Certification – Career Professionals**

FOR the purpose of requiring the State Department of Education to establish teacher certification for career professionals in certain fields; requiring the Department to adopt certain regulations; and generally relating to the establishment of teacher certification for career professionals in specialized fields by the State Department of Education.

BY adding to

Article – Education

Section 6–121

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 413 – Senators Pugh, Exum, Forehand, Lenett, Madaleno, Miller, and Muse**

AN ACT concerning

**Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling for Public Use**

FOR the purpose of requiring the State and the governing body of a county and municipal corporation to grant 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 of the credit; requiring certain owners of certain property to apply for the credit; requiring certain information to be provided in an application for the credit; prohibiting the granting of the credit unless a certain application has been submitted by a certain date; authorizing the State Department of Assessments and Taxation to provide the application on its website; requiring the Department to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for an increase in property tax due on the replacement home of certain homeowners.

BY adding to

Article – Tax – Property

Section 9–110

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 414 – Senators Pugh, Lenett, Madaleno, Muse, Peters, and Raskin**

AN ACT concerning

**Vehicle Laws – Equine Riding – Helmet Requirement for Minors**

FOR the purpose of prohibiting a person under a certain age from riding an equine on a highway, an equine-riding path, or a certain other property unless the person is wearing a properly secured helmet that meets or exceeds certain standards; providing that a person convicted of a first violation of this Act is subject to a certain warning; establishing a fine schedule for subsequent violations of this Act; requiring a court to order the parent or guardian of a person under a certain age who is convicted of a violation of this Act to pay the fine imposed for the violation under certain circumstances; requiring a police officer who charges a person with a violation of this Act to provide certain educational materials to the person; and generally relating to helmet use while equine riding.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21-104

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 415 – Senators Mooney, Raskin, Madaleno, Colburn, Currie, Della, Dyson, Forehand, Frosh, Garagiola, Haines, Harrington, Jacobs, Kelley, King, Kittleman, Lenett, Middleton, Munson, Muse, Peters, Pugh, Rosapepe, Simonaire, and Zirkin**

AN ACT concerning

**State Government – Commemorative Month – Hispanic Heritage Month**

FOR the purpose of requiring the Governor to proclaim a certain period each year as Hispanic Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to Hispanic Heritage Month.

BY adding to

Article – State Government

Section 13-503

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 416 – Senators Lenett and Kittleman**

AN ACT concerning

**Maryland Condominium Act and Maryland Homeowners Association Act –  
Proposed Budget – Notice**

FOR the purpose of requiring notice of a certain vote to be included in a certain notice of a council of condominium unit owners meeting; requiring notice of a certain vote to be included in a certain notice of a homeowners association meeting; requiring the board of directors or other governing body of a homeowners association to prepare and submit to all members of the homeowners association a proposed annual budget a certain period of time before its adoption; and generally relating to providing notice of the proposed budget of a council of condominium unit owners or of a homeowners association.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109(c) and 11B–111  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–109.2(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 417 – Senators Lenett, Conway, Frosh, Garagiola, Gladden,  
Harrington, King, Klausmeier, Madaleno, Middleton, Muse, Peters,  
Pinsky, Pugh, Raskin, and Rosapepe**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Elective Franchise – Registration and Voting at Polling Places**

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a certain polling place in a certain precinct or on a certain day before election day at a certain polling place; making a stylistic change; and

submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 1 and 2

BY proposing an addition to the Maryland Constitution

Article I – Elective Franchise

Section 2A

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

### **Senate Bill 418 – Senator Lenett**

AN ACT concerning

#### **Labor and Employment – Maryland Wage and Hour Law – Damages**

FOR the purpose of allowing an employee to recover liquidated damages under certain circumstances; requiring, instead of authorizing, a court to allow certain costs against an employer for a certain recovery in a certain action; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–413, 3–415(a), 3–419, and 3–420

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–427

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 419 – Senator Lenett**

AN ACT concerning

#### **Labor and Employment – Maryland Wage and Hour Law – Criminal Penalties**

FOR the purpose of increasing certain criminal penalties for violations of certain wage and hour laws; establishing that each occurrence of a certain violation for a

certain period shall be considered to be a separate offense; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–428  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 420 – Senators Colburn, Haines, Jacobs, and Mooney**

EMERGENCY BILL

AN ACT concerning

**Environment – Stormwater Management – New Development and  
Redevelopment Projects**

FOR the purpose of making certain stormwater management regulations adopted by the Department of the Environment applicable to certain new development and redevelopment projects that do not have certain final approvals by a certain date; making this Act an emergency measure; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–203  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 421 – Senator Colburn**

EMERGENCY BILL

AN ACT concerning

**Election Law – Delay in Replacement of Voting Systems**

FOR the purpose of altering the date for the replacement of the State's direct–recording electronic (DRE) touchscreen voting system with a certain voter–verified paper record voting system; requiring the State to continue to use the touchscreen voting system for certain elections until the later of the date

when the State concludes payment for the touchscreen voting system or a certain other date; altering certain provisions relating to the certification of voting systems; providing for the application of certain provisions; repealing provisions of uncodified law relating to the application of a certain prior Act; making this Act an emergency measure; and generally relating to the replacement of the State's direct-recording electronic (DRE) touchscreen voting system.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 9–102  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing  
Chapter 547 of the Acts of the General Assembly of 2007  
Section 2

BY repealing  
Chapter 548 of the Acts of the General Assembly of 2007  
Section 2

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

### **Senate Bill 422 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Choptank River – Soft-Shell Clam Harvesting**

FOR the purpose of altering the time periods during which and the locations in which soft-shell clam harvesting using certain types of gear is prohibited under certain circumstances in the Dorchester County portion of the Choptank River; making technical corrections; and generally relating to soft-shell clam harvesting in the Dorchester County portion of the Choptank River.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1037 and 4–1038  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–1039  
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 423 – Senator Colburn**

AN ACT concerning

**Legislative Community Initiatives Loan of 2004 – Wicomico County  
– Wicomico County Library**

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to allow the proceeds of a certain grant to be used for studies and planning.

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 432 of the Acts of the General Assembly of 2004, Chapter 94 of the Acts of the General Assembly of 2005, and Chapter 488 of the Acts of the General Assembly of 2007

Section 13(3)(ii) Item (T–2)

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

**Senate Bill 424 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Blackwater National Wildlife Refuge**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$80,000, the proceeds to be used as a grant to the Board of Directors for Ducks Unlimited, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 425 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Dorchester Center for the Arts Performance Hall**

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

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

**Senate Bill 426 – Senator Colburn**

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 \$250,000, 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 427 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Family Support 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 County Council of Talbot County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 428 – Senators Stone, Della, and Klausmeier**

AN ACT concerning

**Real Property Tax Assessments – Market Declines – Assessment Notices**

FOR the purpose of requiring a supervisor of assessments to provide a written notice of assessment for certain real property under certain circumstances in certain years when the property is not valued or revalued; requiring a certain assessment notice to include certain information; and generally relating to written notices of assessment for certain real property under certain circumstances in certain years when property is not valued or revalued.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–401(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – Property  
Section 8–401(d–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 8–404(a) and 14–502(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 429 – Senators Kelley and Conway**

AN ACT concerning

**Maryland Medical Assistance Program – Medical Eligibility for Nursing Facility Level of Care**

FOR the purpose of requiring the Department of Health and Mental Hygiene to determine that certain individuals are medically eligible for certain services under certain circumstances; requiring the Department to allow individuals to submit certain information under certain circumstances; defining certain terms; and generally relating to medical eligibility for nursing facility level of care under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(a) and (c) and 15–101(a) and (h)

Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 15–146  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 430 – Senator Kelley**

AN ACT concerning

**Corporations and Associations – Low-Profit Limited Liability Companies**

FOR the purpose of authorizing the formation of a certain low-profit limited liability company as a permitted form of unincorporated business organization; requiring the name of a low-profit limited liability company to include certain words or abbreviations; requiring a low-profit limited liability company to meet certain requirements; providing that if a low-profit limited liability company that met certain requirements at its formation subsequently ceases to satisfy a certain requirement, it shall immediately cease to be a low-profit limited liability company but may continue to exist as a limited liability company under certain circumstances; requiring that the articles of organization for a limited liability company set forth whether it is a low-profit limited liability company; defining a certain term; and generally relating to low-profit limited liability companies.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–501, 1–502(b) and (f), 4A–101(n) through (r), and 4A–204(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 1–502(f), 4A–101(n), and 4A–201.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 4A–101(a) and (l)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

### INTRODUCTION OF JOINT RESOLUTIONS

#### **Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)**

A Senate Joint Resolution concerning

#### **Judicial Compensation Commission – Recommendations**

FOR the purpose of proposing an alteration to the compensation of the members of the Judiciary in this State in accordance with Section 1–708 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

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

### **THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #2**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

#### **Senate Bill 2 – Senator Conway**

AN ACT concerning

#### **Task Force on the Minority Business Enterprise Program and Equity Investment Capital**

Favorable report adopted.

FLOOR AMENDMENT

**SB0002/483022/1**

BY: Senator Peters

AMENDMENT TO SENATE BILL 2

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Peters”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 41 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Clubs – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 69 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Woodland Incentives Program – Prohibition on Use of Federal Funds –  
Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 71 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – General Services)**

AN ACT concerning

**Procurement – Small Business Reserve Program – Sunset Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Nonpublic School Employees – Criminal Convictions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Disruptive Youth – Funding**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 87 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Physical Education and Athletic Programs for Students with  
Disabilities – Reporting Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

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

**Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Department of Disabilities – Maryland Commission on Disabilities – Duties and Responsibilities**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0052/387876/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 52

(First Reading File Bill)

On page 3, in line 10, strike “one individual” and substitute “**TWO INDIVIDUALS**”; and in line 11, after “disability” insert “**, INCLUDING ONE WITH AN INTELLECTUAL DISABILITY**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0052/693127/1**

BY: Senator Madaleno

AMENDMENTS TO SENATE BILL 52

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “Committee;” insert “requiring the Commission to report certain findings to the Governor and the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 6, after line 25, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2010, the Maryland Commission on Disabilities shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on:

(a) The financial status of community providers funded by the Developmental Disabilities Administration and the Mental Hygiene Administration; and

(b) The efforts by the Department of Health and Mental Hygiene to develop and implement a rate setting process for community providers that would:

(1) Allow community providers to operate in a financially sound manner;

(2) Encourage efficiencies; and

(3) Provide for the highest level of quality care for individuals with developmental disabilities and mental illness.”;

and in line 26, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 84)

**ADJOURNMENT**

At 11:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 1, 2010.

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**Annapolis, Maryland  
Monday, February 1, 2010  
8:00 P.M. Session**

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The Senate met at 8:08 P.M.

Prayer by Reverend Doctor Donte Hickman, Pastor, Southern Baptist Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

The Journal of January 29, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 86)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 186 – Senator Allan H. Kittleman:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Gisselle Marie Grzymala  
in recognition of  
being crowned Miss Maryland Junior Teen 2009 and establishing the Gisselle Marie  
Grzymala's

Our Heroes' Legacy Scholarship Fund for  
children of fallen or injured heroes.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 1st day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 87)

## INTRODUCTION OF BILLS

### **Senate Bill 431 – Senators Conway, Exum, Klausmeier, and Pugh**

AN ACT concerning

#### **Infant Formula and Baby Food – Auction Sales – Prohibition – Exception**

FOR the purpose of prohibiting a person from selling certain infant formula and baby food at auction sales unless the person makes a certain notification; authorizing the Secretary of Health and Mental Hygiene to make certain inspections; prohibiting a person from selling certain infant formula and baby food at an auction sale under certain circumstances; and generally relating to auction sales of infant formula and baby food.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–1110

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–1206

Annotated Code of Maryland

(2009 Replacement Volume)

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

### **Senate Bill 432 – Senator Jones**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Druid Hill Family Center Y Revitalization**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Y of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 433 – Senator Stone**

AN ACT concerning

**Baltimore County – Service Clubs and Fraternal Organizations – Slot  
Machines**

FOR the purpose of authorizing service clubs and fraternal organizations in Baltimore County to own and operate a certain number of slot machines for certain purposes and under certain circumstances; and generally relating to slot machines in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 434 – Senators Stone, Jacobs, Kasemeyer, Klausmeier, and  
Mooney**

AN ACT concerning

**Sexual Offenders – Restrictions on Places of Residence and Entry onto  
Recreational Areas**

FOR the purpose of prohibiting a person who is required to register on a certain sexual offender registry for a term of life from residing, after a certain date, within a certain distance of a public or nonpublic elementary or secondary school or a park or playground where children regularly gather; prohibiting a person who is required to register on a certain sexual offender registry from entering a park, playground, or recreational area where children regularly gather; establishing a certain penalty; providing for the retroactive application of this Act; and generally relating to restrictions on registered offenders.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–707 and 11–722(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure

Section 11-722(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure  
Section 11-728  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 435 – Senators Stone, Jacobs, Kasemeyer, Klausmeier, and Mooney**

AN ACT concerning

**Criminal Procedure – Sexual Offenders – Tracking Device as Condition of Probation and for Life After Release from Custody**

FOR the purpose of requiring a court to require a certain defendant, as a condition of probation, to register for certain electronic tracking by the Department of Public Safety and Correctional Services; authorizing a court to specify geographic locations to which certain defendants may not travel as a condition of probation; requiring a certain person who has been convicted of a certain offense for the second time or who is required to register as a sex offender for a term of life to register for electronic tracking with the Department and, after release from custody of a supervising authority, to wear at all times and for a term of life an electronic tracking device provided by the Department; requiring a person ordered by the court to register for electronic tracking as a condition of probation to register for electronic tracking with the Department and to wear at all times and for a certain length of time an electronic tracking device; requiring the Department actively, and in real time, to track electronically and to identify a certain individual's geographic location; requiring the Department to timely report to the appropriate court or law enforcement agency a certain individual's presence in a certain area; requiring the Department to develop certain procedures to determine, investigate, and report a certain individual's noncompliance with the terms and conditions of a court order or statute; requiring the Department to investigate immediately reports of noncompliance with a court order or statute; requiring the Department to contract with a local law enforcement agency to assist in the location and apprehension of certain individuals; requiring the Department to establish a reasonable fee for the cost of electronically tracking and, subject to a certain exception, to collect the fee from certain individuals; prohibiting a certain offender from failing to register under this Act, failing to wear a certain electronic tracking device, or altering, tampering with, damaging, or destroying a certain electronic tracking device; providing penalties for a violation of this Act; defining certain terms; and

generally relating to electronic tracking of and movement restrictions on certain offenders.

BY adding to

Article – Criminal Procedure

Section 6–233; and 11–7A–01 through 11–7A–04 to be under the new subtitle  
“Subtitle 7A. Electronic Tracking of Sexual Offenders”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–707

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 436 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Living Farm Heritage Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$35,000, the proceeds to be used as a grant to the Board of Directors of the Howard County Antique Farm Machinery Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 437 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Alpha Ridge Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 438 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

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

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

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

**Senate Bill 439 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Carroll Baldwin Hall**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Carroll Baldwin Memorial Institute, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 440 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Watson Telescope Observatory**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Howard Astronomical League of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan

proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 441 – Senator Robey**

AN ACT concerning

**Police Training Commission – Membership – Inclusion of Maryland Police Training Directors Association**

FOR the purpose of adding the President of the Maryland Police Training Directors Association to the membership of the Police Training Commission.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–203  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 442 – Senator Raskin**

AN ACT concerning

**Criminal Injuries Compensation Board – Right to Hearing**

FOR the purpose of providing that a claim filed with the Criminal Injuries Compensation Board is subject to certain provisions of the Administrative Procedure Act; providing that if a claimant requests a hearing after the Board has issued proposed findings of fact, conclusions of law, or orders, the Board shall hold a hearing before the Board issues final findings of fact, conclusions of law, or orders; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–815  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 443 – Senator Raskin**

AN ACT concerning

**Real Property – Wrongful Detainer**

FOR the purpose of transferring and clarifying the application of certain provisions of law regarding wrongful detainer of real property; clarifying the application of certain other provisions of law relating to an action for possession; making certain technical and conforming changes; and generally relating to the applicability of certain provisions of law relating to wrongful possession of property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–402.4 and 14–108.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 444 – Senator Kasemeyer**

AN ACT concerning

**Blue Ribbon Commission to Study Retiree Health Care Funding Options –  
Extension of Reporting and Termination Dates**

FOR the purpose of altering the date by which the Blue Ribbon Commission to Study Retiree Health Care Funding Options is required to submit a certain report; extending the termination date of the Commission until a certain date; and generally relating to the reporting and termination dates of the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 34–201(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 433 of the Acts of the General Assembly of 2006, as amended by  
Chapter 229 of the Acts of the General Assembly of 2008  
Section 3

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

**Senate Bill 445 – Senators Madaleno, Pugh, Forehand, Frosh, King, Lenett,  
and Raskin**

AN ACT concerning

**Health Insurance – Habilitative Services – Required Coverage**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage of habilitative services for individuals under a certain age; altering a certain definition; and generally relating to health insurance coverage of habilitative services.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–835  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 446 – Senators Middleton and Dyson**

AN ACT concerning

**Creation of a State Debt – Charles County – Hospice House**

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

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

**Senate Bill 447 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Potomac Heights Housing Complex**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$75,000, the proceeds to be used as a grant to the Board of Directors of the Potomac Heights Mutual Home Owners' Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing

the loan.

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

**Senate Bill 448 – Senator Edwards**

AN ACT concerning

**Environment – Oil and Gas Drilling – Wells**

FOR the purpose of reducing the distance from the boundary of a property from which wells may be drilled for the production or underground storage of gas or oil; defining a certain term; repealing language rendered duplicative by this Act; and generally relating to gas and oil wells.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 14–102(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Environment  
Section 14–102(o)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–112  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 449 – Senators Brinkley and Mooney**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Sales Hours**

FOR the purpose of altering the hours of sale on the days of the week for certain holders of off-sale alcoholic beverages licenses in Frederick County; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 11–303(a)(1) and 11–511(a) and (e)(2)(i), (3)(i), and (4)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–301(a)(1) and (2), 11–302(a)(1) and (2), 11–303(a)(2)(iii), and  
11–511(e)(2)(ii), (3)(ii), and (4)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 450 – Senators Brinkley and Mooney**

EMERGENCY BILL

AN ACT concerning

**Frederick County – Property Tax Setoff**

FOR the purpose of requiring the governing body of Frederick County to grant a property tax setoff to a municipal corporation in an amount no less than the amount granted for a certain tax year and in an amount that increases by a certain percentage under certain circumstances; making this Act an emergency measure; and generally relating to property tax setoff in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 6–305  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 451 – Senators Conway, Currie, Della, Exum, Forehand, Frosh,  
Garagiola, Gladden, Harrington, Jones, Kelley, King, Lenett, Madaleno,  
McFadden, Middleton, Muse, Peters, Pugh, Raskin, Rosapepe, and  
Stone**

AN ACT concerning

**Prevailing Wage Rates – Public Works Contracts – Suits by Employees**

FOR the purpose of authorizing certain employees to file a complaint with the Commissioner of Labor and Industry; requiring that a certain complaint filed by an employee under a certain provision of law is subject to certain investigation and enforcement procedures; requiring the Commissioner to attempt to resolve a certain issue internally or issue a certain order under certain circumstances; authorizing certain employees to seek certain compensation and additional remedies from certain employers under certain circumstances; authorizing certain employees or the Commissioner to file certain court actions; requiring that certain actions be brought within a certain time period; providing that a certain contract is not a bar to the recovery of certain remedies; authorizing a court to award certain employees certain wages, other compensation, and fees in certain circumstances; authorizing certain employees to bring an action on their behalf and on behalf of certain other employees; subjecting certain persons to certain civil penalties; prohibiting a contractor or subcontractor from engaging in certain conduct against certain employees; subjecting a contractor or subcontractor to certain penalties for certain violations; and generally relating to private enforcement actions under the State prevailing wage law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–224  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 452 – Senators Pinsky, Frosh, Harrington, King, Madaleno,  
McFadden, Pugh, and Raskin**

EMERGENCY BILL

AN ACT concerning

**Education – Innovative School Scheduling Models – Low–Performing and  
At–Risk Public Schools**

FOR the purpose of requiring the State Board of Education to explore the use of certain school scheduling models in certain schools; requiring the State Board to encourage certain county boards of education to use certain school scheduling models in certain schools; requiring the State of Maryland to include the funding of certain scheduling models in certain schools as part of the State’s application to the United States Department of Education for the Race to the Top Fund; making this Act an emergency measure; and generally relating to the use of innovative school scheduling models in low–performing and at–risk public schools.

BY repealing and reenacting, without amendments,

Article – Education  
Section 7–103(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 7–103.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 453 – Senators Pinsky, Frosh, Harrington, and Lenett**

EMERGENCY BILL

AN ACT concerning

**Education – Teachers – National Board Certified Teacher Pilot Program**

FOR the purpose of requiring certain teachers to have certain certification under certain circumstances; altering certain reporting dates; requiring the State to include the funding of a certain pilot program as part of the State’s application to the United States Department of Education for the Race to the Top Fund; repealing, as of a certain date, provisions establishing a certain pilot program; providing for a delayed effective date for certain provisions of this Act; making this Act an emergency measure; and generally relating to the National Board Certified Teacher Pilot Program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing  
Article – Education  
Section 6–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 454 – Senator Pinsky**

AN ACT concerning

**State Licensing Agencies – Justification Statements Required for Fee Increases Proposed by Regulations**

FOR the purpose of requiring units of State government, when adopting by regulation increases or decreases in fees for licenses to practice any business activity, business or health occupation, or business or health profession licensed or otherwise regulated under State law, to submit to the Joint Committee on Administrative, Executive, and Legislative Review certain information explaining or justifying the reasons for the proposed increase or decrease; and generally relating to regulations proposed by units of State government that license and regulate various occupations, professions, and business activities.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–110  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 455 – Senators Pinsky, Frosh, Harrington, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Maryland Efficiency Standards Act – Televisions**

FOR the purpose of adding televisions to the list of products regulated under the Maryland Efficiency Standards Act; requiring the Maryland Energy Administration to adopt certain regulations establishing minimum efficiency standards and compliance test methods for televisions; prohibiting, on or after a certain date, the sale or offer for sale in the State of a certain television unless the efficiency of the television meets or exceeds certain minimum efficiency standards; defining certain terms; providing for the application of this Act; and generally relating to the Maryland Efficiency Standards Act.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–2006(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–2006(a)(16) through (33), (b), and (e) through (n)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – State Government  
Section 9–2006(a)(16), (26) through (28), and (30), (e), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 456 – Senator Pugh**

AN ACT concerning

#### **Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages – Store Opening Hours**

FOR the purpose of altering the time at which establishments issued certain alcoholic beverages licenses in the Park Heights Redevelopment Area in Baltimore City may begin selling alcoholic beverages; making certain technical corrections; and generally relating to alcoholic beverages licensees in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–203(a), (b), and (d)(1), 11–302(b)(1) and (d)(1), and 11–303(d)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–203(d)(3), 11–302(a), (b)(2), (d)(2), and (j), and 11–303(a), (b), and (d)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 11–302(j) and 11–303(g)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 457 – Senator Glassman**

AN ACT concerning

**State Highway Administration – Speed Limits – Small Cities and Towns**

FOR the purpose of authorizing the State Highway Administration to establish, for the portion of a certain State highway that is located within the boundaries of a municipal corporation with a population under a certain size, a maximum speed limit that is lower than the maximum speed limit that is otherwise specified under certain provisions of law; declaring a certain policy of the State; declaring the intent of the General Assembly; and generally relating to speed limits on State highways.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–801.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 458 – Senators Glassman and Peters**

AN ACT concerning

**Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process**

FOR the purpose of establishing a Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing for the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; requiring the Task Force to conduct certain studies and make certain evaluations and recommendations; requiring that the Task Force issue a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process.

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

**Senate Bill 459 – Senator Middleton**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Charles County –  
Hospice House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to authorize the matching fund for a certain grant to the Board of Directors of the Hospice of Charles County, Inc. to consist of real property.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AB) and ZA03(AE)

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

**Senate Bill 460 – Senators Stone and Klausmeier**

AN ACT concerning

**Income Tax – Credit for Long-Term Care Premiums**

FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long-term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long-term care insurance purchased after a certain date; providing for the application of this Act; providing for a delayed effective date; and generally relating to a certain income tax credit for eligible long-term care insurance premiums.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10-718  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 461 – Senator Stone**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–312.1  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 462 – Senators Raskin, Conway, Forehand, Frosh, Harrington,  
Lenett, Madaleno, Muse, Peters, and Pinsky**

AN ACT concerning

**Chesapeake Bay Restoration Consumer Retail Choice Act of 2010**

FOR the purpose of prohibiting a store from providing disposable carryout bags unless the bags meet certain requirements; requiring a store to charge and collect a certain fee for each disposable carryout bag the store provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; prohibiting a store from advertising or stating certain information under certain circumstances; requiring a store to include certain information on certain receipts; providing that the sales and use tax does not apply to a certain amount of money retained by a store under certain circumstances; requiring the operator of a store to remit a certain amount of money to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; requiring the Department of the Environment to conduct certain public information and outreach campaigns in accordance with certain requirements; defining certain terms; and generally relating to carryout bags and the restoration of the Chesapeake Bay.

BY adding to  
Article – Business Regulation  
Section 19–103  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2A–02(e)  
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 463 – Senators Forehand, Raskin, Colburn, Frosh, Garagiola, Gladden, King, Klausmeier, Madaleno, and Pugh**

AN ACT concerning

**Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking**

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of the law prohibiting human trafficking; including in the prohibition against human trafficking a prohibition against subjecting a person to involuntary servitude, peonage, debt bondage, or slavery under certain circumstances; creating an Anti-Human Trafficking Fund to be administered by the Executive Director of the Governor's Office of Crime Control and Prevention; specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; requiring the court to direct the defendant to forfeit seized property under certain circumstances; requiring that a forfeiture hearing be held within a certain time; requiring a hearing notice be served to certain owners at a certain time; requiring notice be served in a certain manner under certain circumstances; requiring the seizing authority to return property to a certain person under certain circumstances; specifying that a certain forfeiture is subject to the interest of a certain secured party; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; requiring that certain proceeds of the sale of forfeited property be distributed to the Fund for a certain purpose; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the human trafficking law.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 11-303

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–910(d) and 11–920; and 13–501 through 13–509 to be under the new subtitle “Subtitle 5. Violations of the Human Trafficking Law”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 464 – Senators Forehand, Exum, Garagiola, Harrington, King, Kramer, Lenett, Madaleno, Raskin, and Rosapepe**

AN ACT concerning

**Marilyn J. Praisner Safe and Earth–Friendly Roadway Act**

FOR the purpose of authorizing the State Highway Administration, Maryland Transportation Authority, or a political subdivision to install or replace a certain luminaire for highway lighting only if it determines that the concerns to be addressed by the lighting cannot be addressed by certain alternative means; authorizing the Administration, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new or replacement luminaire that meets certain requirements; authorizing the Administration, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only if the new or replacement luminaire is of a certain type; authorizing the Administration, the Authority, or a political subdivision to waive a certain requirement for luminaires for highway lighting for certain reasons; requiring the Administration, the Authority, or a political subdivision to document certain information in writing for each waiver granted; requiring an electric company to provide certain written notice to the Administration, the Authority, or a political subdivision by a certain date to obtain a waiver authorized under this Act; requiring an electric company’s written notice to include certain information; requiring an electric company to offer the Administration, the Authority, or a political subdivision the opportunity to replace certain luminaires for highway lighting with replacement luminaires owned and maintained by the Administration, Authority, or political subdivision under certain circumstances; defining certain terms; and generally relating to highway lighting.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 1–101(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 1–101(a) and (k) and 8–101(a), (b), (g), (i), and (q)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation  
Section 8–609.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 465 – Senators Lenett, Kelley, Madaleno, Middleton, and Zirkin**

AN ACT concerning

**Developmental Disabilities Administration – Recipient Reevaluations**

FOR the purpose of requiring a recipient of certain services from the Developmental Disabilities Administration to be reevaluated under certain circumstances to determine the needs of and funding levels required by the recipient; authorizing certain individuals to request the reevaluation; authorizing a recipient who has been denied a reevaluation to request a hearing in accordance with a certain provision of law; and generally relating to reevaluations of recipients of services from the Developmental Disabilities Administration.

BY adding to

Article – Health – General  
Section 7–404.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 466 – Senator Forehand**

AN ACT concerning

**Vehicle Laws – Off-Highway Recreational Vehicles – Titling**

FOR the purpose of defining “off-highway recreational vehicle”; altering the definition of “vehicle” to include off-highway recreational vehicles; requiring the owner of an off-highway recreational vehicle not purchased before a certain date to apply for a certificate of title in certain circumstances; requiring an application for a certificate of title for an off-highway recreational vehicle to be made by a certain electronic transmission; altering certain requirements relating to the electronic transmission of vehicle data to authorize transmission by a service provider instead of a licensed dealer; providing that, for purposes of determining

a certain excise tax, the fair market value of a used off-highway recreational vehicle is the greater of the total purchase price or a certain amount; imposing an excise tax for each original and each subsequent certificate of title issued for an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; providing for the construction of this Act; and generally relating to off-highway recreational vehicles and titling.

BY adding to

Article – Transportation  
Section 11-140.1 and 13-102(13)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 11-176, 13-102(11) and (12), 13-104(a), 13-108.1, 13-809, and 23-106  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 13-101.1 and 13-610  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 467 – Senators Conway, Madaleno, Colburn, Dyson, Exum, Forehand, Garagiola, Glassman, Harrington, King, Klausmeier, Kramer, Lenett, McFadden, Muse, Pinsky, Raskin, Rosapepe, and Zirkin**

AN ACT concerning

**Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland**

FOR the purpose of establishing the Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland; providing for the membership, purposes, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to certain reimbursement for certain expenses under certain regulations in the State budget; requiring the Task Force to study and make certain recommendations on how to incorporate

and apply the principles of Universal Design for Learning into the policies, practices, and curriculum of the education systems in Maryland; requiring the Task Force to submit a report to the State Board of Education and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland.

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

### **Senate Bill 468 – Senator Currie**

AN ACT concerning

#### **Maryland Employment Opportunity Tax Credit**

FOR the purpose of allowing a credit against the State income tax and insurance premium tax for certain wages paid and certain child care or transportation expenses incurred by certain business entities with respect to certain qualified employment opportunity employees; providing for the calculation and use of the credit; requiring a certain addition modification if a certain credit is claimed; prohibiting an employer from claiming the credit under certain circumstances; providing for the administration of the tax credits; defining certain terms; repealing a certain obsolete reference; providing for the application of this Act; and generally relating to a tax credit for certain wages paid and certain child care or transportation expenses incurred by certain business entities with respect to certain qualified employment opportunity employees.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–205(b)(2)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2005 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–306(b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2005 Supplement)

BY adding to  
Article – Tax – General  
Section 10–704.3  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 6–105.1

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 469 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; altering the conditions under which the county councils of Montgomery County and Prince George’s County may grant a full or partial exemption for certain properties owned by certain entities from the system development charge imposed by the Washington Suburban Sanitary Commission (WSSC); authorizing each board of community college trustees to waive certain out-of-state and out-of-county or out-of-region fees for certain students who have moved to the State as an employee or a family member of an employee as part of the Base Realignment and Closure (BRAC) process; altering the techniques that may be used to restrain certain individuals in certain facilities; requiring that certain trustees on the Board of Trustees of the State Retirement and Pension System be given reasonable time during work to attend certain Board of Trustees or committee meetings; extending the termination date of certain provisions of law relating to the name, powers and duties, and certain reports of the Mortality and Quality Review Committee, requiring the Office of Health Care Quality to provide certain data to the Committee, and requiring the Developmental Disabilities Administration to provide a certain report to certain facilities or programs; providing for the effect and construction of certain provisions of this Act; providing for the effective date of a certain provision of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,

Article 29 – Washington Suburban Sanitary District

Section 6–113

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

- BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 5–108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–12  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Education  
Section 16–310(a)(1) and (6) and (b)(1) and (4) and 18–2806  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1707(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 10–701 and 21–305(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)
- BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 21–104(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 5–301(e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)
- BY repealing and reenacting, without amendments,  
Chapter 445 of the Acts of the General Assembly of 2005, as amended by  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RC00(A), Item RM00(D), and Item ZA00(AF)

BY repealing and reenacting, without amendments,  
Chapter 268 of the Acts of the General Assembly of 2006, as amended by  
Chapters 48 and 49 of the Acts of the General Assembly of 2009  
Section 3

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 12–118(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)  
(As enacted by Chapter 500, Section 2 of the Acts of the General Assembly of  
2009)

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

**Senate Bill 470 – 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 in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–216(a)(2)(iv)4., 9–204.1(d)(3), 10–103(b)(13)(x)3.C., and 10–301(i)(1)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 2–101(b)(1) and 9–1301(h)(3)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 28 – Maryland–National Capital Park and Planning Commission  
Section 2–111(b) and (d) and 5–114.1(d)(6)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.03(b)(4) and 14.05(f)(3)(ii)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article 66B – Land Use  
Section 14.05(f)(3)(i)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513(b)(1)(i) and 10–1601(c)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–401(a)(3) and 2–4A–01(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 2–106.1(c)(2), (d), (e), and (f), 8–707(b)(1), and 16–501(f)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 4A–1002(b)(5)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Correctional Services  
New subtitle designation “Subtitle 5. Task Force on Prisoner Reentry” to  
immediately precede Section 2–501  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 2–501(b)(9)(vii)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–708(b)(4), 3–8A–27(b)(4)(i), and 4–301(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–301(k) and 8–801(a)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 5–202(e)(2)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–445(b), 10–449(b)(2)(ii), 10–801(a), and 12–209(b)(2)

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–1001(c)(6), (d)(4), and (e)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Chapters 348 and 349 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–206(f)(2)(iii) and (3), 5–401(b)(2)(ii), 7–426.1(e), 8–401(a)(4) and (5),  
11–206.1(a), 11–305(4), 18–601(d)(3)(ii), and 18–705(a)(5)(i)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

## Article – Election Law

Section 2–205(b)(2)(ii), 2–206, 3–101(c)(3) and (4), 3–501(2) and (4), 4–203(f)(2), 9–406(b), 13–209(c)(1), 13–304(a)(1), 13–321, 13–322(2), and 13–328(a) and (c)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

## BY repealing

Article – Election Law

Section 13–317

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Environment

Section 1–701(g)(3)(i), 3–105(a)(3)(ii), 9–658(c)(1), 9–1703(d), and 15–823(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–207(a)(9)

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–580.3(a)(2), 10–301(v)(2)(ii)2., and 10–304(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–113(d)(4), 4–803(e)(2)(ii), 5–203(b)(2), 11–601(c), and 11–603(c)(5)(i)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Health – General

Section 2–302(b)(2), 4–224, 4–301(k)(5) and (6), 5–310(d)(2)(v), 5–609(d), 5–704(a)(2), 7–403(b)(2), 7–602(c), 7–604(a), 7–606(a) and (b)(2), 7–1006(c)(1)(vi), 8–502(a)(1), 10–208(a)(1), 10–622(b)(1)(i), 10–623(a), 10–624(a)(1)(ii), 10–701(g)(3), 10–708(j), 10–812(c), 10–905, 13–1101(l), 13–1604, 13–2702(a)(2)(ii), 14–401(k), 15–103(e), 15–133(a), 15–201(c)(2), 15–205(a), 15–501(a), 18–213(j)(2) and (k), 18–213.1(h)(2) and (i), 18–308(e), 18–331(c), 18–338.1(h)(1) and (l), 18–338.3(a)(8) and (b)(1), 18–404(e), 18–906(b)(6), 19–109(a)(3) and (b)(4), 19–214(d)(3)(i)3.,

19-303(a)(3)(ii), 19-307.1(9), 19-345(a)(4), 19-345.1(c) and (e)(2), 19-346(d)(3) and (n)(1), 19-3A-02(b)(4), 19-705.3(b)(1), 19-1407(a)(2), (5), and (6), 19-1411(b), 21-2A-01(c)(8), 21-301(h)(2), 21-302, 21-304(a)(2)(ii), 21-316(a), 21-318(a), 21-323.1(c), 21-1111(b), 21-1204(a), 21-1214(b), 24-803(6), 24-806(b)(6), 24-903(6), 24-1203(b)(2)(iii), and 24-1406(g)(2)(ii)1.

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1-207, 3-5A-11(a)(16), 4-205(a)(6), 4-315(a)(28) and (b)(16), 4-403(d), 4-501(b)(7) and (8), 7-205(a)(9), 7-316(a)(28), 8-205(a)(14), 8-316(a)(15), 8-6A-10(a)(23), 8-6B-06(10), 8-6B-18(a)(24), 9-302(d)(1)(i), 10-101(l), 12-6B-11(a), 14-205(a)(1)(iv), 14-404(a)(31), 14-504(g)(2), 15-202(a)(4), 15-205(b)(3)(iii), 15-314(7), 16-205(b)(4), and 16-311(a)(25)

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-101(i)(2)

Annotated Code of Maryland  
(2009 Replacement Volume)

(As enacted by Chapters 352 and 353 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 1-202(c)(2)

Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 8-605.1(c) and 9-229.1(a)(7)(i)

Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 10-705(a)(4) and 10-708

Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

(As enacted by Chapters 316 and 317 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–112.2(a)(4) and (5), 15–403.2(c)(2) and (d), 15–409(d)(3),  
15–817(c)(2)(i), 19–807(c)(3)(iii), 27–401(b)(2)(i), 27–402(8), and  
27–605(b)(6)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 5–205(n) and (o)(1) and (2)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–104(m)(1), 4–204(a)(3), 4–710(e), 5–102(a)(1), 5–304(2)(iii), and  
5–307(g)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–1808(d)(4)(ii)1.

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 1–202(b)(2)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–401(d)(4) and (5), 8–110.1(a)(8), 11–102.2(c), 11–108.1, 11–111.1(i),  
11–114(g)(2)(iv), 11–126(a)(2)(ii), 11–127(d)(1)(ii), and 14–120(i)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(b)(1)(ii)

Annotated Code of Maryland

(2009 Replacement Volume)

(As enacted by Chapter 3 of the Acts of the General Assembly of 1994)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–108(a)(1) and (b)(1), 14–401(d)(2)(ii), and 14–305(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 6–301(e), (f), and (g), 6–304(a) and (b), 6–306(a)(1) and (b)(1),

6–307(c)(1), 9–1A–01(m), 9–1A–03(b), 9–1A–07(c)(7)(v)2., 9–1A–24(b)(2),

9–603(a), 9–604, 9–1008(b), 9–2701(h)(3), 9.5–308(b), 10–222.1(c),

10–1102(f)(1), 10–1103(c), 20–401, and 20–1013(d)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9.5–101(a)

Annotated Code of Maryland

(2009 Replacement Volume)

(As enacted by Chapter 521 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–707(a)(1), 3–202(f)(1), 3–2A–02(f)(1), 21–306(e)(3)(iii), 22–406(n)(7),

23–204(d)(2), 23–407(n)(7), and 38–103(d)(2)(ii)2.

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–727(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 8–401(f) and 9–105(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.1(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–209(a), 13–402(c)(10), (11), and (12), 15–311.2(a)(1), 16–208(a)(1),  
16–301(c) through (g), 16–402.1(a)(2), 16–812(a)(2)(iii), 18–105,  
21–902(c)(3), 21–1207.1(c), 21–1207.2(a), and 24–301(b)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing

Chapter 3 of the Acts of the General Assembly of the 2007 Special Session

Section 9

BY repealing and reenacting, with amendments,

Chapter 171 of the Acts of the General Assembly of 2009

Section 6

BY repealing and reenacting, with amendments,

Chapter 172 of the Acts of the General Assembly of 2009

Section 6

BY repealing and reenacting, with amendments,

Chapter 180 of the Acts of the General Assembly of 2009

Section 5

BY repealing and reenacting, with amendments,

Chapter 181 of the Acts of the General Assembly of 2009

Section 5

BY repealing and reenacting, with amendments,

Chapter 186 of the Acts of the General Assembly of 2009

Section 5

BY repealing and reenacting, with amendments,

Chapter 487 of the Acts of the General Assembly of 2009

Section 47

BY repealing and reenacting, with amendments,

Chapter 500 of the Acts of the General Assembly of 2009

Section 3 through 9

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

**Senate Bill 471 – Senators Madaleno, Conway, and Rosapepe**

AN ACT concerning

**Private Career Schools – Definition and Regulation**

FOR the purpose of altering the definition of private career school to include certain institutions of postsecondary education that furnish or offer to furnish programs that provide the knowledge and skills for individuals to engage in the practices of any business, trade, or occupation for certain purposes; requiring certain institutions of postsecondary education that become subject to certain regulation as private career schools to take certain actions on or before a certain date; and generally relating to the definition and regulation of private career schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 10–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 472 – Senator Stone**

AN ACT concerning

#### **Possession of Visual Representation of Child Under 16 Engaged in Sexual Acts – Sex Offender Registration**

FOR the purpose of altering the definition of “offender” for purposes of inclusion on a certain offender registry to include a certain person convicted of knowingly possessing and intentionally retaining a film, videotape, photograph, or other visual representation showing an actual child under the age of 16 years engaged as a subject of sadomasochistic abuse, engaged in sexual conduct, or in a state of sexual excitement.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–208  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(a) and 11–704(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure

Section 11-701(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 473 – Senator Stone**

AN ACT concerning

**Criminal Procedure – Indecent Exposure – Offender Registration**

FOR the purpose of altering the definition of offender for purposes of provisions relating to a certain offender registry to include a person who is ordered by a court to register and who has been convicted of the offense of indecent exposure if the offense occurred in the presence of an individual under a certain age; and generally relating to indecent exposure and certain offender registration.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11-701(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11-107  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 474 – Senator Stone**

AN ACT concerning

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

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

eligibility for release be made as a matter of law; providing that a determination made by a court on whether evidence taken by the court itself indicates that a certain committed person proved eligibility for release be made as a matter of fact and law; and generally relating to judicial hearings regarding the release from commitment of persons found not criminally responsible.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 3–114, 3–115, and 3–116  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 3–117 and 3–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 475 – Senator Stone**

AN ACT concerning

#### **Operating a Vessel While Under the Influence of or Impaired by Alcohol or Drugs – Compulsory Testing**

FOR the purpose of requiring a person to submit to certain tests of the person's breath or blood to determine alcohol concentration or drug or controlled dangerous substance content if the person is involved in an accident while operating or attempting to operate a vessel that results in the death of, or life-threatening injury to, another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been operating the vessel while under the influence of alcohol or impaired by alcohol, drugs, a combination of alcohol and drugs, or a controlled dangerous substance; providing that medical personnel who perform certain tests are not liable for civil damages under certain circumstances; providing for the admissibility of evidence of certain tests or analyses under certain circumstances; making certain conforming and stylistic changes; and generally relating to operating a vessel while under the influence of or impaired by alcohol or drugs.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–309(a) and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–738  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 476 – Senators Currie, King, Peters, and Exum**

AN ACT concerning

**Maintenance of Effort – Penalty**

FOR the purpose of waiving the maintenance of effort penalty for a certain fiscal year; requiring certain legislative committees to report to the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to the maintenance of effort penalty.

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

**Senate Bill 477 – Senators Frosh, Forehand, Garagiola, King, Kramer, Madaleno, Middleton, and Raskin**

AN ACT concerning

**State Highways – Mobile Produce Vendors – Required State Lease**

FOR the purpose of expanding the application of a provision of law that prohibits certain food vendors from operating on a State highway right-of-way without a certain State lease to include mobile produce vendors; prohibiting a mobile produce vendor lessee from operating at certain locations; providing that this Act does not diminish the authority of a county to license and regulate mobile produce vendors; establishing certain criminal penalties for a violation of this Act; providing for the enforcement of this Act; defining a certain term; making certain stylistic changes; and generally relating to the operations of mobile produce vendors.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–301 through 24–303  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 24–304

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

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

**Senate Bill 478 – Senators Kelley, Della, King, Klausmeier, McFadden, Muse, Stone, and Zirkin**

AN ACT concerning

**Residential Child Care Facilities – Incident Reporting – Interagency Workgroup**

FOR the purpose of establishing a certain interagency workgroup to develop a certain uniform incident reporting system and to adopt certain regulations; requiring the interagency workgroup to make a certain report on or before a certain date; and generally relating to an interagency workgroup on residential child care facilities and incident reporting.

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

**Senate Bill 479 – Senator Stoltzfus**

AN ACT concerning

**State Capital Projects – High Performance Buildings – Green Globes Rating**

FOR the purpose of altering the definition of “high performance building” for purposes of certain requirements for certain State capital projects to include a building that achieves at least a certain Green Globes rating; and generally relating to the construction and renovation of high performance buildings by the State.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1(a)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 480 – Senator Robey**

AN ACT concerning

**State Contributory Law Enforcement Officers’ Pension System – Transfer of Service Credit**

FOR the purpose of providing that certain members of the State Contributory Law Enforcement Officers' Pension System may transfer certain service credit from the Employees' Pension System in a certain manner; requiring that certain members of the State Contributory Law Enforcement Officers' Pension System who transfer certain service credit from the 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 certain provisions of this Act; and generally relating to the transfer of service credit for members of the State Contributory Law Enforcement Officers' Pension System.

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

### **Senate Bill 481 – Senator Robey**

AN ACT concerning

#### **Criminal Procedure – Warrantless Arrest – Second Degree Assault**

FOR the purpose of authorizing a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has committed a second degree assault under certain circumstances; requiring a police officer to consider whether a person acted in self-defense under certain circumstances; and generally relating to warrantless arrests for second degree assault.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 2-203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

## **INTRODUCTION OF JOINT RESOLUTIONS**

### **Senate Joint Resolution 5 – The President (By Request – General Assembly Compensation Commission)**

A Senate Joint Resolution concerning

#### **General Assembly Compensation – Recommendations**

FOR the purpose of rejecting certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address the levels of

compensation and allowances for members of the General Assembly, the President of the Senate, and the Speaker of the House of Delegates; providing that certain compensation for members of the General Assembly, the President of the Senate, and the Speaker of the House of Delegates shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; and generally relating to the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010.

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

### MESSAGE TO THE SENATE

February 1, 2010

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 Tuesday, February 2, 2010 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 Frick and Haddaway 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 Rice, Ivey and Frank.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates Valderrama, Haynes and Beitzel.

BY ORDER,

MARY MONAHAN  
CHIEF CLERK

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

February 1, 2010

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 Tuesday, February 2, 2010 at 12:00 Noon, and your proposal of a joint meeting of the General Assembly in the Chamber of the House of Delegates.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Kasemeyer, Kittleman and Currie as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

We have also appointed as members of a joint committee, Senators McFadden, Jacobs and Frosh to escort the Lt. Governor to the House Chamber.

By Order,

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

Read and adopted.

### QUORUM CALL

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

(See Roll Call No. 88)

### ADJOURNMENT

At 8:24 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Tuesday, February 2, 2010.

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**Annapolis, Maryland**  
**Tuesday, February 2, 2010**  
**11:00 A.M. Session**

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The Senate met at 11:06 A.M.

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

(See Exhibit A of Appendix III)

The Journal of February 1, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 90)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 173 – Senator George C. Edwards:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jennifer Rankin  
Garrett County  
in recognition of

being selected the 2010 Maryland Teacher of the Year. We applaud your outstanding contributions to Maryland students and your dedication to spending this year as voice for education policy and instruction in our State. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 162 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Mary Lough  
Parkside Elementary School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Allegany County. We applaud your outstanding  
contributions to Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 163 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Donna McCallister  
George Fox Middle School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for  
Anne Arundel County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 164 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Nicholas Greer  
Baltimore Polytechnic Institute  
in recognition of  
your being selected the 2009–2010 Teacher of the Year

for Baltimore City. We applaud your outstanding contributions to Maryland students.

Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 165 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland  
offers its sincerest congratulations to

Cecily Anderson

Catonsville Middle School

in recognition of

your being selected the 2009–2010 Teacher of the Year for Baltimore County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 166 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland  
offers its sincerest congratulations to

Rolf Arnesen

Huntingtown High School

in recognition of

your being selected the 2009–2010 Teacher of the Year for Calvert County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 167 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland  
offers its sincerest congratulations to  
Wayne Martin  
North Caroline High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Caroline County. We applaud your outstanding contributions to Maryland  
students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 168 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Scott D’Orazio  
Manchester Valley High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Carroll County. We applaud your outstanding contributions to Maryland students.  
Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 169 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Margaret Lenhoff  
Elkton High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for Cecil County. We applaud  
your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 170 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Janet Jones  
General Smallwood Middle School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Charles County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 171 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Leonard Mueller  
North Dorchester Middle School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Dorchester County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 172 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Catherine Alspaugh  
New Market Elementary School  
in recognition of

your being selected the 2009–2010 Teacher of the Year for Frederick County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 174 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kimberly Schmidt  
Havre de Grace High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for Harford County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 175 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kimberly Feldman  
Oakland Mills High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for Howard County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 176 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland  
offers its sincerest congratulations to  
Dr. Keith Wharton  
Kent County High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for Kent County. We applaud  
your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 177 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Bryan Goehring  
Takoma Park Middle School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Montgomery County. We applaud your outstanding contributions to Maryland  
students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 178 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ebony Love Cross  
Mary Harris “Mother” Jones Elementary School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year for Prince George’s County.  
We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 179 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Deborah Mason  
Matapeake Elementary School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Queen Anne’s County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 180 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Therese Gittens  
Lexington Park Elementary School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for St. Mary’s County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 181 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Heather McHenry  
Crisfield Academy and High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year

for Somerset County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 182 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Daniel Davis

White Marsh Elementary School  
in recognition of

your being selected the 2009–2010 Teacher of the Year for Talbot County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 183 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jaime Mason

Clear Spring Middle School  
in recognition of

your being selected the 2009–2010 Teacher of the Year for Washington County. We applaud your outstanding contributions to Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 2nd day of February 2010.

**Senate Resolution No. 184 – The President and All Members:**

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

Susan Cullen  
Delmar Elementary School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Wicomico County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

**Senate Resolution No. 185 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Alison Giska  
Snow Hill High School  
in recognition of  
your being selected the 2009–2010 Teacher of the Year  
for Worcester County. We applaud your outstanding contributions to Maryland  
students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 2nd day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 91)

**THE COMMITTEE ON FINANCE REPORT #2**

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

**Senate Bill 53 – Chair, Finance Committee (By Request – Departmental – Military)**

AN ACT concerning

**Workers' Compensation – Average Weekly Wage – Militia**

**SB0053/367576/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 53  
(First Reading File Bill)

On page 1, in the sponsor line, after “Military)” insert “and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Middleton, Pipkin, and Pugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0053/213221/1**

BY: Senator Harris

AMENDMENT TO SENATE BILL 53, AS AMENDED

In the Finance Committee Amendment (SB0053/367576/1), in line 3, strike “and Pugh” and substitute “Pugh, and Harris”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Education)**

AN ACT concerning

**Workers’ Compensation – Division of Rehabilitation Services – Unpaid Work-Based Learning Experiences**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### QUORUM CALL

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

(See Roll Call No. 92)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #4

**Senate Bill 2 – ~~Senator Conway~~ Senators Conway and Peters**

AN ACT concerning

#### **Task Force on the Minority Business Enterprise Program and Equity Investment Capital**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 93)

The Bill was then sent to the House of Delegates.

**Senate Bill 41 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Alcoholic Beverages – Clubs – Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 94)

The Bill was then sent to the House of Delegates.

**Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Department of Disabilities – Maryland Commission on Disabilities – Duties  
and Responsibilities**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 95)

The Bill was then sent to the House of Delegates.

**Senate Bill 69 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Woodland Incentives Program – Prohibition on Use of Federal Funds –  
Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 96)

The Bill was then sent to the House of Delegates.

**Senate Bill 71 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – General Services)**

AN ACT concerning

**Procurement – Small Business Reserve Program – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 97)

The Bill was then sent to the House of Delegates.

**Senate Bill 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Nonpublic School Employees – Criminal Convictions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 98)

The Bill was then sent to the House of Delegates.

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Disruptive Youth – Funding**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 99)

The Bill was then sent to the House of Delegates.

**Senate Bill 87 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Physical Education and Athletic Programs for Students with  
Disabilities – Reporting Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 100)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 101)

**RECESS**

At 11:31 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until Noon to the House Chamber for the State of the State Address, February 2, 2010.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Tuesday, February 2, 2010**

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At 12:06 P.M. the Senate resumed its session.

**JOINT SESSION**

Delegates Frick and Haddaway escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

**QUORUM CALL**

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

(See Senate Roll Call No. 101A)

Speaker Busch called for the House roll.

**QUORUM CALL**

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

(See House Roll Call No. 46)

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

Senators McFadden, Jacobs and Frosh and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Kasemeyer, Kittleman and Currie and Delegates Rice, Ivey and Frank 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**  
GOVERNOR MARTIN O'MALLEY

The State House  
Annapolis, Maryland  
February 2, 2010

Mr. Speaker, Mr. President, Lieutenant Governor Brown; Treasurer Kopp, Comptroller Franchot; Attorney General Gansler; Attorney General Curran; colleagues in city and county government; men and women of the Maryland General Assembly; Former Governors Mandel and Glendening; Members of the Cabinet; Congressman Kratovil, Congressman Ruppertsberger, Katie O'Malley; my fellow citizens:

*I'd like to ask that all of us observe a moment of silence in honor of the brave Marylanders who we've lost over the course of this last year fighting for our country abroad in Iraq and in Afghanistan,...and also for the people of Haiti who are recovering from that devastating earthquake.<sup>1</sup>*

We have said goodbye to a number of great Marylanders over the course of this last year. Just last week, we said goodbye to former First Lady Pat Hughes, a woman of grace and class and strength. And earlier this morning, I attended the funeral of the great Mac Mathias, a man who through thirty years of noble service epitomized not only what it means to be a United States Senator, but also epitomized what it means to be a citizen.

## INTRODUCTION

It is a true honor to join you here, once again, in this historic building – the oldest State Capitol in the United States of America – where Marylanders have come together, year after year, to renew our democracy and to move our State forward. In this place of the people's will, we express our differences of opinion mindful of the fact that all of us, gathered here to serve, act on behalf of Maryland, and there is only One Maryland.

We are here because we care about people – all people. And to safeguard our children's future, we are committed to the work of justice, security, job creation, environmental sustainability, and fiscal responsibility, understanding that progress for one requires progress for all.

In times of great adversity, we don't make excuses – we make progress.<sup>2</sup> We set aside partisanship and embrace the power of citizenship, guided by the values that unite us: our belief in the dignity of every individual; our belief in our own responsibility to advance the common good; our understanding that there is a unity to spirit and to matter, that one person can make a difference, each of us must try, and God loves even the partial victories.

Today I'd like to talk with you about how we can help our businesses, large and small, to create jobs, to save jobs, and to expand opportunity. I'd like to talk with you about the tough, but right, choices we must make together; and about the importance of being fiscally responsible so that we can protect homeownership and defend the hard-won progress of the hardworking Maryland families we serve.

## FISCAL RESPONSIBILITY

The choices we've made together as One Maryland over these past three years have allowed us to weather this severe economic storm better than most states.

We have used the pressure of shrinking revenues to create higher performance,<sup>3</sup> stronger connections,<sup>4</sup> smarter interventions,<sup>5</sup> and more intelligent standards of care.<sup>6</sup> The ongoing financial crisis has called upon us to re-imagine what a government can do well, and to redesign better ways to serve and protect the people of Maryland as we move forward.<sup>7</sup>

But just as families and businesses have seen their incomes decline, so too have state revenues. In fact, it has been the steepest decline across the 50 states in modern history.

Every year, this Administration has submitted – and you have passed – a state budget that is not only balanced, but a budget that has been introduced, at the outset, as within the limits of spending affordability guidelines.<sup>8</sup>

For the first time in more than 40 years, the budget I propose to you this year calls for lower general fund spending than four years ago and it will bring total spending cuts and reductions this term to \$5.6 billion.<sup>9</sup>

We have chosen to be fiscally responsible; indeed, progress is only possible with fiscal responsibility. That's why, Maryland is one of only seven states in America that continues to retain a Triple A Bond Rating – a seal of fiscal responsibility certified by all three major rating agencies.<sup>10</sup>

As a result of the choices we've made in the face of adversity, the state of our State is stronger than most,<sup>11</sup> and in areas like public education, it is stronger than every other state in the union.<sup>12</sup>

## OUR ECONOMY

But this national economic downturn – the worst since the Great Depression – has dealt crushing blows of joblessness, home foreclosure and displacement to tens of thousands of Maryland families.

Although fourth quarter economic growth was the strongest our country has seen in six years, the storm is not over.

Wall Street has been stabilized but Main Street still suffers. Every Maryland family has been hit in some way: neighbors who still can't find work; fellow citizens tossing and turning all night, worried about how they'll afford this month's heating bill or last month's mortgage or rent; family-owned businesses and family farms<sup>13</sup> struggling just to survive; children who go to bed hungry, who wake up hungry, who go to school hungry.<sup>14</sup>

I want to share with you a brief excerpt from a letter not unlike the letters that all of you are receiving yourselves. This one is from a woman named "Martha"<sup>15</sup> who writes:

*"...[T]imes are hard and things are tight,... I am living on the edge, my rent for my apartment is one month behind, my phone and internet service is scheduled to be cut off. I have been trying to find employment and am 53 years old. I never thought that I would be going through this at this point in my life."*

In every part of our State, I meet good people who have worked hard all their lives, only to watch their piece of the American dream slip away due to forces seemingly beyond their control,...who want only the opportunity to work, and the freedom to build a better life for themselves and for their children.

## **PROTECTING HOMEOWNERSHIP**

It has been said that the most powerful place in the world is the family home.<sup>16</sup> Over these last difficult years, far too much of that power has been taken from us. When just one Marylander has to look their child in the eyes and tell them "*the mortgage company told us we have to move,*" it affects all of us. When a house is boarded up and left vacant, it impacts entire neighborhoods,<sup>17</sup> entire communities, entire towns, entire cities, entire counties, entire states.

Because of your work and also because of the persistence of non-profit housing counselors and *pro bono* lawyers,<sup>18</sup> many homes in Maryland have been saved,<sup>19</sup> but many more have been lost in the relentless, grinding, home-destroying machinery of national mortgage companies.<sup>20 21</sup> If they can pick up the phone to put a family into a home, shouldn't they be able to pick up the phone before throwing a family out of their home?

I need your help. The hardworking people of Maryland need your help. Families of Maryland need your help. I need you to stand up for homeowners in Maryland and put them on an equal footing with these faceless giants. I need you to pass legislation this year that forces mortgage companies to come to the settlement table before they can throw another family out on the street.<sup>22</sup>

## **CREATING JOBS**

But it is not enough to defend, we must also advance. There is no government program that is as important or as empowering as a job. Therefore, progress requires that we

focus the energies of this session on three primary actions: creating jobs, saving jobs, and protecting jobs.<sup>23</sup>

Last week, President Obama rightly said, *“the true engine of job creation in this country will always be America’s businesses. But government can create the conditions necessary for businesses to expand and hire more workers.”*<sup>24</sup>

To rebuild and restore our economy, we must help our businesses create and save jobs. Jobs from innovation in science, security, and discovery. Jobs of noble and valuable service. Jobs that create and rebuild our vital connections of travel, trade, and business. Jobs that revitalize and restore our environment. Jobs in teaching, jobs in manufacturing, jobs in healing – they all matter.

This month we concluded a nation-leading public/private partnership at the Port of Baltimore that will create 5,700 new jobs in construction and port operations; and just last week General Motors announced that it will build its new generation of electric hybrid motors here in Maryland, in Baltimore County – creating new green manufacturing jobs and new opportunities.<sup>25</sup> This job-creating partnership was only possible because of the investments of the critically important American Recovery and Reinvestment Act, along with the strong actions of your state and the strong actions of Baltimore County and the leadership of Jim Smith, and businesses, and labor – all working together.

And together, we can and we must do more.

That’s why, this year I’m asking for your help to create a \$3,000 tax credit for every person hired off of Maryland’s unemployment rolls.<sup>26 27</sup>

And because small businesses create nearly two out of three jobs in Maryland, I’m also asking you to pass emergency legislation to provide \$83 million of relief from rapidly escalating Unemployment Insurance Premiums.<sup>28</sup>

What’s more, because small business lending has virtually dried up in the course of this national economic downturn, I’m asking for your support to create a new small business loan guaranty program, as we simplify the application process so that we can create and improve the conditions necessary to allow small businesses to borrow the dollars they need for expansion, to create and to save jobs.<sup>29</sup>

Here in Maryland, thanks to President Obama’s leadership and Maryland’s effectiveness, the American Recovery and Reinvestment Act has helped us not only to protect public safety, public education, and public health, but it has also allowed us to create or save 19,000 jobs.<sup>30</sup> And in the year ahead, Recovery Act reinvestment projects will continue to create and save thousands and thousands of greatly needed construction jobs in our State, rebuilding our State.<sup>31</sup>

Working with private businesses in our construction trades,<sup>32</sup> I’m asking you to create jobs through major investments in this year’s proposed capital budget<sup>33</sup> – rebuilding

schools, rebuilding roads and water infrastructure, rebuilding community colleges, and science labs; important work that will support over 20,000 construction jobs in Maryland next year.<sup>34</sup>

I am also asking you to advance smarter growth through better mass transit with important long-term investments like the Purple Line and Red Line, which will create jobs.<sup>35</sup>

Working with imaginative redevelopers and green developers, I'm asking you to revitalize our historic downtowns and Main Streets – along with new green neighborhoods<sup>36</sup> – by passing a new Sustainable Communities Tax Credit. Building on the success of the Heritage Tax Credits, we know that we can leverage tens of millions of dollars in private investment to create hundreds of jobs now, and thousands moving forward.<sup>37</sup>

Thanks to Lt. Governor Brown's leadership from the first days of this Administration – and the advocacy of Senator Mikulski and our entire Congressional delegation – 60,000 additional jobs are coming to Maryland through BRAC: the Base Realignment and Closure process.

We need to leverage the enormous job-creating potential of more than 50 federal facilities in Maryland,<sup>38</sup> which along with our businesses and institutions of science, discovery, and higher learning and healing, are the backbone of Maryland's Innovation Economy: life sciences, bio-tech,<sup>39</sup> high-tech, clean-tech, green tech,<sup>40</sup> Cyber Security.<sup>41</sup> Our work is to leverage these Innovation Assets to create more jobs and more opportunities for more Maryland families.<sup>42</sup>

With the enormous potential of Maryland's Innovation Economy, we are seeking to reinvigorate Science, Technology, Engineering and Math education in every part of our State; to reengage our students with environmental and financial literacy; and to create in our workforce the "Skills2Compete"<sup>43</sup> through a coordinated statewide strategy of promoting skills training, apprenticeships, and post-secondary education.<sup>44</sup>

And because Maryland's greatest economic asset is our highly educated and highly skilled workforce, I am asking you to invest, once again, in the children of Maryland with a record level of funding for K-12 Education.<sup>45</sup>

## **NOT BY CHANCE, BY CHOICE**

Progress does not happen by itself, it is the product of choices.

Think about it,...

It is not by chance but by choice that we now do more than most every other state to support Veterans upon their return home from service in Iraq or Afghanistan.<sup>46</sup>

It is not by chance but by choice that for the second year in a row, we have created the #1 ranked, best public school system in the United States of America.<sup>47</sup>

It is not by chance but by choice that – alone among the 50 states – we together have made college more affordable for more Maryland families by going four years in a row without a penny's increase in college tuition for Maryland residents.<sup>48</sup>

It is not by chance but by choice that together with courageous police officers throughout law enforcement, we have been able to drive violent crime in Maryland down to its lowest levels since 1987<sup>49</sup> – including the steepest three-year reduction in homicides since the 1970s, and a 46% reduction in juvenile homicides over the same period of time.<sup>50</sup>

It is not by chance but by choice that the Port of Baltimore, once a laughingstock of failed homeland security efforts, now receives near-perfect security reviews from the United States Coast Guard.<sup>51 52</sup>

It is not by chance, but by choice that 146,000 more Marylanders today have health insurance and 65,000 of them are children.<sup>53</sup>

It is not by chance but by choice that we have increased opportunities for women- and minority-owned businesses to record levels in our State.<sup>54</sup>

It is not by chance, but by choice that four rivers<sup>55</sup> of the Chesapeake Bay<sup>56</sup> are now getting healthier every year rather than sicker;<sup>57</sup> that we have preserved five and half times the amount of open space than we did before; or that the Blue Crab population is rebounding; or that we are finally embracing the power of a new aquaculture industry to bring back the native Oyster.<sup>58</sup>

As we move Maryland forward out of this recession and into better times, we will need to continue to make the tough, but critically important choices necessary to expand opportunity and strengthen families; the choices that grow our middle class and allow us to make progress together.

The choices that give all of our children the education that they need to compete and win in a global economy. The choices that make us safer and more secure every day.<sup>59</sup> The choices that strengthen our laws against child predators.<sup>60 61</sup> The choices that make it possible for Maryland to eradicate childhood hunger.<sup>62</sup> The choices that make us a leader in energy conservation and renewable energy.<sup>63</sup> The choices that rebuild our cities, our towns, and our inner beltway neighborhoods in a Maryland that is Smart, Green and Growing. The choices that restore the American dream and allow us to make “Genuine Progress.”<sup>64</sup> The choices that protect Maryland, the choices that make Maryland, Maryland – for our children and our children's children.

## **ONE MARYLAND, FORWARD TOGETHER**

But in order to move forward as One Maryland, there is another kind of work which we must do as a people. It is not the work of our hands or of our heads, but of our hearts. For there is a dark thing that has penetrated deep into our collective soul, a

thing that has to be recognized, seen for what it is and rejected by us all. It is the debilitating and un-American idea that our children will not enjoy a better quality of life than we have,...that somehow we are destined to decline, backslide and fail...

With every fiber of my being, I reject this notion. I find it utterly unacceptable and so do the generations ahead of ours.

This recession will end. Our journey is not over. And our best days are still in front of us if we make it so!

Ironically, it is the very immensity of the problems we face with respect to climate change,<sup>65</sup> terror, resource scarcity, energy security, and health that is driving innovation in every sphere of education, technology and life-sciences – endeavors that all of us are able to rightly count among Maryland's greatest competitive economic strengths.

From the schools, the laboratories, and the companies of Maryland are emerging the discoveries and technologies that will remake our world. We are not at the edge of a cliff; we are at the threshold of brilliant science, innovative technology and remarkable discoveries that will transform, for the better, the way we “feed, fuel, and heal” this world of ours.

We have a hundred years of creative work ahead of us – brilliant, sustaining, innovative service, a profound act of citizenship and participation that can bring us closer to each other and to this extraordinary place we call home.

## CONCLUSION

Connecting Maryland's journey to its resources, creativity and dreams is our great work.

To the cynical who say government is not the answer, I ask, what then is the question? For if the question is how to create jobs,... how to get our economy going again,... how to re-imagine what it means to be a Marylander in these challenging times, and how to create greater freedom, opportunity, and justice for all,... then a working and effective government is an indispensable and essential part of the answer. But only part; for government cannot be a substitute for citizenship. It can never replace the power of the individual, the power of individual creativity, the power of individual choices responsibly and courageously made.

Each of us is needed. All of us must act. The truth is, every person has an important story to tell, an important story to live. Together, over time, the people of Maryland have written a narrative that endures and grows. It is not a story of failure or fear. It is a story of genius and courage, threads of our being, stitched to an uncertain future wherein we act with courage, respect, and conscience to make a better life for our children.

For Maryland is not simply an isolated political entity or label outside there somewhere. It is something we share with one another and with the generations that will follow ours. The children born in our city centers are just as much our heritage and gift as are the tidewaters of the Eastern Shore and mountains of Western Maryland. There is no resting point where we finally know that we have secured a safe and prosperous future. The principles that inform our deeds and actions demand constant work, vigilance, reaffirmation, and reawakening.

We are blessed to have inherited the backbone and mettle of generations past. The rivers, forests, shores, and waters of this extraordinary state are ever our allies. And with us always are the quiet prayers of gratitude and encouragement of future generations watching.

In the eyes of every child is a shining message that we are born to be good, and that we experience our goodness by being kind and generous to each other.

May we embody this wisdom in our dreams and in the actions we take,... as One Maryland,... moving forward,... together.

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<sup>1</sup> Last week, the Maryland National Guard sent additional troops and supplies to Haiti to aid with the relief effort. Also, University of Maryland Shock Trauma recently sent a 22-person medical team to assist with the overwhelming medical needs in Haiti.

<sup>2</sup> This progress includes the single largest three year reduction in statewide homicides since the 1970s, a best-in-America ranking from *Education Week* magazine for our public schools, and 5,700 jobs that will be coming to the Port of Baltimore through a new partnership with Ports America.

<sup>3</sup> For example, through better intelligence, entrance security, contraband targeting and investment in stab-proof vests, the Department of Corrections has increased contraband cell phone seizures by 124% and reduced serious assaults on staff by 50% (including zero fatalities), all while reducing overtime by 22% (FY07–FY09).

<sup>4</sup> The State's Public Safety Dashboard connects law enforcement officers and government users in more than 100 agencies to all state crime data and receives 25,000 to 40,000 hits a day. This year, front line workers at the Department of Human Resources and Department of Juvenile Services will be sharing live data through a new Child Safety Net Dashboard.

<sup>5</sup> To reduce violence in and out of Maryland correctional facilities, the O'Malley–Brown Administration worked with Maryland's Congressional delegation to advance cell-phone jamming technology in correctional institutions. Maryland was also one of the first states in the nation to train and use a K–9 unit in an effort to detect cell phones in correctional facilities.

<sup>6</sup> For example, state government has transitioned to a recovery-oriented system of substance abuse treatment, expanded evidence-based practices for children and families, and shifted to a community-based approach for the treatment of some of Maryland's most vulnerable citizens. Additionally, the O'Malley–Brown

Administration is transitioning from institutional-based care to home-based care for Maryland seniors.

<sup>7</sup> Through the Service Access and Information Link (SAIL), Marylanders can submit applications online for temporary cash assistance, supplemental food assistance (food stamps), Medicaid, and other available social services. Through Maryland's Problem Solver website, citizens have easy access to critical resources such as childcare assistance, utility payment assistance and employment services. The Problem Solver website had 66,711 hits in 2009.

<sup>8</sup> The O'Malley-Brown Administration is the first in Maryland history to submit a budget with negative spending affordability growth. In the two fiscal years prior to the current administration the spending affordability limit was exceeded.

<sup>9</sup> The O'Malley-Brown Administration has reduced General Fund spending by 3.2%. Over the prior four years, the previous administration increased General Fund spending by 35%. This year's budget proposal would bring total position reductions to 3,500. Maryland has America's 10th smallest per-capita government workforce.

<sup>10</sup> The O'Malley-Brown Administration has made it a priority to strive to maintain the State's Triple A Bond rating. One of many reasons that Maryland has continued to earn this rating is that the Rainy Day fund has been maintained at 5% of General Fund revenues. Standard and Poor's has said Maryland "*pro-actively responded to [its] recent structural budget imbalance.*" Fitch Ratings has credited Maryland's "*prompt and repeated action.*"

<sup>11</sup> Last year, Maryland's rate of job change was better than all but four other States.

<sup>12</sup> In January, *Education Week* magazine ranked Maryland public schools #1 best in America for the second year in a row. Maryland high schools are ranked #1 in America by the College Board as having the best Advanced Placement scores and participation rate in the nation. And according to the most recent report, Maryland's pre-K program is ranked among the best in America by the National Institute for Early Education Research.

<sup>13</sup> Through partnerships with Maryland's Congressional delegation and other Northeast states, the O'Malley-Brown Administration successfully secured the inclusion of up to \$2.475 million in emergency aid for Maryland dairy farmers in the 2010 Agriculture Appropriations Bill through the new Dairy Emergency Loss Assistance Payment program (DELAP) which will allow for loan relief and increased MILC payments.

<sup>14</sup> The O'Malley-Brown Administration has set the goal of eliminating childhood hunger by 2015 in Maryland.

<sup>15</sup> Name has been changed out of respect for privacy.

<sup>16</sup> The poet John O'Donohue writes: "*There are many powerful places in the world,...Yet the most powerful place of all,... is the family home.*"

<sup>17</sup> In FY09, the State invested \$19 million to stabilize distressed neighborhoods.

<sup>18</sup> Under Chief Judge Bell's leadership, the State has recruited 981 *pro bono* attorneys to assist vulnerable families.

<sup>19</sup> Since its inception, the HOPE Network has counseled 35,592 people and helped 9,812 people save their homes.

<sup>20</sup> In a November 2009 report by NeighborWorks, Maryland was recognized as one of the Top 5 States for servicing the most clients through the National Foreclosure Mitigation Program. The *Washington Post* on the 2008 foreclosure legislation package: “Taken together, Maryland’s bills are among the most sweeping in the country” (April 3, 2008).

<sup>21</sup> In 2009 DLLR entered into settlement agreements requiring unscrupulous financial institutions to make more than \$2.9 million in refunds to consumers – roughly double the number of consumer refunds in 2008.

<sup>22</sup> SB 276 – Real Property – Residential Property Foreclosure Procedures – Foreclosure Mediation

<sup>23</sup> The O’Malley–Brown Administration has set the goal of creating, saving, or placing our fellow citizens into 250,000 growth sector jobs by the end of 2012.

<sup>24</sup> From the State of the Union address, January 27, 2010.

<sup>25</sup> Construction on GM’s new high–volume electric drive manufacturing facilities and retention of next generation hybrid transmission production is estimated to save 35 jobs, directly create 200 new jobs, and to create 140 indirect jobs and 490 induced jobs.

<sup>26</sup> The proposed Job Creation Tax Credit (HB 92) would provide businesses a \$3,000 per employee tax credit for every unemployed Marylander they hire. It will be capped at \$20 million and will extend for one year.

<sup>27</sup> This initiative builds on the progress of Maryland’s One–Stop Centers, which have helped place more than 62,000 Marylanders in jobs in the past year.

<sup>28</sup> HB 91 is emergency legislation that would provide immediate relief to Maryland small businesses.

<sup>29</sup> To facilitate small business lending through an expedited process while maintaining reasonable credit quality, Maryland will use the Maryland Industrial Financing Authority (MIDFA) to create a Certified Lender’s program which would allow banks to apply up to a \$50,000 MIDFA guaranty, as well as a Rapid Response Program which would provide a 48 hour approval turnaround to bank underwriting on certain credit applications.

<sup>30</sup> Maryland is ranked #1 in the ways the state government tracks and accounts for the effective expenditure of federal Recovery and Reinvestment dollars. In the most recently reported quarter, these dollars have allowed Maryland to create and save 19,633 jobs – directly, indirectly and induced.

<sup>31</sup> The State was recently granted nearly \$70 million in American Recovery and Reinvestment Act (ARRA) funding to begin major projects to improve passenger rail for Amtrak and MARC Commuter passengers traveling in the Northeast Corridor as part of President Obama’s allocation of \$8 billion nationwide for the ARRA High Speed Intercity Passenger Rail Program.

<sup>32</sup> In the current year 16% of construction jobs in Maryland are attributable to state–funded projects.

<sup>33</sup> Last week, the state introduced its new interactive map for the FY11 Capital Budget.

<sup>34</sup> Including \$250 million for school construction and \$115 million for wastewater projects.

<sup>35</sup> The O'Malley–Brown Administration has set the goal of doubling public transportation ridership by 2020.

<sup>36</sup> Such as St. Charles, Maryland, the most comprehensive smart green community development project in the United States today. The project could create as many as 20,000 green jobs in Maryland.

<sup>37</sup> SB 285 would build upon the Heritage Communities Tax Credit, which supported 15,000 jobs by making Main Streets, Maple Streets, and TOD projects eligible for the credit (in addition to historic properties). There would be an additional incentive for buildings that follow LEED gold standards.

<sup>38</sup> This year, the O'Malley–Brown Administration launched a Federal Facilities Task Force to help businesses leverage opportunities and resources from federal facilities.

<sup>39</sup> Maryland has the 2nd largest per-capita cluster of bioscience companies, representing 8% of the industry, and the highest percentage of Ph.D. engineers and scientists in the U.S. The O'Malley–Brown Administration launched BIO 2020, a \$1.3 billion investment to grow Maryland's bioscience industry, including over \$42 million over three years for stem cell research, \$18 million over three years for a Biotechnology Tax Credit, and \$4.8 million in nanobiotechnology research.

<sup>40</sup> The O'Malley–Brown Administration set the goal of creating, saving, and placing Marylanders in 100,000 green jobs by 2015.

<sup>41</sup> The State's cyber security strategy is estimated to bring tens of thousands of jobs to Maryland.

<sup>42</sup> In 2009, 58 new business enterprises decided to locate in Maryland while an additional 240 expanded their existing businesses. As a result, 6,465 jobs are expected to be created and/or saved.

<sup>43</sup> The O'Malley–Brown Administration is launching an initiative called Skills2Compete to promote and expand access to skills training, apprenticeships and post-secondary education.

<sup>44</sup> The O'Malley–Brown Administration set the goal of improving student achievement and school, college, and career readiness in Maryland 25% by 2015. In addition, the Administration set the goal of improving the marketable skills of Maryland's adult workforce 20% by 2012.

<sup>45</sup> The FY11 budget proposal includes: \$5.7 billion for public education – amounting to an increase of \$1.2 billion over four years.

<sup>46</sup> The recently launched *Maryland's Commitment to Veterans* is an outreach and referral initiative designed to serve those that have served our country by connecting veterans to behavioral health services in a timely manner.

<sup>47</sup> *Education Week* magazine ranks Maryland schools as #1 in America. Last year, Maryland elementary and middle schools students achieved their highest MSA scores since testing began in 2003.

<sup>48</sup> Because of the tuition freeze, Maryland's public university system is no longer the 6th most expensive in America – it is projected to fall to 21st this fiscal year. Five of Maryland's public colleges made *Kiplinger Magazine's* 2010 "Best Values in Public Colleges." UMD–College Park was the 8th best value, up from 28th in 2007 and St. Mary's College, Salisbury University, Towson University and – for the first time – UMD–Baltimore County also made the list.

<sup>49</sup> The O'Malley–Brown Administration set the goal of reducing violent crime in Maryland by 10% each year.

<sup>50</sup> Source: Maryland Department of Juvenile Services, non–custodial homicides. Between 2008 and 2009, Prince George's County achieved a 45% reduction in juvenile homicides and Baltimore City achieved a 53% reduction.

<sup>51</sup> Three years ago the Port received a failing grade from the Coast Guard. In the latest safety review, the results of the exam were called 'superlative' by the U.S. Coast Guard.

<sup>52</sup> The O'Malley–Brown Administration consolidated disparate initiatives and resources into a unified effort to build a statewide radio system, computer–aided dispatch/records management (CAD/RMS), and GIS platform to improve information sharing and disaster preparedness. The O'Malley–Brown Administration set the goal of making Maryland a national leader in homeland security preparedness by the end of 2012.

<sup>53</sup> The O'Malley–Brown Administration set the goals of reducing infant mortality 10% by the end of 2012, expanding access to substance abuse services in Maryland by 25% by the end of 2012, and establishing the best–in–the–nation health information exchange of electronic health records adoption by the end of 2012.

<sup>54</sup> Maryland has the most ambitious goal in America for Minority Business Enterprise. Last year, the Maryland state government achieved 22% participation. Contract awards to Minority Business Enterprises reached \$1.65 billion, an increase of over \$662 million (60%) over the last three years.

<sup>55</sup> The Bush, the Gunpowder, the James and the Elizabeth.

<sup>56</sup> The O'Malley–Brown Administration is proposing a \$20 million investment in the Chesapeake Bay 2010 Trust Fund in the FY11 budget.

<sup>57</sup> The O'Malley–Brown Administration set the goal of reaching "the healthier Bay tipping point" by the end of 2020.

<sup>58</sup> In partnership with Virginia, both states succeeded in reducing the harvest of spawning stock female blue crabs by 34% in 2008. Maryland received \$15 million in federal funds over three years and this year invested \$3 million in State capital funds to ease the economic impact on watermen. As a result the blue crab population has increased after only one year. The O'Malley–Brown Administration has proposed a new Oyster Restoration & Aquaculture Development Plan, a multi–faceted effort to rebuild the decimated oyster population. Together with our partners, Maryland planted a record 750 million oysters in 2009. Today 5,238 citizen–stewards are growing oysters from piers in twelve tributaries for planting on local sanctuaries. Maryland's Smart, Green, and Growing website has resources for citizens who would like to do their part to protect Maryland's land, water, and air.

<sup>59</sup> Through ESSENCE (Electronic Surveillance System for the Early Notification of Community-based Epidemics) 100% of Maryland's acute care hospital emergency rooms are linked so that information can be shared during a public health emergency such as an epidemic outbreak.

<sup>60</sup> SB 280 – Criminal Procedure – Sexual Offenders – Lifetime Supervision. The proposed legislative package would expand lifetime supervision for sexual offenders, and would add the offenses of indecent exposure and possession of child pornography to the list of eligible offenses for sex offender registration.

<sup>61</sup> The O'Malley–Brown Administration has set the goal of reducing violent crimes against women and children 25% by 2012.

<sup>62</sup> In the past year, 33,000 additional children received school breakfast, after school suppers, and summer meals. Additionally, 42,256 children were enrolled in the Food Supplement Program (food stamps) and 6,430 children and mothers received assistance through the WIC Program in the last year.

<sup>63</sup> The O'Malley–Brown Administration's 2010 legislative agenda includes incentivizing the purchase of plug-in electric vehicles, acceleration of the solar Renewable Portfolio Standard, reauthorizing the Renewable Energy Production Tax Credit, and advancing off-shore wind energy. The O'Malley–Brown Administration set some of the most ambitious goals in America for decreasing per-capita electricity consumption by 15% by 2015 and increasing Maryland's renewable energy portfolio standard 20% by 2022.

<sup>64</sup> To obtain a measure of Maryland's prosperity, challenges, and opportunities, the O'Malley–Brown Administration is launching the most comprehensive application of the Genuine Progress Indicator any state has ever undertaken. In addition to measuring citizens' economic standard of living, this tool allows the State to factor in environmental and social costs of problems like air pollution, crime and income inequality, as well as the values of benefits like clean water, education and volunteerism. It provides a more complete picture for citizens and policymakers working toward a more sustainable future and stronger economy.

<sup>65</sup> The O'Malley–Brown Administration created the Coast–Smart Communities Initiative in response to the Maryland Commission on Climate Change Action Plan, to provide financial and technical assistance to coastal communities vulnerable to sea level rise and climate change. The O'Malley–Brown Administration set the goal of reducing Maryland's statewide greenhouse gas emissions 25% by 2020.

Senators Kasemeyer, Kittleman and Currie and Delegates Rice, Ivey and Frank escorted the Chief Executive from the Chamber.

Senators McFadden, Jacobs and Frosh and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor from the Chamber.

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.

Delegate Barve moved the Chief Executive's remarks be journalized.

The motion was adopted.

### ADJOURNMENT

At 12:43 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 3, 2010.

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**Annapolis, Maryland**  
**Wednesday, February 3, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Rabbi Ronald J. Shulman, Shizuk Amuno Congregation, guest of Senator Zirkin.

(See Exhibit A of Appendix III)

The Journal of February 2, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 103)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 241 – Senator Verna L. Jones:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Maryland Chapter of the American Red Cross  
in recognition of  
the swift response to provide immediate and long-term relief to the people of Haiti  
affected by the devastating earthquakes. We  
commend your participation in the largest, single-country  
relief operation within global Red Cross history.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 3rd day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 104)

### INTRODUCTION OF BILLS

#### **Senate Bill 482 – Senator Edwards**

AN ACT concerning

#### **Workers' Compensation – Allegany County Deputy Sheriffs**

FOR the purpose of providing that an Allegany County deputy sheriff who suffers from heart disease or hypertension is presumed, under certain circumstances, to have an occupational disease that was suffered in the line of duty; providing for enhanced workers' compensation benefits for certain Allegany County deputy sheriffs 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 Allegany County deputy sheriffs.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–503(b)(1) and 9–628

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–629

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

#### **Senate Bill 483 – Senator Dyson**

AN ACT concerning

#### **St. Mary's County Board of Education – Inclusion of Employees in Bargaining Unit**

FOR the purpose of including certain employees of the St. Mary's County Board of Education who do not hold a teaching certificate in a certain bargaining unit; and generally relating to the inclusion of certain employees of the St. Mary's County Board of Education in a certain bargaining unit.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–404  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 484 – Senators Dyson, Astle, Conway, Currie, Kelley, Middleton,  
and Pugh**

AN ACT concerning

**State Board of Nursing – Nurse Practitioners – Certification Requirements  
and Authority to Practice**

FOR the purpose of altering certain requirements for certification as a nurse practitioner; requiring the State Board of Nursing to waive certain education requirements under certain circumstances; authorizing the State Board of Nursing to establish continuing education or competency requirements for the renewal of a certificate to practice as a nurse practitioner; authorizing the State Board of Nursing to waive certain requirements for applicants who are licensed or certified to practice as a nurse practitioner in another state or country; prohibiting the use of certain titles, descriptions, and abbreviations except under certain circumstances; authorizing a nurse practitioner who is certified in another state to practice in this State under certain circumstances; providing that a temporary practice letter issued to an individual authorized to practice as a certified nurse practitioner in another state authorizes the holder to practice in this State while the letter is effective; repealing language that prohibits the State Board of Nursing from issuing a temporary practice license unless it received a certain written agreement; repealing a requirement that the State Board of Physicians approve the scope of practice of a certified nurse practitioner issued a temporary practice letter; altering certain requirements for the standards of quality of care that a health maintenance organization is required to provide to its members; defining certain terms; altering certain definitions; requiring the Department of Health and Mental Hygiene to repeal certain regulations by a certain date; and generally relating to the certification and the scope of practice of nurse practitioners in the State.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–101, 8–302, 8–315, and 8–508  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General

Section 19–705.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 485 – Senator Munson**

AN ACT concerning

**State Board of Physical Therapy Examiners – Licensure and Regulation**

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to send license renewal notices by electronic mail; altering the maximum amount of a certain penalty; altering certain definitions; and generally relating to the licensure and regulation of physical therapists and physical therapist assistants.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 13–101, 13–311, and 13–407  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 486 – Senators Munson, Edwards, and Mooney**

AN ACT concerning

**Creation of a State Debt – Washington County – Rural Heritage  
Transportation Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Washington County Agricultural Education Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 487 – Senators Munson, Edwards, and Mooney**

AN ACT concerning

**Creation of a State Debt – Washington County – Deafnet Building**

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

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

**Senate Bill 488 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Thomas Johnson Middle School Sign Board**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Thomas Johnson Middle School PTA for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 489 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Bowie Interfaith Pantry**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Bowie Interfaith Pantry and Emergency Aid Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 490 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Allen Pond Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Bowie for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 491 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Kamp A-Kom-Plish Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$80,000, the proceeds to be used as a grant to the Board of Directors of the Melwood Horticultural Training Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 492 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –  
Exceptions**

FOR the purpose of providing certain exceptions to the prohibition against operating or riding on a motorcycle without certain protective headgear; requiring the Motor Vehicle Administration to study the effect of this Act on motorcycle injuries and fatalities during a certain period of time and to report to the Governor and the General Assembly by a certain date; providing for the

termination of this Act; and generally relating to exceptions to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 493 – Senator Astle**

AN ACT concerning

#### **Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting**

FOR the purpose of authorizing an operator of a motorcycle to use certain auxiliary lighting on the motorcycle; and generally relating to motorcycle lighting.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–221(l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 494 – Senator Astle**

AN ACT concerning

#### **Department of Natural Resources – Regulation of For–Hire Water Carriers**

FOR the purpose of requiring the Department of Natural Resources to require for–hire water carriers to show certain proof that the water carriers hold a certain insurance policy or bond in accordance with a certain regulation before vessel registration; authorizing the Department to adopt certain regulations; altering a certain definition to exclude for–hire water carriers from regulation by the Public Service Commission; establishing the intent of this Act to transfer the regulatory authority over for–hire water carriers from the Public Service Commission to the Department; encouraging the Department to adopt certain regulations; defining a certain term; and generally relating to the regulation of for–hire water carriers.

BY adding to  
Article – Natural Resources

Section 8-744  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 1-101(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 495 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Police Retirement System – Deferred Vested Members – Survivor Benefits**

FOR the purpose of clarifying that a certain death benefit is payable on behalf of certain former members of the State Police Retirement System; and generally relating to death benefits payable on behalf of former members receiving a deferred vested retirement allowance from the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24-403  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 496 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Law Enforcement Officers' Pension System – Deferred Retirement Option Program – Participation**

FOR the purpose of clarifying that “creditable service” does not include certain unused sick leave with regard to determining eligibility to participate in the Deferred Retirement Option Program (DROP) by certain members of the Law Enforcement Officers' Pension System; clarifying that “creditable service” does not include certain unused sick leave with regard to determining the length of time certain members of the Law Enforcement Officers' Pension System may

participate in the DROP; and generally relating to participation in the Deferred Retirement Option Program in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 26–401.1(c) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 497 – Senator McFadden**

AN ACT concerning

**State Retirement and Pension System – Retiree Death Benefits**

FOR the purpose of repealing a certain benefit that is payable on behalf of certain members of the State Retirement and Pension System under certain circumstances; requiring the Board of Trustees of the State Retirement and Pension System to pay a certain death benefit on behalf of certain retirees if the retirees die under certain circumstances; requiring the Board of Trustees to make certain offsets to certain benefits under certain circumstances; providing for the application of this Act; and generally relating to death benefits payable on behalf of retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 498 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Reemployment Earnings Limitation  
– Exemptions**

FOR the purpose of increasing the maximum average final compensation that certain retirees of the State Retirement and Pension System must have at the time of retirement in order to be exempt from a certain reemployment earnings limitation; and generally relating to exemptions from a reemployment earnings limitation for retirees of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(1) and (3) and 23–407(c)(1) and (3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(4)(ii) and 23–407(c)(4)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 499 – Senator Raskin**

AN ACT concerning

**Correctional Services – Division of Parole and Probation – Supervision Fee**

FOR the purpose of transferring certain responsibilities relating to the assessment of a certain supervision fee from the Parole Commission to the Division of Parole and Probation; repealing a requirement that the Division of Parole and Probation investigate requests for a certain exemption under certain circumstances; requiring the Division to conduct a certain examination of a supervisee at certain times for certain purposes; defining a certain term; making conforming changes; and generally relating to fees paid by individuals supervised by the Division of Parole and Probation.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–702  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 500 – Senator Raskin**

AN ACT concerning

**Unemployment Insurance – Compensation for Lawyer or Agent  
Representation in Claim Proceedings**

FOR the purpose of repealing certain provisions of law that specify a limit on the amount of compensation that a lawyer may charge a claimant for representation in a proceeding relating to the determination of an

unemployment insurance claim before a hearing examiner, special examiner, or the Board of Appeals in the Department of Labor, Licensing, and Regulation; repealing a certain provision that prohibits an agent from charging a claimant for representation in a proceeding relating to the determination of an unemployment insurance claim before a special examiner or the Board of Appeals; and generally relating to unemployment insurance and compensation for lawyer representation in claim proceedings.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–507 and 8–5A–08  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 501 – Senator Raskin**

AN ACT concerning

#### **Real Estate Investment Trusts – Miscellaneous Provisions**

FOR the purpose of clarifying that a real estate investment trust may provide by its declaration of trust that holders of one or more classes or series of shares have exclusive voting rights on an amendment that would alter only the contract rights of those shareholders; providing that, without action by the shareholders, the majority of the entire board of trustees may amend the declaration of trust in any respect in which the charter of a corporation may be amended, unless prohibited in the declaration of trust in a certain manner; authorizing the board of trustees of certain real estate investment trusts to amend the declaration of trust, without shareholder action, to effect a certain reverse share split, unless prohibited in the declaration of trust in a certain manner; requiring a certain real estate investment trust to give certain notice of a certain reverse share split to certain shareholders within a certain time after the effective date of the reverse share split; authorizing a real estate investment trust to file a certain certificate of notice for record with the State Department of Assessments and Taxation; providing that a trustee of a real estate investment trust is not required to authorize or direct the filing of a certificate of notice; providing that a real estate investment trust is not required to file a certificate of notice; providing that a certificate of notice shall be executed in a certain manner; defining certain terms and altering a certain definition; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 8–101, 8–203(a) and (c), and 8–501  
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Corporations and Associations

Section 8–503

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 502 – Senator Gladden**

AN ACT concerning

#### **Malfunctioning Traffic Light Act**

FOR the purpose of requiring a driver who is approaching a traffic control signal with no visible lighted indication to reduce speed and prepare to yield to other vehicles in or approaching the intersection under certain circumstances; and generally relating to malfunctioning traffic control signals.

BY adding to

Article – Transportation

Section 21–202(m)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–202(m)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–209

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 503 – Senator Gladden**

AN ACT concerning

#### **Higher Education – Sergey Brin Scholarship Program**

FOR the purpose of establishing the Sergey Brin Scholarship Program; authorizing the Maryland Higher Education Commission to make scholarship awards to certain recipients pursuing certain degrees; requiring a scholarship recipient to meet certain eligibility criteria to obtain and retain an award; requiring the Commission to award applicants in a certain order of preference; requiring an award not to exceed a certain amount per recipient; requiring a recipient to meet certain criteria or else repay the State the amount of the scholarship award; requiring the Commission to update periodically the list of eligible degrees; providing for the funding of the Program; authorizing the Commission to adopt certain regulations; defining certain terms; and generally relating to the establishment of the Sergey Brin Scholarship Program.

BY adding to

Article – Education

Section 18–2901 through 18–2907 to be under the new subtitle “Subtitle 29.  
Sergey Brin Scholarship Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 504 – Senator Gladden**

AN ACT concerning

#### **Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing**

FOR the purpose of altering the requirements for certain property owners to satisfy certain lead risk reduction standards relating to certain changes in occupancy in certain properties; requiring certain lead risk reduction standards to be performed in accordance with certain requirements; making certain conforming changes; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,

Article – Environment

Section 6–815(a) and (b), 6–816, and 6–819(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing

Article – Environment

Section 6–819(g)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 505 – Senators Gladden, Della, Madaleno, and Pugh**

AN ACT concerning

**Pet Stores – Sale of Dogs Less than 9 Months of Age Prohibited**

FOR the purpose of prohibiting a retail pet store from selling or taking certain other actions with a dog less than a certain age; exempting certain establishments from the requirements of this Act; establishing a certain civil penalty for a violation of this Act; defining a certain term; providing a certain exception to the requirements of this Act; and generally relating to the sale of dogs less than 9 months of age in the State.

BY adding to

Article – Business Regulation

Section 19–601 to be under the new subtitle “Subtitle 6. Pet Stores”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 506 – Senator Pinsky**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County  
– YMCA Renaissance Square**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to alter the purpose of a certain grant; changing the grantee of a certain grant; and extending the deadline by which the grantee must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA02(BX)

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

**Senate Bill 507 – Senator Middleton**

AN ACT concerning

**Injured Workers’ Insurance Fund – Status and Renaming**

FOR the purpose of renaming the Injured Workers' Insurance Fund as the Chesapeake Employers' Mutual Insurance Company; requiring the Company to be a certain authorized mutual insurer; requiring the Insurance Commissioner to issue and renew certain certificates of authority; altering the provisions of law that apply to the Company that applied to the Fund; specifying that the Company is a statutorily created nonprofit insurer that is not a unit of State government; providing that an employee of the Company is not an employee of the State and is not subject to certain laws; repealing certain provisions relating to the setting of compensation and removal of employees; including certain earnings as assets of the Company; providing that if the Company is placed in conservatorship or receivership or becomes insolvent, the State has no liability or responsibility to certain parties; providing that the State has no interest in the assets of the Company; prohibiting the State from taking certain actions regarding the revenues, money, or assets of the Company; providing that certain employees shall continue as members of certain retirement systems under certain circumstances; providing that certain employees are not members of certain retirement systems under certain circumstances; providing that certain employees may elect to continue as members of certain retirement systems under certain circumstances; requiring that the Company is liable to certain retirement systems under certain circumstances; requiring the Company to notify policyholders of certain cancellations of insurance in accordance with a certain provision of law; repealing the requirement that employees of the Fund are State personnel; providing that the Company is a certain qualifying not-for-profit organization; requiring the Company to pay to the Board of Trustees certain employer contributions; providing that employees who were hired by the Fund on or before a certain date are subject to certain provisions relating to the removal of employees; providing that the Company is the successor of the Fund; requiring that functions, powers, duties, equipment, assets, liabilities, and employees of the Fund be transferred to the Company; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross-references and terminology; altering certain definitions; making stylistic changes; repealing duplicative provisions; providing for a delayed effective date; and generally relating to the status and renaming of the Injured Workers' Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 10–101(a), (d), and (f) and 10–130(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–101(c) and (e), 10–104 through 10–109, 10–113, 10–114(b), 10–117,  
10–118, 10–120, 10–122(c) through (e), 10–125 through 10–127,  
10–130(b) and (c), 10–133, and 10–135 through 10–138  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Labor and Employment

Section 10–119

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 12–101(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12–101(a)(2)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–512(a), 22–201(a)(8) and (9), and 23–201(a)(17) and (18) and (b)(10) and (11)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 21–307(p), 22–201(a)(10), and 23–201(a)(19) and (b)(12)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 508 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Employees' Retirement and Pension Systems – Maryland School for the Deaf  
Retirees – Overpayment of Benefits**

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to suspend the application of certain annual retirement allowance adjustments to certain retirees for a certain period of time until certain retirement allowances equal a certain amount; requiring the Board of Trustees to resume the application of certain annual retirement allowance

adjustments to certain retirees under certain circumstances; requiring the Board of Trustees to calculate certain benefits for certain designated beneficiaries using a certain retirement allowance; providing that the Board of Trustees is not required to recover certain overpayments made prior to a certain date to certain retirees; and generally relating to the overpayment of retirement benefits to retirees of the Maryland School for the Deaf.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–113(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 29–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 509 – Senator Stoltzfus**

AN ACT concerning

**Somerset, Wicomico, and Worcester Counties – Vehicle Laws – Exceptional Hauling Permits**

FOR the purpose of including Somerset County, Wicomico County, and Worcester County as counties in which an exceptional hauling permit issued by the State Highway Administration is valid for a combination of vehicles that transports certain forestry products, subject to certain axle configuration requirements, increased maximum load limits, weight tolerances, inspection requirements, operation restrictions and requirements, penalties, record keeping and reporting requirements, and fees; and generally relating to vehicle laws and exceptional hauling permits.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–113.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 510 – Senators Frosh, Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – JFGH Activity Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 511 – Senators Frosh and Forehand**

AN ACT concerning

**Vehicle Manufacturers – Advertising – Prohibiting Threats to Dealers**

FOR the purpose of prohibiting a vehicle manufacturer, either directly or through an agent, employee, affiliate, or representative, from threatening a dealer with the loss of certain benefits for listing the manufacturer's invoice price for a vehicle in certain advertising if the advertisement contains a certain notice and is not in violation of the Maryland Consumer Protection Act; prohibiting a vehicle manufacturer, either directly or through an agent, employee, affiliate, or representative, from threatening a dealer with the loss of certain benefits for listing certain information about another manufacturer on the dealer's website, if the dealer has a franchise agreement with the other dealer; and generally relating to vehicle manufacturers.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 15–201(a) and (e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Transportation  
Section 15–207(k)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 512 – Senators Conway, Currie, DeGrange, Dyson, Exum, Garagiola, Jones, Kasemeyer, Kelley, Klausmeier, McFadden, Middleton, Muse, Peters, and Pinsky**

AN ACT concerning

**Maryland Locksmiths Act – Revisions – Definitions and Records Inspection**

FOR the purpose of altering the definition of “fixed business address” as it relates to the Maryland Locksmiths Act to include a business location outside Maryland where a licensed locksmith conducts a business and is available at certain times; altering the definition of “local law enforcement unit” as it relates to the Maryland Locksmiths Act to include only in-State police departments and sheriffs that are designated by certain entities based on the address of a licensed locksmith for certain purposes; requiring licensed locksmiths to make certain records available for inspection by the Department of Labor, Licensing, and Regulation under certain circumstances; and generally relating to the revision of definitions and records requirements of the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12.5–101 and 12.5–302  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 513 – Senators Conway, Currie, Forehand, Frosh, Harrington, Jones, King, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Raskin, and Zirkin**

AN ACT concerning

**Natural Resources – Vessels – No-Discharge Designation for Maryland Waters**

FOR the purpose of clarifying certain provisions of law relating to the duties of operators of vessels with respect to the overboard discharge of certain sewage into the waters of the State; increasing the amount of a certain penalty for certain violations; authorizing certain officers to enforce certain provisions of law and to inspect certain vessels; requiring the Department of Natural Resources to adopt certain regulations; requiring the Department to initiate a certain process with the U.S. Environmental Protection Agency relating to a no-discharge zone in Maryland waters on or before a certain date; altering certain definitions relating to marine sanitation devices; making a certain

section of this Act subject to a certain contingency; and generally relating to the discharge of treated and untreated sewage from vessels into the waters of the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–741  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Natural Resources  
Section 8–741(g) and (h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 514 – Senator Lenett**

AN ACT concerning

#### **Environment – Permits to Construct or Materially Alter an Incinerator – Limitations on Issuance**

FOR the purpose of prohibiting the Secretary of the Environment from issuing certain permits to construct or materially alter an incinerator located within a certain distance of certain locations; repealing a certain provision prohibiting the Secretary from issuing certain permits to construct or operate a municipal waste incinerator for the disposal of a certain solid waste stream within a certain distance of certain schools; repealing a certain provision related to the application of a certain prohibition; clarifying a certain term; and generally relating to the permitting authority of the Secretary of the Environment related to incinerators.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–204(a) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–204(k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 515 – Senators Lenett and Rosapepe**

AN ACT concerning

**The Renewables First Act**

FOR the purpose of declaring certain findings and policies of the General Assembly; establishing certain energy policy goals for the State; declaring that it is the policy of the State that certain policy goals should be prioritized in a certain manner; requiring a certain person to submit a certain statement when applying for a certain certificate of public convenience and necessity under certain circumstances; requiring a certain person to submit a certain statement when applying for permission to construct a certain generating station under certain circumstances; requiring the Public Service Commission to publish certain statements on its website; and generally relating to construction of electricity generation facilities or transmission lines and the energy policy goals of the State.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–207(c), 7–207.1(b), and 7–208(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–208(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–209.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 516 – Senators Lenett, Conway, Currie, Exum, Frosh, Harrington, Jones, Kelley, King, Madaleno, McFadden, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Maryland Assault Weapons Ban of 2010**

FOR the purpose of designating certain firearms as assault weapons; prohibiting with certain exceptions a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; requiring the Handgun Roster Board to compile and maintain a roster of prohibited assault weapons; requiring the Board to have the roster of prohibited assault weapons published in the Maryland Register at certain times and to send copies of the roster to certain persons; designating assault long guns and copycat weapons as types of assault weapons; authorizing certain licensed firearms dealers to continue to possess, sell, offer for sale, or transfer assault long guns or copycat weapons under certain circumstances; authorizing certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; authorizing a procedure by which a person may petition the Board to remove a copycat weapon from the roster of prohibited assault weapons; requiring the Board to hold a hearing under certain circumstances; making it a misdemeanor to use an assault long gun or a copycat weapon in the commission of a felony or a crime of violence; establishing certain penalties; requiring that certain firearms be lawfully possessed on or before a certain date in order for them to qualify as regulated firearms for certain purposes; defining certain terms; making conforming changes; and generally relating to assault weapons.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–202(a)(2)(ii) and 4–106(a)(6)(ii); and 4–301 through 4–306 to be under the amended subtitle “Subtitle 3. Assault Weapons and Detachable Magazines”

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY adding to

Article – Criminal Law

Section 4–305 and 4–306

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–101(p)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 517 – Senators Stone and Jacobs**

AN ACT concerning

**Criminal Law – Criminal Gangs – Offenses and Membership**

FOR the purpose of altering the definition of criminal gang to repeal the requirement that an association of a certain number of persons whose members meet certain criteria be ongoing; altering a certain list of factors that persons can have in common to be considered a criminal gang; defining “criminal gang member” for certain purposes; altering the list of underlying crimes for criminal gang activity; altering a certain prohibition concerning participation in criminal gang activity to provide that a person may not actively participate in a criminal gang under certain circumstances; prohibiting a person from actively participating as a criminal gang member in activities of a criminal gang; altering a provision of law to require that a certain sentence for a violation of the prohibition against participation in a criminal gang under certain conditions be separate from and consecutive to a sentence for the underlying crime; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 9–801 and 9–804

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

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

**Senate Bill 518 – Senator Simonaire**

AN ACT concerning

**Vehicle Laws – Special Registration Plates and Parking Placards for  
Dependents with Disabilities – Authorized**

FOR the purpose of authorizing the owner of a motor vehicle to apply to the Motor Vehicle Administration for a special disability registration number and special disability registration plates or a parking placard if a certain medical professional certifies that a dependent of the applicant has a disability that meets certain requirements; requiring an applicant to submit certain proof; establishing that the relationship between a motor vehicle owner and a dependent with a disability will be considered severed under certain circumstances; requiring a motor vehicle owner to undertake certain actions when a relationship with a dependent with a disability is severed; authorizing the Administration to review the severity and permanency of the disability of a dependent of a motor vehicle owner holding a special registration or parking placard issued under this Act and to revoke the registration or parking placard if eligibility requirements are not being met; repealing a provision authorizing a

parent or legal guardian to apply for a special disability parking placard on behalf of a qualified minor; and generally relating to special registration plates and parking placards for owners of motor vehicles who have dependents with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)  
(As enacted by Chapter 326 of the Acts of the General Assembly of 2005)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 519 – Senators Simonaire, Haines, Jacobs, Mooney, Raskin, Reilly, and Stone**

AN ACT concerning

**Maryland General and Limited Power of Attorney Act (Loretta’s Law)**

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the Maryland General and Limited Power of Attorney Act; 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; authorizing certain persons to petition a court for certain purposes; requiring a court to dismiss a certain petition; prohibiting a person from requiring a certain additional or different power of attorney than a certain statutory form power of attorney under certain circumstances; providing that a person that refuses to accept a certain power of attorney in violation of this Act is subject to a certain court order and liability for certain fees and costs incurred in a certain action; 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; 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 2009 Supplement)

BY adding to

Article – Estates and Trusts

Section 17–101 through 17–202 to be under the new title “Title 17. Maryland  
General and Limited Power of Attorney Act”

Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 520 – Senator Robey**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility of Employees of the Federal  
Government Stationed Outside the State**

FOR the purpose of providing that under certain circumstances a homeowner who is an employee of the federal government stationed outside the State may qualify for the homestead property tax credit if the homeowner is otherwise eligible for the credit but does not actually reside in a dwelling for the required time period; providing for the calculation of the homestead property tax credit for a certain taxable year under certain circumstances; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 9–105(a)(1) through (3) and (b)

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property

Section 9–105(c)(6)

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 521 – Senators Pugh, Frosh, Harrington, Jones, Lenett, Madaleno,  
Middleton, Peters, Raskin, and Rosapepe**

AN ACT concerning

**Family Planning Works Act**

FOR the purpose of altering the eligibility requirements for family planning services under the Maryland Medical Assistance Program by requiring the Program to provide those services to all women whose family income is at or below a certain percent of the poverty level under certain circumstances; declaring the intent of the General Assembly; and generally relating to eligibility for family planning services under the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–103(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 522 – Senators Pugh, Conway, Jones, and McFadden**

AN ACT concerning

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

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

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

**Senate Bill 523 – Senators Pugh, Conway, Exum, Harrington, Jones, McFadden, Peters, and Raskin**

AN ACT concerning

**Credit Card Blacklisting Prevention Act**

FOR the purpose of prohibiting a person from including or enforcing certain provisions in certain consumer credit contracts; providing that a provision included in a consumer credit contract in violation of certain provisions of this Act is void and unenforceable; permitting certain information to be used to detect or prevent certain fraudulent activity; 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 consumer credit contracts.

BY adding to

Article – Commercial Law  
Section 14–1322  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 524 – Senators Pugh, Conway, Forehand, Harrington, Jacobs, Jones, Lenett, Madaleno, McFadden, Peters, and Raskin**

AN ACT concerning

**Health Insurance – Cancer Chemotherapy – Cost Sharing Equity**

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations that provide coverage under certain policies or contracts for certain cancer chemotherapy from imposing certain limits or cost sharing on coverage for orally administered cancer chemotherapy that are less favorable to an insured or enrollee than the limits or cost sharing on coverage for cancer chemotherapy that is administered intravenously or by injection; making certain provisions of this Act applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance coverage for cancer chemotherapy.

BY adding to

Article – Insurance  
Section 15–845  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 525 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Driver Improvement Programs – Deduction of Accumulated Points**

FOR the purpose of requiring the Motor Vehicle Administration to deduct a certain number of points from a certain individual's driving record if the individual

attends a certain driver improvement program or driver safety program; prohibiting the Administration from deducting more than a certain number of points from an individual's driving record in a certain time period; requiring the Administration to apply a certain point deduction in a certain manner; requiring the Administration to include a certain statement in a warning letter sent to an individual who accumulates a certain number of points on the individual's driving record in a certain time period; requiring an individual attending a certain driver improvement program to pay a certain fee; requiring a certain program provider to collect a certain fee and remit it to the Administration; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–212 and 16–404  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 526 – Senators Brochin and Kittleman**

AN ACT concerning

**Maryland Estate Tax – Unified Credit Effective Exemption Amount and  
Deduction for State Death Taxes**

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

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 7–309(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(1), (2), and (3)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 527 – Senators Frosh, Conway, Currie, Dyson, Gladden, Jones, Klausmeier, Madaleno, Middleton, Pugh, and Raskin**

AN ACT concerning

**Health and Human Services Referral Board – 2–1–1 Maryland – Modifications**

FOR the purpose of requiring a certain agency or organization to be approved by 2–1–1 Maryland in order to provide 2–1–1 services in the State; providing that 2–1–1 Maryland may approve no more than a certain number of call centers to provide 2–1–1 services; requiring 2–1–1 Maryland to consider certain criteria when approving a 2–1–1 service provider; requiring certain units of the State to consult with 2–1–1 Maryland under certain circumstances; altering the membership of the Health and Human Services Referral Board; providing for the appointment of members of the Board when a vacancy occurs; providing that a member of the Board may not serve more than two consecutive full terms; authorizing the Board to make a certain determination regarding Board meetings and to adopt certain rules; providing that a majority of Board members constitutes a quorum for a certain purpose; authorizing the Board to elect certain officers; providing that members of the Board serve without compensation but are entitled to a certain reimbursement; altering the duties of the Board; defining certain terms; and generally relating to the Health and Human Services Referral Board.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 24–1201 through 24–1205  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health – General  
Section 24–1203  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 528 – Senators Currie and Raskin**

AN ACT concerning

**Education – Development of Curriculum Content for Chess Instruction**

FOR the purpose of authorizing the State Board of Education to develop curriculum content for a certain course in chess instruction; authorizing county boards of education to implement certain instruction in certain schools under certain

circumstances; and generally relating to the implementation of a course in chess instruction in the public schools in the State.

BY adding to

Article – Education

Section 4–111.1

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### QUORUM CALL

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

(See Roll Call No. 106)

### ADJOURNMENT

At 10:23 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 4, 2010.

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**Annapolis, Maryland**  
**Thursday, February 4, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:06 A.M.

Prayer by Bishop Douglas Miles, Koinonia Baptist Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of February 3, 2010 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 108)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 240 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Catoctin High School Football Team  
in recognition of  
your winning the Maryland Class 1A Football Championship. Congratulations on an  
undefeated season!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 4th day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 109)

**INTRODUCTION OF BILLS**

**Senate Bill 529 – Senators Garagiola, Astle, Exum, and Pugh**

AN ACT concerning

**Net Energy Metering – Fuel Cell**

FOR the purpose of including, among the list of eligible customer–generators that are eligible for net energy metering, a customer that uses a certain fuel cell electric generating facility that meets certain conditions; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–306(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 530 – Senators Stone, Forehand, and Muse**

AN ACT concerning

**Real Property – Mechanics’ Liens – Extent of Lien Applied to Tenant’s Interest**

FOR the purpose of altering the percentage of value of a building erected, repaired, rebuilt, or improved by a tenant for life or years or a person employed by the tenant for purposes of determining the extent of a mechanics’ lien; and generally relating to mechanics’ liens.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 9–101(a), (b), and (f) and 9–102(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

Section 9–103(c)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 531 – Senators Forehand, Haines, Jacobs, Klausmeier, and Muse**

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 and 2009 Supplement)

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

**Senate Bill 532 – Senators Muse, Frosh, and Raskin**

AN ACT concerning

**Office of the Public Defender – Board of Trustees – Membership**

FOR the purpose of repealing the provision of law requiring that the Public Defender serve at the pleasure of the Board of Trustees of the Office of the Public Defender; specifying that the Governor may remove the Public Defender for certain reasons, only on the recommendation of the Board of Trustees; providing that the Public Defender may serve for a certain term; increasing the number of members of the Board of Trustees; altering the method of selection of the members and chair of the Board of Trustees; increasing the number of members of the Board of Trustees who are required to be active attorneys admitted to practice before the Court of Appeals of Maryland; requiring certain members of the Board of Trustees to have certain qualifications; prohibiting certain persons from serving on the Board of Trustees; providing for the staggering of terms of the Board of Trustees; specifying that at the end of a term a member of the Board of Trustees continues to serve until a successor is appointed and qualifies; authorizing the reappointment to the Board of Trustees of a member whose term has expired; increasing the quorum of the Board of Trustees; requiring that the initial members of the Board of Trustees be appointed on or

before a certain date; specifying the terms of the initial members of the Board of Trustees; providing that a member of the Board of Trustees who is serving on the effective date of this Act shall continue to serve until a successor is appointed and qualifies; providing that the Public Defender who is serving on the effective date of this Act may continue to serve for a certain time; and generally relating to the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–203(a) and 16–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 533 – Senators Muse, Conway, Exum, Forehand, Jones, Lenett, Madaleno, Peters, Pugh, and Stone**

AN ACT concerning

**Property – Tax Sale – Statement of Taxes in Arrears and Notice of Sale**

FOR the purpose of altering the length of time before property is advertised for sale for unpaid property taxes that a collector is required to have mailed a certain statement to the person who last appears on the tax roll as owner of the property; and generally relating to the length of time a collector is required to wait after mailing a certain notice before the collector may advertise the sale of property at public auction.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–812 and 14–813(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 534 – Senators Muse, Della, and Madaleno**

AN ACT concerning

**Property Tax Credit – Fallen Security Guard**

FOR the purpose of requiring the Mayor and City Council of Baltimore City and the governing body of a county or municipal corporation to grant a property tax credit against the county or municipal corporation property tax imposed on a dwelling that is owned by the surviving spouse of certain fallen security guards;

defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for the surviving spouse of certain fallen security guards.

BY adding to

Article – Tax – Property

Section 9–110

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 535 – Senators Brochin and Stone**

AN ACT concerning

#### **Criminal Procedure – Postconviction Proceeding – Venue**

FOR the purpose of altering the venue for a postconviction proceeding; making a technical correction; and generally relating to post conviction proceedings and venue.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 7–102

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 536 – Senators Muse, Brochin, Conway, Exum, Harrington, Jones, King, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Miller, Peters, Pinsky, Pugh, Raskin, Rosapepe, Simonaire, and Stone**

AN ACT concerning

#### **State Board of Education – Student Member – Full Voting Rights Act**

FOR the purpose of repealing certain limits on the right of the student member of the State Board of Education to vote on certain matters; and generally relating to the student member of the State Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 2–202(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 537 – Senator Mooney**

AN ACT concerning

**Energy Companies – Net Energy Metering – Credit Transfers**

FOR the purpose of authorizing certain not-for-profit customers to transfer certain generation credits accrued from electricity produced from certain renewable sources to certain properties; requiring the Public Service Commission to adopt certain regulations; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306(a) and (i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–306(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–306(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 538 – Senators Garagiola, Haines, Klausmeier, Peters, and Pugh**

AN ACT concerning

**Residential Multiple Occupancy Buildings and Shopping Centers – Master Meters**

FOR the purpose of authorizing the Public Service Commission to authorize the use of a certain master meter in certain residential multiple occupancy buildings and shopping centers without requiring individual metering or submetering under certain circumstances; authorizing an electric company or a gas company to

inspect and test certain master meters in accordance with a certain provision of law; defining certain terms; and generally relating to metering for electricity and natural gas in residential multiple occupancy buildings and shopping centers.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–304.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 539 – Senators Harrington, Madaleno, Pinsky, Pugh, and Raskin**

AN ACT concerning

**Public Health – Chain Restaurants – Nutrition Information Labeling**

FOR the purpose of requiring certain chain restaurants to provide certain nutrition information for certain menu items; establishing how the nutrition information is to be determined; authorizing chain restaurants voluntarily to provide customers with additional nutrition information; requiring certain nutrition information to be displayed in a certain manner; requiring certain chain restaurants to display certain statements regarding daily caloric intake requirements; establishing certain exceptions to certain enforcement procedures; authorizing a local health department to enforce certain provisions; providing for certain civil penalties; providing for certain exemptions from certain penalties; defining certain terms; and generally relating to nutrition information provided by chain restaurants.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–313 and 21–1214  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 21–353 through 21–355 to be under the new part “Part VIII. Nutrition Information Labeling”

Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 540 – Senators Harrington, Conway, Kramer, Lenett, Madaleno,  
Peters, Rosapepe, and Zirkin**

AN ACT concerning

**Child with a Disability – Individualized Education Program**

FOR the purpose of requiring appropriate school personnel to provide a copy of certain documents relating to the development of an individualized education program for a child with a disability to the parents of the child within a certain period before a certain meeting; requiring appropriate school personnel to provide a copy of a completed individualized education program to the parents of a child with a disability within a certain period after a certain meeting; requiring the parents to be provided with a draft copy of the individualized education program under certain circumstances; requiring the documents to be in an accessible format; and generally relating to individualized education programs for children with disabilities.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–405  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 541 – Senator Harrington**

AN ACT concerning

**Natural Resources – Park Advisory Commission – Membership**

FOR the purpose of increasing the membership of the Park Advisory Commission in the Department of Natural Resources; repealing certain obsolete language; and generally relating to the Park Advisory Commission.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–204  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 542 – Senators Harrington and Colburn**

AN ACT concerning

**Health – National Human Trafficking Resource Center Hotline – Posting of Information**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt certain regulations related to the posting of a certain notice regarding the National Human Trafficking Resource Center hotline; and generally relating to the posting of information regarding the National Human Trafficking Resource Center hotline.

BY adding to

Article – Health – General  
Section 24–213  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 543 – Senators Harrington, Frosh, King, Lenett, Madaleno, Pinsky, and Raskin**

AN ACT concerning

**Election Law – Independent Expenditures – Reporting and Disclosure Requirements**

FOR the purpose of requiring a business entity or nonprofit organization that makes certain independent expenditures to file an independent expenditures report at times and locations required by certain provisions of law; requiring the report to include certain information and be signed by a certain individual; requiring the business entity or nonprofit organization to file the report by certain filing deadlines; requiring the report to cover certain reporting periods; applying certain sanctions to a business entity or nonprofit organization that fails to file a certain report; clarifying that the requirement for a certain authority line applies to a person that makes an independent expenditure for campaign material; defining a certain term; and generally relating to requirements for independent expenditures made by business entities or nonprofit organizations.

BY renumbering

Article – Election Law

Section 13–301  
to be Section 13–302  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Election Law  
Section 13–301  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–304, 13–309, 13–312, 13–327, and 13–401  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 13–316  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 544 – Senators Harrington, Currie, Frosh, Gladden, Lenett, and Raskin**

AN ACT concerning

**Public Safety – Regulation of Demolition – Demolition Contractors**

FOR the purpose of requiring a demolition contractor to obtain a demolition permit from a certain local designated authority before beginning demolition in the State; requiring a demolition contractor to provide certain information, certain evidence, and, under certain circumstances, a certain plan to the local designated authority in order to obtain a demolition permit; requiring a demolition contractor to comply with certain other requirements of law for demolition permits; requiring a demolition contractor, before demolition begins, to participate in a certain consultation, provide the local designated authority with certain notice, provide certain written notice to certain owners and occupants, provide certain public notice by means of a certain sign, and have the building treated with rodenticide in a certain manner under certain circumstances; prohibiting the use of explosives for demolition by implosion except under certain circumstances; requiring the local designated authority to provide a demolition contractor with certain information in a certain manner

about safe demolition or renovation of buildings that contain lead paint or pigment; requiring demolition to begin, and to be completed, within a certain number of days after obtaining a demolition permit; requiring demolition to be performed only during certain hours except under certain circumstances; requiring the removal of debris within a certain time period; requiring the demolition site to be secured in a certain manner; requiring demolition to be performed in a certain manner; requiring a demolition contractor to comply with certain laws and regulations regarding water management, asbestos, oil tanks, and other environmental remediation standards; requiring a certain person to provide certain notice of potential exposure to lead-based paint in a certain manner under certain circumstances; authorizing the local designated authority to suspend or revoke a demolition permit under certain circumstances; requiring a demolition contractor to obtain a new demolition permit in a certain manner under certain circumstances; establishing a certain fine for performing demolition in violation of this Act; providing that this Act does not affect the authority of a local designated authority to enforce certain laws under certain circumstances; defining certain terms; and generally relating to the regulation of demolition and demolition contractors.

BY adding to

Article – Public Safety

Section 12–1201 through 12–1212 to be under the new subtitle “Subtitle 12.  
Regulation of Demolition and Demolition Contractors”

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

### **Senate Bill 545 – Senator Harrington**

AN ACT concerning

#### **Assisted Housing – Protected Actions – Extended Leases for Seniors**

FOR the purpose of requiring an owner of an assisted project to offer a certain extended lease to a designated household if the designated household includes an individual who is at least a certain age under certain circumstances; and generally relating to extended leases for seniors in assisted housing.

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 7–101(j), 7–102(a), and 7–213

Annotated Code of Maryland

(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development  
Section 7–214(a)  
Annotated Code of Maryland  
(2006 Volume and 2009 Supplement)

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

**Senate Bill 546 – Senators Peters, Muse, Conway, Currie, Exum, Harrington, Jones, King, Klausmeier, Kramer, Pinsky, Pugh, Robey, and Rosapepe**

AN ACT concerning

**Procurement – Minority Business Enterprises – Review of Application for Certification and Notice to Applicant**

FOR the purpose of requiring the Board of Public Works to adopt regulations that require the agency designated to certify minority business enterprises to complete its review and provide notice of its decision to the applicant, absent extenuating circumstances, within a certain period of time; and generally relating to review and notice concerning an application for certification as a minority business enterprise.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–303  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 547 – Senators Pugh, Jones, and McFadden**

AN ACT concerning

**Insurance – Domestic Reinsurers**

FOR the purpose of specifying a certain assessment fee payable by certain domestic reinsurers to the Maryland Insurance Commissioner; exempting certain domestic reinsurers from a certain requirement to have an office in the State; requiring certain domestic reinsurers to keep certain assets in the State; authorizing certain domestic reinsurers to keep certain records outside the State under certain circumstances; defining a certain term; and generally relating to domestic reinsurers.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 2–502 and 4–115  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 548 – Senators Astle, DeGrange, and Rosapepe**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Licenses – Fees**

FOR the purpose of increasing certain 1–day alcoholic beverages license fees in Anne Arundel County; authorizing the Board of License Commissioners to charge a late fee for filing an application for license renewal after a certain date; authorizing the Board to charge a certain fee and publication costs under certain circumstances; and generally relating to alcoholic beverages license fees in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(b)(1)(i) and 10–503(c)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(b)(2)(i) and (d)(2), 10–301(u), and 10–503(c)(4)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 549 – Senators Astle and DeGrange**

AN ACT concerning

**Anne Arundel County – Board of License Commissioners – Annual Budget**

FOR the purpose of requiring that the Anne Arundel County government accept and not alter an annual budget of the Board of License Commissioners that the Comptroller approves; and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 15–112(c)(1)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 15–112(c)(7)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

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

**Senate Bill 550 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Eligible Governmental Units**

FOR the purpose of providing that the effective date of certain eligible governmental units to join the State Retirement and Pension System shall be postponed to a certain date if the Board of Trustees for the State Retirement and Pension System does not receive certain documents on or before a certain date from the eligible governmental unit; making certain technical and clarifying changes to the State Personnel and Pensions Article; deleting certain obsolete provisions in the State Personnel and Pensions Article; defining certain terms; and generally relating to eligible governmental units participating in the State Retirement and Pension System.

BY repealing  
Article – State Personnel and Pensions  
Section 31–201 through 31–205 and the subtitle “Subtitle 2. Participation in the Local Fire and Police System”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 31–101(a), 31–2A–01(a), and 31–2B–01(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions

Section 31-101(e) and (h), 31-109.1, 31-2A-01(f), 31-2A-03, 31-2A-03.1, 31-2A-05, 31-2B-01(e), 31-2B-03, 31-2B-05, 31-301, 31-302, 31-304, 31-305, and 31-306

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

BY adding to

Article – State Personnel and Pensions  
Section 31-2A-01(g), 31-2B-01(f), and 31-2B-03.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 551 – Senator Edwards**

AN ACT concerning

#### **Education – Public School Construction – Procurement – Preference for Local Business Entities**

FOR the purpose of authorizing a local governing body to adopt a preference-based arrangement that gives preference to local business entities for certain procurement for public school construction; requiring the Board of Public Works to adopt regulations that specify elements to be included in any preference-based arrangement adopted by a local governing body that gives preference to local business entities for certain procurement for public school construction; and generally relating to procurement for public school construction and a preference for local business entities.

BY repealing and reenacting, with amendments,

Article – Education  
Section 4-126  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

### **Senate Bill 552 – Senator Edwards**

AN ACT concerning

#### **Allegany County – Property Tax Credit – Memorial Hilltop Centre**

FOR the purpose of authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to grant, by law, a property tax credit

against the county or municipal corporation property tax imposed on certain property located in a certain area; providing for a certain limitation on the tax credit; authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to provide, by law, for certain provisions relating to the property tax credit; providing for the application of this Act; and generally relating to property tax credits for certain property in Allegany County.

BY adding to

Article – Tax – Property  
Section 9–302(l)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 553 – Senator Edwards**

AN ACT concerning

**State Government – Maryland Tort Claims Act – Garrett County Physicians**

FOR the purpose of including certain Garrett County physicians as State personnel under the Maryland Tort Claims Act under certain circumstances; providing for the termination of this Act; and generally relating to including certain services of certain Garrett County physicians under the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 12–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 554 – Senator Gladden**

AN ACT concerning

**Rental Housing – Protection for Victims of Domestic Violence and Sexual Assault**

FOR the purpose of authorizing a tenant who is a victim of domestic violence or a victim of sexual assault to terminate a residential lease under certain circumstances; requiring a certain tenant to provide certain written notice to terminate a lease to the landlord; requiring a tenant who provides certain written notice to vacate the leased premises within a certain period of time;

establishing a tenant's responsibility for certain rent if the tenant terminates a lease under this Act; providing that a landlord is entitled to certain legal remedies under certain circumstances; requiring the written notice provided under this Act to include certain information; prohibiting a landlord from bringing an action for possession under certain circumstances; prohibiting a court from entering a judgment against a certain tenant if the tenant provides certain evidence; authorizing a court to make a certain judgment in an action for possession under certain circumstances; authorizing a tenant to provide the landlord with a request to change the locks on the leased premises under certain circumstances; requiring the request to change the locks to include certain information; requiring the landlord to change the locks or authorize the tenant to change the locks within a certain period of time after receiving the request; authorizing the tenant to change the locks without the landlord's permission under certain circumstances; requiring the tenant to pay a certain fee within a certain period of time; prohibiting certain discrimination in housing on the basis of a person's status as a victim of domestic violence or a victim of sexual assault; defining certain terms; and generally relating to protection for victims of domestic violence and sexual assault in rental housing.

BY adding to

Article – Real Property

Section 8–5A–01 through 8–5A–06 to be under the new subtitle “Subtitle 5A.  
Rental Housing – Victims of Domestic Violence and Sexual Assault”

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–701(a)

Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – State Government

Section 20–701(j) and (k)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–705

Annotated Code of Maryland

(2009 Replacement Volume)

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

**Senate Bill 555 – Senator Conway**

AN ACT concerning

**Business Occupations and Professions – Individual Tax Preparers –  
Registration Requirements**

FOR the purpose of requiring a person applying for a registration to provide individual tax preparation services, if required by regulations adopted by the State Board of Individual Tax Preparers, to complete successfully a certain tax preparation program; requiring the Board to prepare, in consultation with the Department of Labor, Licensing, and Regulation and representatives of the tax preparation industry, a certain examination; repealing certain requirements relating to the examination to be given by the Board; and generally relating to registration requirements for individual tax preparers.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 21–301 and 21–303  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 21–302 and 21–304  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 556 – Senators Conway, Della, Frosh, Garagiola, Gladden, Harrington, Jones, Kelley, Kramer, Madaleno, Miller, Muse, Pugh, and Raskin**

AN ACT concerning

**Environment – Decabrominated Diphenyl Ether – Prohibitions**

FOR the purpose of prohibiting, on or after certain dates, the manufacturing, processing, or distributing of certain products that contain decabrominated diphenyl ether; providing that this Act does not prohibit certain retailers from selling, recycling, or disposing of certain products that contain decabrominated diphenyl ether under certain circumstances; providing that this Act does not prohibit a person from transporting or storing certain products that contain decabrominated diphenyl ether under certain circumstances; defining a certain term; and generally relating to the use of decabrominated diphenyl ether.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–1201  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Environment  
Section 6–1202.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

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

**Senate Bill 557 – Senator Pinsky**

AN ACT concerning

**Education – Alternate Maryland School Assessment – Review and Revision**

FOR the purpose of requiring the State Department of Education to review and revise the Alternate Maryland School Assessment (ALT–MSA) on or before a certain date; requiring the Department to consider certain courses of action as part of a certain review; requiring the Department to report to the Governor and to certain legislative committees regarding a certain review; and generally relating to the review and revision of the ALT–MSA.

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

**Senate Bill 558 – Senators Pinsky, Frosh, Harrington, Raskin, and Rosapepe**

AN ACT concerning

**Public Service Commission – Long–Term Power Purchasing Agreements – Renewable Energy**

FOR the purpose of requiring the Public Service Commission to direct certain electricity suppliers to enter into certain long–term power purchasing agreements according to a certain schedule; stating the findings of the General Assembly; authorizing the Commission to waive the requirement for an electricity supplier to enter into certain long–term power purchasing agreements under certain circumstances; requiring the Commission to consider certain factors when making a certain determination related to granting a certain waiver; prohibiting the Commission from granting a waiver under

certain circumstances; defining a certain term; and generally relating to long-term power purchasing agreements.

BY adding to

Article – Public Utility Companies

Section 7-707

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 559 – Senators Kelley, Colburn, Conway, Currie, Della, Exum, Forehand, Lenett, Madaleno, McFadden, Muse, Pinsky, and Stone**

AN ACT concerning

**Child Protection – Mandatory Reporting of Children Regularly in Contact with Persons Convicted of Child Abuse and Child Sexual Abuse**

FOR the purpose of requiring certain professionals to notify the local department of social services or the appropriate law enforcement agency if the professionals have reason to believe that a parent, guardian, or caregiver allows a child to reside with or regularly associate with a certain individual; providing certain exceptions; describing the information that is to be included in a certain report; providing for the receipt and investigation of a report that a child is at substantial risk of abuse; requiring the Secretary of Human Resources to adopt certain regulations; requiring the local department or the appropriate law enforcement agency to take certain actions within a certain time period after receiving a certain report; requiring an investigation to be completed within a certain time period; authorizing and requiring the local department to take certain actions after completion of an investigation; providing for expungement of certain reports; providing certain immunity for certain persons who make or participate in making certain reports; and generally relating to mandatory reporting of children regularly in contact with certain persons.

BY adding to

Article – Family Law

Section 5-704.1 and 5-706.2

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5-707(b) and 5-708

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 560 – Senators Forehand, King, and Madaleno**

AN ACT concerning

**Vehicle Laws – Traffic Citations – Option to Request Trial**

FOR the purpose of requiring that a certain traffic citation issued to a person contain a notice that, if the citation is a payable violation, the person must comply with one of a certain list of options, including the option to request, within a certain time period, a trial date at the date, time, and place established by the District Court by writ or trial notice; making conforming changes; and generally relating to traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–201(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 561 – Senator Raskin**

AN ACT concerning

**Estates and Trusts – Register of Wills – Cost-of-Living Adjustment to Salary**

FOR the purpose of providing a certain cost-of-living adjustment to the salary of a register of wills that is awarded in the same percentage and at the same time as that awarded to a State employee; making stylistic changes; providing that this Act does not apply to the salary or compensation of a register of wills during a certain term of office; and generally relating to the salary of a register of wills.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 2–205(a)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–205(b)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

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

**Senate Bill 562 – Senator Raskin**

AN ACT concerning

**Real Property – Mortgages and Deeds of Trust – Authority to Exercise a Power of Sale**

FOR the purpose of clarifying that a mortgage or deed of trust may authorize the sale of property or declare a borrower's assent to the passing of a decree for the sale of the property under certain circumstances; clarifying that a power of sale authorized in a mortgage or deed of trust may be exercised only by an individual; providing that an error or omission in a mortgage or deed of trust concerning the designation of the individual authorized to exercise a power of sale does not invalidate the ability of the individual to exercise the power of sale; authorizing the holder of a mortgage or deed of trust to make in any foreclosure proceeding a substitution of the individual authorized to exercise a power of sale under certain circumstances; defining a certain term; and generally relating to the authority to exercise a power of sale in mortgages and deeds of trust.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 563 – Senators Raskin and Conway**

AN ACT concerning

**Public Safety – Possession of Ammunition for Firearms – Penalties**

FOR the purpose of prohibiting a person from possessing ammunition for a firearm if the person previously was convicted of certain crimes; providing penalties for a violation of this Act; defining certain terms; and generally relating to the possession of ammunition for firearms.

BY adding to  
Article – Criminal Law  
Section 4–110  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–622(a)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 564 – Senators Raskin, Astle, Colburn, Conway, Currie, DeGrange, Dyson, Forehand, Frosh, Glassman, Harrington, Jacobs, Kasemeyer, Kelley, King, Kramer, Lenett, Madaleno, McFadden, Middleton, Mooney, Munson, Peters, Pinsky, Pugh, Robey, Simonaire, Stone, and Zirkin**

AN ACT concerning

### **Drunk Driving Elimination Act**

FOR the purpose of altering the Motor Vehicle Administration’s authority to establish an Ignition Interlock System Program to require the Administration to establish the Program; requiring rather than authorizing the Administration to establish a protocol for the Program by certain regulations; altering the circumstances under which individuals may participate in the Program; requiring the Administration to require an individual convicted of, or granted probation for, certain alcohol–related driving offenses to participate in the Program for certain minimum amounts of time; requiring the Administration to require a certain individual to successfully complete the Program; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring the Administration to suspend the drivers’ licenses of certain individuals who are in violation of the Program for certain amounts of time; requiring the Administration to establish a certain fee; requiring individuals who are in the Program to be monitored by the Administration and to pay a certain fee under certain circumstances; requiring certain service providers to demonstrate a certain ability under certain circumstances; altering the authority of the Administration to require certain individuals to participate in the Program; establishing that an individual shall be credited for any successful participation in the Program that occurs before a hearing in court; providing a certain mandatory minimum penalty for a person who is convicted of driving while the person’s license to drive is suspended or revoked if the person’s license to drive was suspended or revoked as a result of certain alcohol–related driving offenses or a failure to successfully complete the Program; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(b) and (f) and 27–101(j)  
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–107(g)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 565 – Senators Raskin, Astle, Conway, Forehand, Glassman,  
Jacobs, Madaleno, Middleton, Peters, Pugh, and Robey**

AN ACT concerning

**Drunk and Drugged Driving – Refusal to Take a Blood or Breath Test –  
Prohibition**

FOR the purpose of prohibiting a person who is detained for certain alcohol– or drug–related driving offenses from knowingly refusing to take a certain blood or breath test if the person was detained previously for certain alcohol– or drug–related driving offenses and refused to take a certain blood or breath test; providing for certain criminal penalties; and generally relating to establishing a criminal offense of refusal to take a certain blood or breath test under certain circumstances.

BY adding to  
Article – Transportation  
Section 21–902.2 and 27–101(dd)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 566 – Senators Raskin, Pugh, Astle, Brinkley, Colburn, Dyson,  
Forehand, Frosh, Garagiola, Gladden, Glassman, Harrington, Harris,  
Jacobs, Jones, Kelley, King, Kittleman, Kramer, Lenett, Madaleno,  
Mooney, Muse, Pinsky, Robey, and Zirkin**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s License**

FOR the purpose of repealing provisions that provide for a direct wine seller’s permit; establishing a direct wine shipper’s license to be issued by the Office of the Comptroller; requiring a person to be licensed before the person or the person’s agent may engage in shipping wine directly to a personal consumer in the State;

requiring an applicant to meet certain qualifications for a license, submit an application and a copy of its current alcoholic beverages license to the Office of the Comptroller, and pay a certain fee; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from shipping more than a certain amount of wine annually to any one personal consumer or make deliveries on Sunday; requiring a direct wine shipper to meet certain requirements to renew the license; specifying certain requirements for receiving a direct shipment of wine; allowing a shipment of wine to be ordered or purchased through a computer network; authorizing the Office of the Comptroller to adopt certain regulations; prohibiting a person without a license from shipping wine directly to personal consumers in the State; providing a certain penalty; defining certain terms; making certain technical corrections; altering a certain definition; and generally relating to the establishment of a direct wine shipper's license.

BY repealing

Article 2B – Alcoholic Beverages

Section 7.5–101 through 7.5–110 and the title “Title 7.5. Direct Wine Seller’s Permit”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i), 9–102(a), and 15–204(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 7.5–101 through 7.5–111 to be under the new title “Title 7.5. Direct Wine Shipper’s License”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 5–101(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–101(f) and 5–201(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 567 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Noncontributory Former Vested Members – Vested Retirement Allowance**

FOR the purpose of repealing certain provisions of the State Personnel and Pensions Article that permit certain former members of the State Retirement and Pension System to withdraw certain member contributions plus interest and receive a vested retirement allowance based only on certain employer contributions; and generally relating to vested retirement allowances for noncontributory former members of the State Retirement and Pension System.

BY repealing

Article – State Personnel and Pensions

Section 29–303(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 568 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Jaycees Field of Dreams**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Greater Waldorf Jaycee Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 569 – Senators Middleton, Colburn, DeGrange, Garagiola, Kelley, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Biomass and Biofuels – In-State Production Incentives**

FOR the purpose of altering certain provisions relating to net energy metering to allow certain eligible customer–generators generating electricity from cellulosic feedstock to recover certain accrued generation credit for certain electricity fed back to the grid; requiring, on or after certain dates after a certain time and certification that a certain number of gallons of in–State production level of biodiesel is reached, a certain percentage of the total diesel sold by volume in the State be biodiesel produced from feedstock grown in the United States; requiring the Comptroller to adopt certain regulations; authorizing the use of certain renewable diesel in place of biodiesel to satisfy up to a certain percentage of the biodiesel content requirements of this Act; providing that certain biodiesel content requirements apply only if the Comptroller, in consultation with the Department of Transportation and other applicable agencies, makes a certain determination; prohibiting a person from selling or offering for sale gasoline in the State more than a certain period after the in–State production level of cellulosic biofuel reaches a certain level unless the gasoline contains a certain percentage of cellulosic biofuel by volume; authorizing the use of certain renewable fuel in place of cellulosic biofuel to satisfy the cellulosic biofuel content requirements of this Act; providing that the Comptroller, in consultation with the Department of Agriculture and the Department of Transportation, shall suspend or reduce the biodiesel and cellulosic biofuel content requirements under certain circumstances; requiring the Comptroller, after consulting with the Department of Agriculture and the Department of Transportation, to report to the General Assembly on certain matters on or before a certain date each year; requiring the Department of Agriculture, in consultation with certain agencies, to develop a plan for infrastructure development that will support certain requirements once the State reaches applicable production levels; requiring the Department of Agriculture to report on the plan, findings, and recommendations to the Governor and the General Assembly on or before a certain date; providing for the application of certain provisions of this Act; defining certain terms; making stylistic changes; and generally relating to net energy metering and motor fuel.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 10–101(d), (e), (f), and (l)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Business Regulation

Section 10–304.2  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 570 – Senators Frosh, Raskin, Conway, Currie, Exum, Forehand, Gladden, Harrington, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Pinsky, Robey, Rosapepe, and Stone**

AN ACT concerning

**Corporations – Campaign Material – Stockholder Approval**

FOR the purpose of prohibiting a corporation from publishing or distributing campaign material in the State unless certain conditions are met; authorizing stockholder approval of campaign material and the expenditure of funds for campaign material to occur at an annual or special meeting of the corporation; establishing certain requirements for notice of a stockholder vote on campaign material; authorizing a stockholder alleging a violation of this Act to bring an action directly against the directors of the corporation; providing that it is not a defense to a certain action that a director acted in accordance with certain provisions of law; and generally relating to the distribution or publication of campaign material in this State by corporations.

BY adding to  
Article – Corporations and Associations  
Section 1–407  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(k)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 571 – Senators Madaleno, Harrington, Lenett, Pinsky, Pugh, and Raskin**

AN ACT concerning

**Public Safety – National Guard Deployment – Governor’s Powers**

FOR the purpose of requiring the Governor to request the return of certain units of the National Guard to the control of the State under certain circumstances; and generally relating to the deployment of the National Guard.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 13–401(c)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 572 – Senator Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Warner Manor**

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 Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 573 – Senators Madaleno and Raskin**

AN ACT concerning

**Election Law – Polling Places – Electioneering Boundaries**

FOR the purpose of altering the location of the line beyond which electioneering is prohibited outside a polling place; and generally relating to electioneering at a polling place.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 16–206  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

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

**Senate Bill 574 – Senators Madaleno, Frosh, King, McFadden, and Peters**

EMERGENCY BILL

AN ACT concerning

**Income Tax – Net Operating Loss Deductions – Loss from Criminal Fraud or Embezzlement**

FOR the purpose of providing an exception for certain net operating losses to a certain provision requiring certain modifications to federal adjusted gross income to determine Maryland adjusted gross income without regard to a certain special net operating loss carryback period; providing for the application of this Act; making this Act an emergency measure; and generally relating to the Maryland income tax treatment of certain net operating losses.

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

**Senate Bill 575 – Senator Zirkin**

AN ACT concerning

**Juvenile Services – Maryland Rising Program – Volunteer Mentors**

FOR the purpose of requiring the Maryland Rising Program to provide a volunteer mentor for each child in the State who has spent at least 30 days in a committed placement; requiring the Department of Juvenile Services to adopt regulations to implement the Program; and generally relating to the Maryland Rising Program in the Department of Juvenile Services.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–240.1  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

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

**Senate Bill 576 – Senator Zirkin**

AN ACT concerning

**Residential Child and Youth Care Practitioners – Certification Requirement  
– Extension**

FOR the purpose of extending by a certain number of years the date by which an individual is required to receive a certificate by the State Board for Certification of Residential Child Care Program Professionals to qualify as a residential child and youth care practitioner; and generally relating to certification of residential child and youth care practitioners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–301  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 577 – Senator Zirkin**

AN ACT concerning

**Family Law – Grounds for Absolute Divorce – Time Requirements**

FOR the purpose of altering certain grounds for absolute divorce by reducing the amount of time required for the parties to have lived separate and apart without cohabitation; and generally relating to grounds for absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–103(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 578 – Senator Zirkin**

AN ACT concerning

**Family Law – Grounds for Divorce**

FOR the purpose of authorizing a court to grant a limited or an absolute divorce on the ground of voluntary separation if the parties are not engaging in sexual relations under certain circumstances; and generally relating to the grounds for a limited or an absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–102 and 7–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 579 – Senators Zirkin and Brinkley**

AN ACT concerning

**Criminal Law – Drug Schedules – Marijuana**

FOR the purpose of making marijuana a Schedule II controlled dangerous substance;  
and generally relating to the classification of controlled dangerous substances.

BY renumbering  
Article – Criminal Law  
Section 5–403(d), (e), and (f), respectively  
to be Section 5–403(e), (f), and (g), respectively  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)(1)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to  
Article – Criminal Law  
Section 5–403(d)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 42 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Orphans’ Court Judges – Pensions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 59 – Chair, Budget and Taxation Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Agricultural Land Transfer Tax – Distribution and Use of Revenue**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development)**

AN ACT concerning

**Maryland Research and Development Tax Credit – Sunset Extension**

**SB0064/619831/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 64  
(First Reading File Bill)

On page 1, in the sponsor line, after “Development)” insert “and Senators Garagiola and Jones”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
February 4, 2010

**District Court, Charles County (District 4)**

1. Kenneth A. Talley District 28

Judge of the District Court of Maryland, District 4, Charles County; appointed to serve a term of ten years from April 28, 2009

**District Court, Frederick County (District 11)**

2. Janice Rodnick Ambrose District 3

Judge of the District Court of Maryland, District 11, Frederick County; reappointed to serve a term of ten years from December 8, 2009

**District Court, Harford County (District 9)**

3. Mimi R. Cooper District 35

Judge of the District Court of Maryland, District 9, Harford County; reappointed to serve a term of ten years from October 14, 2009

**District Court, Washington County (District 11)**

4. Dana Moylan Wright, Esq. District 2

Judge of the District Court of Maryland, District 11, Washington County; appointed to serve a term of ten years from July 23, 2009

**Agriculture, Department of**

5. Earl F. Hance District 29  
4155 Hance Road  
Port Republic, MD 20676

Secretary of Department of Agriculture; appointed to serve at the pleasure of the Governor

**Labor, Licensing, and Regulation, Department of**

6. Alexander M. Sanchez District 46  
341 N. Charles Street, Apt. 104  
Baltimore, MD 21201

Secretary of Department of Labor, Licensing, and Regulation; appointed to serve at the pleasure of the Governor

**Veterans Affairs, Secretary of**

7. Edward Chow, Jr. District 33  
805 Coxswain Way  
Annapolis, MD 21401

Secretary of Veterans Affairs; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

8. Michael G. Miller District 30  
2698 Willow Hill Road  
Annapolis, MD 21403

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2009

**Archaeology, Advisory Committee on**

9. Thomas Frederick Forhan District 20  
7001 Westmoreland Avenue  
Takoma Park, MD 20912

Member of the Advisory Committee on Archaeology; appointed to serve remainder of a term of three years from July 1, 2009

**Blind Industries and Services of Maryland, Board of Trustees of**

10. Walter Andre Brown, Ed.D. District 40  
2156 Mt. Royal Terrace  
Baltimore, MD 21217

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2007

11. William E. Hadlock, Ed.D. District 9  
3454 Arcadia Drive  
Ellicott City, MD 21042

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2009

12. Gerald L. Moschel District 32  
1707 Saunders Way  
Glen Burnie, MD 21061

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2008

**Chiropractic and Massage Therapy Examiners, State Board of**

13. Clyde Anderson District 18  
2804 Blueridge Avenue  
Silver Spring, MD 20902

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term to expire June 30, 2011

14. Karen A. Biagiotti District 32  
602 Newfield Road  
Glen Burnie, MD 21061

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term to expire June 30, 2013

15. Michael Fedorczyk, D.C. District 27  
4004 Lakeview Turn  
Dunkirk, MD 20754

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve remainder of a term of four years from July 1, 2006

16. Gwenda Harrison District 27  
15313 Livingston Road  
Accokeek, MD 20607

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term to expire June 30, 2013

**Consumer Council**

17. Michael R. Lemov District 16  
6303 Wynkoop Blvd.  
Bethesda, MD 20817

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2008

18. Charles E. Sydnor, III District 10  
2 Helms Pick Court  
Catonsville, MD 21228

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

**Correctional Training Commission**

19. Reginald Garnett District 99  
10613 Atkins Grove Court  
Glen Allen, VA 23059

Member of the Correctional Training Commission; appointed to serve remainder of a term of three years from July 1, 2008

20. Deborah J. Richardson District 10  
3927 Susanna Road  
Randallstown, MD 21133

Member of the Correctional Training Commission; appointed to serve remainder of a term of three years from July 1, 2007

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

21. Allen B. Clinedinst District 5  
1912 Ridgewood Court  
Hampstead, MD 21074

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2010

22. George Warren District 33  
1302 Double Gate Court  
Davidsonville, MD 21035

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2010

**Maryland School for the Blind, Board of Directors of the**

23. Kimberley G. Alfonso District 16  
7500 Woodmont Avenue, #616  
Bethesda, MD 20814

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve remainder of a term of three years from July 1, 2007

24. Craig D. Borne District 8  
14 Bellfalls Way  
Baltimore, MD 21236

Member of the Board of Directors of the Maryland School for the Blind; reappointed to serve a term of three years from July 1, 2007

25. Katherine A. Klausmeier District 8  
11 Bladen Street  
Annapolis, MD 21401

Member of the Board of Directors of the Maryland School for the Blind; reappointed to serve a term of three years from July 1, 2007

### **Psychologists, State Board of**

26. Joann V. Altiero, Ph.D. District 28  
7765 Sutton Court  
Port Tobacco, MD 20677

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2009

### **Residential Child Care Program Administrators, State Board for Certification of**

27. William L. Childers District 2  
10837 Archer Lane  
Williamsport, MD 21795

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2009

28. Ada P. Thomas District 12  
5320 Dorsey Hall Drive #117  
Ellicott City, MD 21042

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2006

**Veterinary Medical Examiners, State Board of**

29. David L. Handel District 39  
 14400 Frances Green Way  
 N. Potomac, MD 20878

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

30. John L. Heizer, D.V.M. District 2  
 19910 Cool Hollow Road  
 Hagerstown, MD 21740

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2008

31. Steven W. Kurtz, D.V.M. District 9  
 2109 Ramona Lane  
 Woodstock, MD 21163

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

32. Chris H. Runde District 29  
 36633 Bethel Church Road  
 Mechanicsville, MD 20659

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**African American History and Culture, Commission on**

- S-1. Kelsey R. Bush District 29  
 21931 Rosewood Terrace  
 Lexington Park, MD 20653

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2009

- S-2. Charles M. Christian, Ph.D. District 41  
113 North Rock Blen Road, Apt. 113  
Baltimore, MD 21229

Member of the Commission on African American History and Culture;  
reappointed to serve a term of four years from July 1, 2009

**Blind Industries and Services of Maryland, Board of Trustees of**

- S-3. Donald J. Morris District 4  
16547 Old Emmitsburg Road  
Emmitsburg, MD 21727

Member of the Board of Trustees of Blind Industries and Services of Maryland;  
reappointed to serve a term of three years from July 1, 2009

**Boiler Rules, Board of**

- S-4. Andris Bilmanis, Jr. District 29  
17720 Mohr Oak Lane  
Hughesville, MD 20637

Member of the Board of Boiler Rules; reappointed to serve a term of four years  
from January 1, 2010

**Residential Child Care Program Administrators, State Board for  
Certification of**

- S-5. Bruce T. Anderson District 2  
12244 Itnyre Road  
Smithsburg, MD 21783

Member of the State Board for Certification of Residential Child Care Program  
Administrators; reappointed to serve a term of four years from July 1, 2009

Senator Kelley moved, duly seconded, to make the Report a Special Order for  
February 5, 2010

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 110)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #5**

**Senate Bill 53 – Chair, Finance Committee (By Request – Departmental – Military) and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Middleton, Pipkin, and Pugh Pugh, and Harris**

AN ACT concerning

**Workers’ Compensation – Average Weekly Wage – Militia**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 111)

The Bill was then sent to the House of Delegates.

**Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Education)**

AN ACT concerning

**Workers’ Compensation – Division of Rehabilitation Services – Unpaid Work-Based Learning Experiences**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 112)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 113)

**ADJOURNMENT**

At 10:33 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 5, 2010.

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**Annapolis, Maryland**  
**Friday, February 5, 2010**  
**11:00 A.M. Session**

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The Senate met at 11:04 A.M.

Prayer by Reverend Doctor Donald Sterling, Pastor, New All Saints Roman Catholic Church, guest of Senator Gladden.

(See Exhibit A of Appendix III)

The Journal of February 4, 2010 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 116)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 225 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Head Coach Greg Disney  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 207 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Breandan Coughlin  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 208 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Troy Smith  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 209 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kyle Robinson  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 210 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jimmy Perkins  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 211 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
J. C. Chasse  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 212 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Deaglan McGuire  
90 lb. Football Team

in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 213 – The President and All Members:**

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

Tyler Williams  
90 lb. Football Team

in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 214 – The President and All Members:**

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

Shane Luckett  
90 lb. Football Team

in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 215 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland  
offers its sincerest congratulations to  
Mazzi Bunn  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 216 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Reiley Coughlin  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 217 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Todd Bohrer  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 218 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Gary Makell  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 219 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Landon Winstead  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 220 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jarred White  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 221 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Robert Bilet  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 222 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Austin Wright  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 223 – The President and All Members:**

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

Delmonte Faison  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 224 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Assistant Coach Jimmy Coughlin  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 226 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Shawn Makell  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 227 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
John Lovecchio  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 228 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Robert Thomas  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 229 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Dominic Mattero  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 230 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Hunter Disney  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 231 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Assistant Coach Chevy White  
90 lb. Football Team  
in recognition of

your three undefeated seasons and three consecutive football championships with the Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you many more. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 5th day of February 2010.

**Senate Resolution No. 232 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Assistant Coach Kevin Mattero  
90 lb. Football Team

in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

**Senate Resolution No. 260 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jacob Boswell  
90 lb. Football Team  
in recognition of  
your three undefeated seasons and three consecutive football championships with the  
Chesapeake Beach Buccaneers. We applaud your outstanding seasons and wish you  
many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 117)

**INTRODUCTION OF BILLS**

**Senate Bill 580 – Senators Pugh, Forehand, Gladden, Harrington, Jones,  
King, McFadden, Peters, and Zirkin**

AN ACT concerning

**Maryland Afterschool and Summer Learning Activity Program – Income Tax  
Checkoff**

FOR the purpose of establishing the Maryland Afterschool and Summer Learning  
Activity Program to provide grants to certain organizations that serve certain  
public school youth; requiring the Governor's Office for Children to administer  
the Program; requiring that to be eligible for a grant from the Program the  
organization must adopt certain standards, serve the youth at least a certain  
number of hours, and offer certain high quality activities; requiring an

organization that receives a grant from the Program to prepare a certain report; establishing the Maryland Afterschool and Summer Learning Activity Fund to provide funds for the Program; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; establishing a certain income tax checkoff system for voluntary contributions to the Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system includes a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff system; providing for the application of this Act; and generally relating to the Maryland Afterschool and Summer Learning Activity Program and an income tax checkoff system for contributions to provide funds for the Program.

BY adding to

Article – State Government

Section 9–2801 and 9–2802 to be under the new subtitle “Subtitle 28. Maryland Afterschool and Summer Learning Activity Program”

Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Tax – General

Section 2–113 and 10–804(i)

Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 581 – Senators Pugh, Gladden, Harrington, Jones, McFadden, and Peters**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

FOR the purpose of prohibiting the Judicial, Executive, and Legislative branches of State government from inquiring into the criminal record or criminal history of an applicant for employment until the applicant is selected for an interview; providing that this Act does not prohibit the Judicial, Executive, or Legislative Branch of State government from notifying an applicant for employment of certain information; requiring that certain criminal history records checks be requested from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; prohibiting certain

employment applications from being used until certain other employment applications in print before the effective date of this Act are used; and generally relating to the conduct of criminal history records checks on applicants for employment in the Judicial, Executive, and Legislative branches of State government.

BY adding to

Article – State Personnel and Pensions  
Section 2–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 582 – Senators Madaleno, Raskin, Forehand, Frosh, Gladden, Kramer, Lenett, McFadden, Pinsky, Pugh, and Zirkin**

AN ACT concerning

**Religious Freedom and Civil Marriage Protection Act**

FOR the purpose of altering a provision of law establishing that only certain marriages are valid in this State; prohibiting certain officials from being required to solemnize a marriage in violation of a certain constitutional right; providing for the construction of a certain provision of this Act; and generally relating to valid marriages.

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 2–201  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 583 – Senators Madaleno, Conway, Forehand, Garagiola, Gladden, Harrington, Jones, King, Lenett, McFadden, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Human Relations – Sexual Orientation and Gender Identity  
– Antidiscrimination**

FOR the purpose of prohibiting discrimination based on gender identity with regard to public accommodations, housing, and employment; prohibiting discrimination based on gender identity by certain licensed or regulated persons; prohibiting

discrimination based on sexual orientation or gender identity with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; altering a certain exception for employers that relates to standards concerning dress and grooming; providing that an employer is immune from certain liability for certain acts to verify the gender identity of any employee or applicant in response to a certain charge; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity; requiring certain State personnel actions to be made without regard to gender identity or sexual orientation; defining the term “gender identity”; making certain conforming changes; and generally relating to discrimination based on sexual orientation and gender identity.

BY renumbering

Article – State Government  
Section 20–101(e) and (f), respectively  
to be Section 20–101(f) and (g), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–302, 20–304, 20–401, 20–402, 20–501, 20–602, 20–603, 20–605(a)(2),  
20–606(a) through (e), 20–608, 20–702(a), 20–704(a)(2), 20–705,  
20–707(b) and (c), and 20–1103(b)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 2–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 584 – Senator Stone**

AN ACT concerning

**Criminal Law – Reckless Endangerment – Use of a Motor Vehicle**

FOR the purpose of creating certain exceptions to an exclusion of conduct involving the use of a motor vehicle from the crime of reckless endangerment; and generally relating to reckless endangerment.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–204  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

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

**Senate Bill 585 – Senators Kelley, Astle, Conway, Della, Exum, Forehand, Garagiola, Haines, Harrington, Kramer, Middleton, Pipkin, Pugh, and Raskin**

AN ACT concerning

#### **Commission on Surrogate Parenting**

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

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

**Senate Bill 586 – Senators King, Forehand, Frosh, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – RCI Group Home Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Residential Continuum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for

the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 587 – Senators King, Forehand, Frosh, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Montgomery Village Martin Roy Park Pavilion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Directors of the Montgomery Village Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 588 – Senators King, Forehand, Frosh, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Cinnamon Woods Environmental and Safety Lighting Upgrade**

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

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

**Senate Bill 589 – Senators King, Forehand, Frosh, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Lake Whetstone Hillside Stabilization**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of the South Village Homes Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 590 – Senators Raskin, Middleton, Conway, Exum, Frosh, Garagiola, Harrington, Jones, Kelley, King, Lenett, Madaleno, Peters, Pinsky, Pugh, Rosapepe, and Stone**

AN ACT concerning

### **Fairness in Negotiations Act**

FOR the purpose of establishing as an independent unit of State government a Public School Labor Relations Board to assume certain duties previously held by the State Board of Education; requiring the Public School Labor Relations Board to hear certain controversies and disputes; establishing that certain decisions by the Public School Labor Relations Board are final; requiring the Public School Labor Relations Board to adopt certain rules and regulations related to the designation of an exclusive representative; requiring the Public School Labor Relations Board to supervise certain elections concerning employee representation; requiring a public school employer and an employee organization to negotiate in a certain manner under certain circumstances; including procedures regarding employee transfers and assignments among the matters a public school employer must meet and negotiate with a certain employee organization on request; establishing certain processes and requirements for the resolution of disputes over the negotiability of certain topics; authorizing the Public School Labor Relations Board to adopt certain regulations, guidelines, and policies; repealing certain provisions of law regarding the resolution of certain impasses in negotiations; requiring the Public School Labor Relations Board to facilitate the beginning of mediation of certain disputes within a certain period of time and in a certain manner; establishing a certain process for the mediation of certain disputes; requiring a mediator to conclude certain mediations within a certain period of time; requiring a public school employer and employee organization to share certain dispute resolution costs equally; establishing certain processes for arbitration of certain disputes left unresolved by mediation; requiring the Public School Labor Relations Board to facilitate certain arbitration processes within a certain period of time and in a certain manner; requiring the Public School Labor Relations Board to issue a certain award at the end of arbitration; subjecting certain negotiated provisions or decisions to certain provisions of law concerning

the fiscal relationship between public school employers and certain governing bodies; requiring public school employers to renegotiate certain agreements with employee organizations under certain circumstances in a certain manner; specifying the manner of appointment, membership, duties, and responsibilities of the Public School Labor Relations Board; providing for the staffing of the Public School Labor Relations Board; providing for the staggering of terms of the members of the Public School Labor Relations Board; requiring the Public School Labor Relations Board to decide certain controversies and disputes involving public school employers and employee organizations; authorizing a member of the Public School Labor Relations Board to petition a circuit court to seek enforcement of an order of the Public School Labor Relations Board; providing that a certain hearing and determination under this Act is a contested case; establishing the significance of certain prior orders, actions, and opinions of the State Board of Education in deciding certain matters arising after the enactment of this Act; providing for the application and construction of this Act; requiring the Public School Labor Relations Board to report to the General Assembly on or before a certain date; providing for the termination of this Act; defining certain terms; making stylistic changes; and generally relating to public school education, collective bargaining, and dispute resolution.

BY repealing and reenacting, with amendments,

Article – Education

Section 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), 6–510, and 6–511

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 6–408.1; and 6–801 through 6–807 to be under the new subtitle

“Subtitle 8. Public School Labor Relations Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–204

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 591 – Senators Garagiola, Astle, Kittleman, and Klausmeier**

AN ACT concerning

**Maryland Estate Tax**

FOR the purpose of altering a certain limit on the unified credit used for determining the Maryland estate tax; altering a certain limitation on the amount of the Maryland estate tax; 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)(3)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 592 – Senators Garagiola, Kittleman, and Klausmeier**

AN ACT concerning

**Maryland Estate Tax – Exclusion for Qualified Agricultural Property**

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; defining certain terms; 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 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 7–309(c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

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

**Senate Bill 593 – Senators Garagiola, King, Pipkin, Colburn, Della, Exum, Forehand, Glassman, Kelley, Kittleman, Klausmeier, and Pugh**

AN ACT concerning

**Health Facilities – Freestanding Medical Facilities – Rates**

FOR the purpose of specifying that certain emergency services include services provided at certain facilities for the purposes of hospital rate setting; requiring the Health Services Cost Review Commission to set rates for hospital services provided at certain freestanding medical facilities; requiring certain payors to pay claims submitted by freestanding medical facilities at rates set by the Commission; declaring the intent of the General Assembly; requiring the Commission to report to the General Assembly on or before a certain date on rates established under this Act; and generally relating to freestanding medical facilities.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–201(a), (b), and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–201(d), 19–211, and 19–3A–07  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 19–3A–08  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

### **Senate Bill 594 – Senator Middleton**

AN ACT concerning

#### **Maryland Organic Transition Investment Pilot Program – Funding and Extension of Sunset**

FOR the purpose of authorizing the Governor, in certain fiscal years, to include in the State budget an appropriation for the Organic Agriculture Development Fund for certain purposes; repealing a certain prohibition on the interpretation of certain provisions of law; extending the termination date of the Maryland Organic Transition Investment Pilot Program; and generally relating to the Maryland Organic Transition Investment Pilot Program.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 10–14A–04

Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing

Chapter 554 of the Acts of the General Assembly of 2009  
Section 2

BY repealing and reenacting, with amendments,

Chapter 554 of the Acts of the General Assembly of 2009  
Section 3

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

**Senate Bill 595 – Senator Exum**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Sheriff Road Village 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 Love Affection and Compassion for Neighborhood 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 Budget and Taxation.

**Senate Bill 596 – Senator Rosapepe**

AN ACT concerning

**Maryland Prepaid College Trust – Student 2+2 Program – Out-of-County Costs**

FOR the purpose of requiring certain prepaid college tuition contracts to allow the use of the contract benefits to pay certain tuition rates at community colleges; providing for the application of this Act; and generally relating to the Maryland Prepaid College Trust.

BY repealing and reenacting, without amendments,

Article – Education  
Section 18–1909(a)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education  
Section 18–1909(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

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

**Senate Bill 597 – Senator Rosapepe**

AN ACT concerning

**Condominiums and Homeowners Associations – Common Elements and  
Common Areas – Implied Warranties**

FOR the purpose of requiring the description of the common elements in a condominium declaration that is recorded on or after a certain date to include certain improvements; prohibiting under certain circumstances the amending of the description and designation of the common elements in a condominium declaration that is recorded after a certain date; altering the duration of a certain implied warranty on the common elements of a condominium; altering the duration of a certain implied warranty on the common areas of a homeowners association; making stylistic changes; providing for the application of this Act; and generally relating to implied warranties on common elements in condominiums and common areas in homeowners associations.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 11–103(a), 11–131(d), and 11B–110(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

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

**Senate Bill 598 – Senator Rosapepe**

AN ACT concerning

**Public Utility Companies – University of Maryland, College Park Bus Service  
– Motor Carrier Permit Exemption – Removal of Sunset**

FOR the purpose of removing the sunset applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; and generally relating to bus service provided by the University of

Maryland, College Park to its students and to the residents of a certain municipal corporation.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 9–201  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Chapter 346 of the Acts of the General Assembly of 2008  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 346 of the Acts of the General Assembly of 2008  
Section 3

BY repealing and reenacting, without amendments,  
Chapter 347 of the Acts of the General Assembly of 2008  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 347 of the Acts of the General Assembly of 2008  
Section 3

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

**Senate Bill 599 – Senator Rosapepe**

AN ACT concerning

**Maryland Perfusion Act**

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of perfusion; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees; establishing the Perfusion Advisory Committee within the Board; providing for the membership, powers, and duties of the Committee; establishing the terms and requirements for certain members of the Committee; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice perfusion; providing that certain licensing provisions do not apply to students practicing perfusion under certain circumstances; providing for the educational requirements for a license to practice perfusion; waiving certain education requirements under certain circumstances until a certain date; authorizing certain individuals to petition the Board for an extension to a certain waiver; requiring the Board to determine whether to grant a certain waiver on a case-by-case basis; providing for the

scope of a license to practice perfusion; providing for the issuance, expiration, and renewal of certain licenses; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for licensed perfusionists; prohibiting certain acts; providing for certain criminal penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; providing for the waiver of certain licensure requirements under certain circumstances; requiring that initial perfusionist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to the regulation and licensure of perfusion.

BY renumbering

Article – State Government  
Section 8–403(b)(46) through (68), respectively  
to be Section 8–403(b)(47) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health Occupations  
Section 14–5E–01 through 14–5E–27 to be under the new subtitle “Subtitle 5E.  
Perfusionists”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

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

BY adding to

Article – State Government  
Section 8–403(b)(46)  
Annotated Code of Maryland  
(2009 Replacement Volume)

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

**Senate Bill 600 – Senators Raskin, Forehand, Madaleno, Pinsky, and Pugh**

AN ACT concerning

**Family Law – De Facto Parents**

FOR the purpose of requiring a court to determine that an individual is a de facto parent under certain circumstances; establishing that an individual who is judicially determined to be a de facto parent has the duties and obligations of a parent; and generally relating to de facto parents.

BY adding to

Article – Family Law

Section 5–207

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

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

**Senate Bill 601 – Senators Raskin and Pinsky**

AN ACT concerning

**Elections – Campaign Finance – Prohibition of Contributions and Expenditures by Business Entities**

FOR the purpose of prohibiting certain business entities from making a contribution to a campaign finance entity; prohibiting certain business entities from making certain expenditures for certain purposes; clarifying that a certain prohibition does not apply to certain expenditures; defining a certain term; providing for a delayed effective date; and generally relating to campaign finance contributions and expenditures by business entities.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law

Section 13–245.1

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

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

**Senate Bill 602 – Senators Raskin, Brochin, and Pinsky**

AN ACT concerning

**Vehicle Laws – High Occupancy Vehicle (HOV) Lanes – Use by Plug-In Vehicles**

FOR the purpose of requiring the State Highway Administration when designating a portion of a highway as a restricted-use, high occupancy vehicle (HOV) lane, to place traffic control devices indicating that the HOV lane may be used by certain plug-in vehicles; requiring the Motor Vehicle Administration, the State Highway Administration, and the Department of State Police to consult to design a certain permit; authorizing the Motor Vehicle Administration to charge a certain fee for issuing a certain permit; authorizing the State Highway Administrator to limit the number of permits issued under this Act for certain reasons; requiring the Motor Vehicle Administration and the State Highway Administration to make a certain report to the General Assembly on or before a certain date each year; defining certain terms; providing for the termination of this Act; and generally relating to the designation of HOV lanes by the State Highway Administration and the use of HOV lanes by plug-in vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11-167 and 21-201(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Transportation  
Section 25-108  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

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

**Senate Bill 603 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Walker Mill Daycare and Training 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 Walker Mill 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 Budget and Taxation.

**Senate Bill 604 – Senators Currie, Dyson, Kasemeyer, and Munson**

AN ACT concerning

**College and Career Readiness Act of 2010**

FOR the purpose of requiring certain State agencies to adopt a definition of college and career readiness; requiring the adoption of a common assessment and benchmarks to show progress toward college readiness; requiring strategies and curricula to be developed and implemented to ensure students are college ready and are successful in college; requiring the State Department of Education to develop outreach programs for the dissemination of certain information; requiring certain State agencies to review periodically a certain definition and strategies; requiring certain federal grant funds to be used to implement this Act; requiring a certain report on or before certain dates; and generally relating to college and career readiness of students in Maryland.

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

**Senate Bill 605 – Senators King, Conway, Frosh, Garagiola, Harrington, Kramer, Lenett, Madaleno, and Middleton**

AN ACT concerning

**Angel's Law – Foster Care and Child Care – Cordless Window Coverings**

FOR the purpose of requiring new and replacement window coverings on or after a certain date to be cordless in foster homes, family day care homes, and child care centers; requiring certain existing window coverings to meet certain minimum standards in foster homes, family day care homes, and child care centers; authorizing the appropriate agency to require the replacement of certain window coverings under certain circumstances; requiring the Social Services Administration to adopt certain regulations relating to cordless window coverings for foster homes; requiring the State Department of Education to adopt certain regulations relating to cordless window coverings for family day care homes; requiring the State Superintendent of Schools to adopt certain regulations relating to cordless window coverings for child care centers; defining certain terms; and generally relating to cordless window coverings for foster homes, family day care homes, and child care centers.

BY adding to

Article – Family Law

Section 5–505 and 5–573(b)(11)

Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–525(j), 5–551(c)(1), and 5–573(b)(9) and (10)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–551(a) and (b) and 5–573(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 606 – Senator Simonaire**

AN ACT concerning

**Motor Vehicle Registration – Exemption for Golf Carts Operated on Highway  
Shoulder**

FOR the purpose of exempting golf carts operated on the shoulder of certain highways from registration requirements generally applicable to vehicles operated on highways in the State; making technical corrections; and generally relating to registration requirements for motor vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–402(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–402(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 607 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – South County  
Community 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 South County Outreach 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 608 – Senator Kittleman**

AN ACT concerning

**Workers’ Compensation – Temporary Total Disability – Incarcerated  
Employees**

FOR the purpose of providing that an employer or insurer is not liable for certain temporary total disability payments to a covered employee while the employee is incarcerated; providing for a certain exception; providing for the application of this Act; and generally relating to workers’ compensation benefits for covered employees who are incarcerated.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–221, 9–607, and 9–618  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Labor and Employment  
Section 9–618.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–621  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 609 – Senator Kittleman**

AN ACT concerning

**Workers' Compensation – Temporary Total Disability Benefits – Credit**

FOR the purpose of providing a credit for an employer or insurer for certain payments to a covered employee for temporary total disability benefits under certain circumstances and during a certain period; providing for the application of this Act; and generally relating to payment of temporary total benefits.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–618  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–621  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 610 – Senator Kittleman**

AN ACT concerning

**Workers' Compensation – Jurisdiction Pending Appeal – Proposed Settlement**

FOR the purpose of expanding the circumstances under which the Workers' Compensation Commission retains jurisdiction pending an appeal of a Commission order to include a request for approval of a proposed settlement of all or part of a claim; and generally relating to the jurisdiction of the Commission pending an appeal of a workers' compensation order.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–742  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 611 – Senator Della**

AN ACT concerning

**Insurers, Health Maintenance Organizations, and Managed Care  
Organizations – Compensation Reports**

FOR the purpose of requiring managed care organizations to report to the Maryland Insurance Commissioner on an annual basis on certain compensation of their officers and executives; requiring health maintenance organizations to include on an annual basis with a required rate filing made with the Commissioner a report of certain compensation of their officers and executives; requiring insurers that file rates with the Commissioner under prior approval rate making to include on an annual basis with a required rate filing a report of certain compensation of their officers and executives; requiring insurers that file rates with the Commissioner under competitive rating rate making to include on an annual basis with a required rate filing a report of certain compensation of their officers and executives; and generally relating to reports of compensation of officers and executives of insurers, health maintenance organizations, and managed care organizations.

BY adding to

Article – Health – General  
Section 15–102.8 and 19–713(a–1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 19–713(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 11–206(a) and 11–307(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance  
Section 11–206(a–1) and 11–307(a–1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 612 – Senator Della**

AN ACT concerning

**Unemployment Insurance – Filing for Benefits – Notification**

FOR the purpose of requiring the Secretary of Labor, Licensing, and Regulation to adopt regulations regarding certain notices; providing for the content of the notices; establishing a minimum time requirement for a certain individual to contact the Unemployment Insurance Division in certain circumstances; and generally relating to notifications for unemployment insurance benefit filings.

Read the first time and referred to the Committee on Finance.

**Senate Bill 613 – Senators Della, Conway, and Pugh**

AN ACT concerning

**Baltimore City – Binding Arbitration – Police Officers**

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (55)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Finance.

**Senate Bill 614 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Creative Alliance Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of the Fells Point Creative Alliance, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 615 – Senator Edwards**

AN ACT concerning

**Garrett County – Volunteer Fire Departments and Rescue Squads –  
Emergency Services Board**

FOR the purpose of altering certain taxes on certain real property and personal property in Garrett County that are to be paid to certain volunteer fire departments; requiring the Board of County Commissioners of Garrett County to make certain payments to certain volunteer fire departments and rescue squads at certain times; providing that the amounts paid to volunteer fire departments in Garrett County shall be equivalent; requiring that certain funds received by certain volunteer fire departments and rescue squads in Garrett County be used for certain expenditures; requiring volunteer fire departments and rescue squads in Garrett County to file certain reports annually; authorizing the Board of County Commissioners of Garrett County to reserve the right to withhold certain funds from a fire department or rescue squad that fails to meet certain standards and policies under certain circumstances; providing that the Garrett County Emergency Services Board shall be the final step in the establishment of primary and secondary service areas for fire, rescue, and ambulance services in Garrett County and is responsible for final resolution of certain disputes; providing that the Emergency Services Board has certain jurisdiction regardless of whether a certain provider of fire, rescue, or ambulance service is a member of the Garrett County Volunteer Fire and Rescue Association, Inc.; establishing a Garrett County Emergency Services Board; providing for the membership and the chair of the Emergency Services Board; providing for the appointment of members and the terms of the members of the Emergency Services Board; stating the mission of the Emergency Services Board; requiring the Emergency Services Board to develop and recommend to the Board of County Commissioners certain policies and standard operating procedures; requiring certain policies and standard operating procedures to comply with certain State and federal agency established standards, policies, practices, and protocols; requiring the Emergency Services Board to consult with certain persons before adopting certain proposed policies and standard operating procedures; establishing certain duties of the Emergency Services Board; altering a certain definition; altering the amount of a certain tax on certain real property in Garrett County paid to rescue squads in Garrett County; and generally relating to fire and rescue services in Garrett County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County

Section 32.01(A)  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2009 Supplement, as amended)  
(As enacted by Chapter 45 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County  
Section 32.01(B) and (C), 32.04, and 35.05  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2009 Supplement, as amended)

BY adding to  
The Public Local Laws of Garrett County  
Section 32.90  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and November 2009 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 616 – Senator Rosapepe**

AN ACT concerning

**Anti-Deficit and Fiscal Responsibility Act of 2010**

FOR the purpose of altering the circumstances under which the Governor is required to include certain appropriations in the budget bill to the Revenue Stabilization Account of the State Reserve Fund; altering the amount of the appropriations to the Account that the Governor is required to include under certain circumstances; altering the circumstances under which the Governor is authorized to transfer funds from the Account to General Fund revenues; and generally relating to required appropriations to and transfers from the Revenue Stabilization Account of the State Reserve Fund.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7-311  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 617 – Senators Jacobs, Brochin, Colburn, Glassman, Haines, Harris, Mooney, Munson, Muse, Pipkin, Robey, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Criminal Law – Plea Agreements – Prohibition of Concurrent Sentences for  
Child Sexual Offenses**

FOR the purpose of prohibiting a plea agreement from providing for concurrent sentencing for a defendant charged with multiple counts of certain child sexual offenses; and generally relating to plea agreements for defendants charged with child sexual offenses.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–303 through 3–308  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–602  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 618 – Senators Jacobs, Brinkley, Brochin, Colburn, Forehand,  
Glassman, Haines, Harris, Kelley, Kittleman, Mooney, Munson, Muse,  
Pipkin, Raskin, Reilly, Robey, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Criminal Procedure – Violation of Pretrial or Posttrial Release No Contact  
Order – Expedited Hearing (“Alexis’s Law”)**

FOR the purpose of authorizing an alleged victim, a pretrial services representative, or a State’s Attorney to request an expedited hearing before a certain District

Court or circuit court judge if the alleged victim alleges that the defendant has violated a certain condition of pretrial or posttrial release; requiring a court to issue a bench warrant and schedule a certain expedited hearing under certain circumstances; requiring a certain hearing to be held within a certain period of time; authorizing a court to revoke or continue a defendant's release under certain circumstances; and generally relating to violations of conditions of pretrial and posttrial release.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 5–201(a) and 5–213  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 5–213.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 619 – Senators Jacobs, Colburn, Haines, Harris, Kittleman, Middleton, Mooney, Munson, Pipkin, Robey, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Criminal Law – Elimination of Concurrent Sentencing for Child Sexual Offenses**

FOR the purpose of establishing that a sentence imposed for a violation of a certain sexual offense in which the victim of the offense is a minor shall be consecutive to and not concurrent with any other sentence imposed for any crime based on the act establishing that violation.

BY adding to  
Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 620 – Senator Jacobs**

AN ACT concerning

**Correctional Services – Child Sexual Offenders – Diminution Credits and Parole**

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a minor; providing that an inmate who is serving a sentence for committing a certain sexual crime against a minor is not eligible for parole consideration and may not be granted parole at any time during the inmate's sentence; providing for the application of this Act; and generally relating to the elimination of diminution credits and parole eligibility for persons serving sentences for committing certain sexual crimes against children.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702 and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Correctional Services  
Section 7–301(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 621 – Senator Jacobs**

AN ACT concerning

**Drunk and Drugged Driving – Evidence – Qualified Medical Person**

FOR the purpose of providing for the admissibility in evidence of a certified statement by a qualified medical person who obtained blood from a defendant charged with certain alcohol– or drug–related driving offenses without the testimony of the qualified medical person under certain circumstances; providing for certain exceptions; repealing certain procedures; and generally relating to altering certain evidentiary provisions concerning the admissibility of a certain certified statement by a qualified medical person under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 10–304(a) and 10–306  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–304(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 622 – Senator Jacobs**

AN ACT concerning

**Crimes – Sexual Offenses Against Children – Penalties**

FOR the purpose of increasing the maximum and mandatory minimum penalties for a person convicted of rape in the second degree of a child under the age of 13 years; increasing the maximum and mandatory minimum penalties for a person convicted of sexual offense in the second degree against a child under the age of 13 years; and generally relating to sexual offenses against children.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–304 and 3–306  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 623 – Senators Jacobs, Colburn, Glassman, Haines, Harris, Kelley, Mooney, Munson, Reilly, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Criminal Procedure – Child Sexual Offenders – Monitoring with Global Positioning Satellite Tracking Technology**

FOR the purpose of requiring that on conviction for a certain sexual offense involving a minor victim, a person who has not previously been convicted of a certain sexual offense be monitored constantly with global positioning satellite tracking technology during any periods of probation and parole; requiring that on conviction for a certain sexual offense involving a minor victim, a person who has been convicted on a prior occasion not arising out of the same incident of a certain sexual offense be monitored constantly with global positioning satellite tracking technology for life and pay the costs of the monitoring; and generally relating to monitoring of child sexual offenders.

BY adding to

Article – Criminal Law  
Section 3–313.1  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 624 – Senators Frosh, Conway, Dyson, Forehand, Mooney, Raskin,  
and Rosapepe**

AN ACT concerning

**Vehicle Laws – Bicycles and Motor Scooters – Rules of the Road**

FOR the purpose of authorizing a person operating a bicycle to ride the bicycle in or through a crosswalk in certain locations under certain circumstances; requiring a vehicle to yield the right-of-way under certain circumstances to a bicycle that is lawfully in a crosswalk; creating an exception for an operator of a bicycle or motor scooter to the prohibition against passing another vehicle to the right by driving off the roadway; authorizing, under certain circumstances, a person who is operating a bicycle or motor scooter to use the roadway even if a shoulder is present; altering the definition of “bicycle”; altering the definition of “crosswalk” to reflect circumstances where an unmarked bicycle way crosses a roadway; altering the definition of “shoulder” to reflect certain authorized uses; making certain stylistic changes; and generally relating to the rules of the road for operating bicycles and motor scooters.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 11–104, 21–101(i) and (v), 21–202(e) and (k), 21–304(c), 21–1103, and  
21–1205.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–101(c), (d), and (e), 21–202(b), (c), (d), (i), and (j), and 21–304(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 625 – Senator Frosh**

AN ACT concerning

**Health Insurance – Payment and Fee Disclosure**

FOR the purpose of requiring certain health insurance carriers, on or before a certain date, to establish and implement a procedure for providing to an enrollee or a health care provider on behalf of an enrollee a certain estimate of certain amounts payable for covered services; requiring the estimate to include certain payments and comply with certain terms; requiring a carrier to provide a certain explanation on its website; requiring an enrollee or a health care provider on behalf of an enrollee to provide certain information to the carrier to receive an estimate; requiring an estimate to be provided by certain means and within a certain number of days; authorizing the Maryland Insurance Commissioner to require an estimate through some other means; requiring a health care provider, on or before a certain date, to make available to patients a certain schedule of fees and to assist an enrollee to obtain certain information; defining certain terms; making the provisions of this Act applicable to health maintenance organizations; and generally relating to the provision of health insurance payment estimates and health care provider fees.

BY adding to

Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Insurance  
Section 15–134  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 626 – Senator Dyson**

AN ACT concerning

**St. Mary’s County – Noncertificated Public School Employees – Service Fee**

FOR the purpose of authorizing the St. Mary’s County Board of Education to negotiate with certain employee organizations for employees a reasonable service fee to be charged nonmember noncertificated employees for representing the employees in certain matters; making this Act applicable only to certain employees hired on or after a certain date; and generally relating to service fees for certain nonmember noncertificated public school employees in St. Mary’s County.

BY repealing and reenacting, with amendments,

Article – Education  
Section 6–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 627 – Senators Brinkley, Raskin, Colburn, Garagiola, Jacobs, Kittleman, Kramer, Madaleno, Miller, and Zirkin**

AN ACT concerning

**Public Health – Medical Marijuana**

FOR the purpose of requiring the Department of Health and Mental Hygiene (DHMH) to issue a certain request for proposals to select authorized growers of marijuana for medical use; providing for certain requirements of authorized growers; requiring DHMH, jointly with the Department of Agriculture, to adopt certain regulations; requiring DHMH to establish a certain registration program to authorize certain entities to distribute marijuana for medical purposes; authorizing DHMH to charge a certain fee for the issuance of a certain permit; requiring certain entities and individuals to apply for a certain criminal history records check; requiring certain permit holders to display a certain permit at certain times; requiring certain permit holders to report certain changes to DHMH within a certain time period; authorizing a patient or primary caregiver to provide certain reimbursement to certain entities; authorizing the same entity to grow and dispense marijuana; requiring DHMH to establish a registry of qualifying patients and primary caregivers and to issue a certain registry identification card to certain individuals under certain circumstances; requiring DHMH to approve or deny an application or renewal for a registry identification card within a certain time period and in a certain manner; requiring a registry identification card to include certain information; requiring an individual who has been issued a registry identification card to provide a certain notification to DHMH under certain circumstances; requiring DHMH to maintain a confidential list of the individuals to whom DHMH has issued registry identification cards; providing that certain individuals and entities may not be subject to certain penalties or denied certain rights for the medical use of marijuana; providing that the possession of a registry identification card does not constitute probable cause to conduct a certain search by a government agency; providing that an individual may not be subject to arrest or prosecution for certain offenses for being in the presence of the medical use of marijuana; requiring a physician to provide certain written instructions for a qualifying patient or caregiver; authorizing a physician to issue multiple written instructions for a qualifying patient or caregiver if certain conditions are met; requiring qualifying patients, primary caregivers, and certain pharmacies and dispensing centers to follow certain procedures; providing that a patient may be registered at only one pharmacy or dispensing

center at a time; requiring the Secretary of Health and Mental Hygiene to establish a system to monitor the dispensation of marijuana for medical use in the State; requiring certain physicians, pharmacies, and dispensing centers to provide certain information to the Secretary; providing that this Act may not be construed to permit any individual to operate, navigate, or be in actual physical control of certain modes of transportation while under the influence of marijuana or to smoke marijuana in any public place; providing that this Act may not be construed to require certain insurance reimbursement; requiring DHMH to submit certain reports to the Governor and General Assembly on or before certain dates; requiring DHMH to adopt certain regulations on or before a certain date; authorizing DHMH to accept certain funds; requiring DHMH to use certain fees in a certain manner; requiring DHMH to distribute certain funds to the General Fund of the State; defining certain terms; and generally relating to marijuana for medical use.

BY adding to

Article – Health – General

Section 13–3001 through 13–3012 to be under the new subtitle “Subtitle 30.  
Medical Marijuana”

Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 628 – Senator Stoltzfus**

AN ACT concerning

#### **Maryland Stem Cell Research Fund – Annual Report – Requirements**

FOR the purpose of requiring the Maryland Technology Development Corporation and the Stem Cell Research Commission to include in the Maryland Stem Cell Research Fund annual report certain information on the number of patients treated and the amount of time until research is tested in a clinical trial; and generally relating to the requirements of the Maryland Stem Cell Research Fund annual report.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–401(a) and (c) and 10–429(a), (c), (e), (i), and (j)

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–442

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 629 – Senators Muse, Haines, Jacobs, and Stone**

AN ACT concerning

**Law Enforcement Officers – Unsubstantiated Complaints – Admissibility**

FOR the purpose of providing that evidence of a certain complaint against a law enforcement officer is not admissible in a certain proceeding if the complaint resulted in a certain outcome; and generally relating to the admissibility of evidence relating to a law enforcement officer.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–110  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 630 – Senator Muse**

AN ACT concerning

**Property Taxes – Homestead Property Tax Credit – Notification and Recoupment**

FOR the purpose of requiring that a certain form developed by the State Real Estate Commission contains a certain notice; providing that under certain circumstances the homestead property tax credit may not be denied for certain real property for certain taxable years; providing for the refund of certain property taxes paid under certain circumstances; and generally relating to certain property taxes.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 10–702(b) and (f)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(c)  
Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 631 – Senator Conway**

AN ACT concerning

**State Board of Dental Examiners – Materials Containing Mercury**

FOR the purpose of requiring dentists to ask patients, prior to performing any dental procedures or treatments that include the use of dental materials containing mercury, if the patient has a known allergy to mercury; requiring dentists to adhere to certain Federal Drug Administration guidance; and generally relating to dentists asking patients about known allergies to mercury and the Federal Drug Administration guidance on dental materials containing mercury.

BY adding to

Article – Health Occupations

Section 4–506.1

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 632 – Senator Conway**

AN ACT concerning

**Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and Medication Technicians – Changes to Licensure Requirements**

FOR the purpose of requiring that if the State Board of Nursing has reason to believe that a certain applicant, licensee, or certificate holder may cause harm to certain individuals, the Board require the applicant, licensee, or certificate holder to submit to a certain examination; adding certain individuals who have applied for a certain license, have passed a certain examination, and are awaiting receipt of certain criminal history record information to those individuals who are exempt from certain licensure requirements; adding certain individuals who provide gratuitous care for friends and family to those individuals who are exempt from certain licensure requirements; requiring that certain applicants pass a certain national examination; providing that practicing nursing in certain states or territories for at least a certain number of years is acceptable proof of proficiency in English; repealing the requirement that the Board give certain examinations; requiring the Board to issue certain licensees and certificate holders a license or certification number and a

registration certificate that indicates certain information; requiring the Board to record electronically certain licenses and certificates, including inactive status, in certain databases and on certain websites; extending the period of time the Board has to send certain renewal notices; authorizing the Board to send certain renewal notices by electronic means; requiring the Board to send certain renewal applicants certain documents necessary for initiating criminal history records checks in conjunction with certain renewal notices; authorizing certain licensees to submit certain renewal applications by paper application or electronic means; extending the period of time between criminal history records checks for certain renewal applicants; repealing provisions concerning skilled nursing assistants; extending the period of time certain certificate holders have to notify the Board of certain changes in name or address; and generally relating to registered nurses, licensed practical nurses, nursing assistants, and medication technicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–205.1, 8–301(c), 8–302(e) and (f)(2), 8–305(d) through (f), 8–308(a) and (b), 8–309(b), 8–312(b), (c), and (g)(1), 8–6A–05(a), 8–6A–07, 8–6A–08, and 8–6A–15

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing

Article – Health Occupations

Section 8–305(c) and 8–6A–01(k)

Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 633 – Senators Middleton, Astle, Kasemeyer, Kelley, King, Klausmeier, Kramer, Lenett, Madaleno, Raskin, and Robey**

AN ACT concerning

**Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments**

FOR the purpose of requiring the Community Services Reimbursement Rate Commission to develop a certain update formula for determining rates paid to developmental disabilities service providers and community mental health services providers; requiring the Commission to include in a certain existing annual report an analysis of the impact of a certain update formula on the financial condition of certain providers; requiring the Department of Health and Mental Hygiene to make a certain adjustment for inflation of the fees paid to

certain providers using a certain update formula beginning in a certain fiscal year; establishing the formula for the annual inflation rate adjustment for certain providers; and generally relating to the Community Services Reimbursement Rate Commission and provider rate adjustments.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–806, 13–809, and 16–201.2  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 484 – Senators Dyson, Astle, Conway, Currie, Kelley, Middleton, and Pugh**

AN ACT concerning

**State Board of Nursing – Nurse Practitioners – Certification Requirements and Authority to Practice**

Reassigned to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance under Rule 33(d).

Read and ordered journalized.

## THE COMMITTEE ON RULES REPORT #2

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 26 – Senators Miller, Kasemeyer, and Kittleman**

AN ACT concerning

**Maryland Constitutional Convention – Sense of the Voters**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
February 4, 2010

**District Court, Charles County (District 4)**

1. Kenneth A. Talley District 28

Judge of the District Court of Maryland, District 4, Charles County; appointed to serve a term of ten years from April 28, 2009

**District Court, Frederick County (District 11)**

2. Janice Rodnick Ambrose District 3

Judge of the District Court of Maryland, District 11, Frederick County; reappointed to serve a term of ten years from December 8, 2009

**District Court, Harford County (District 9)**

3. Mimi R. Cooper District 35

Judge of the District Court of Maryland, District 9, Harford County; reappointed to serve a term of ten years from October 14, 2009

**District Court, Washington County (District 11)**

4. Dana Moylan Wright, Esq. District 2

Judge of the District Court of Maryland, District 11, Washington County; appointed to serve a term of ten years from July 23, 2009

**Agriculture, Department of**

5. Earl F. Hance District 29  
4155 Hance Road  
Port Republic, MD 20676

Secretary of Department of Agriculture; appointed to serve at the pleasure of the Governor

**Labor, Licensing, and Regulation, Department of**

6. Alexander M. Sanchez District 46  
341 N. Charles Street, Apt. 104  
Baltimore, MD 21201

Secretary of Department of Labor, Licensing, and Regulation; appointed to serve at the pleasure of the Governor

**Veterans Affairs, Secretary of**

7. Edward Chow, Jr. District 33  
805 Coxswain Way  
Annapolis, MD 21401

Secretary of Veterans Affairs; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

8. Michael G. Miller District 30  
2698 Willow Hill Road  
Annapolis, MD 21403

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2009

**Archaeology, Advisory Committee on**

9. Thomas Frederick Forhan District 20  
7001 Westmoreland Avenue  
Takoma Park, MD 20912

Member of the Advisory Committee on Archaeology; appointed to serve remainder of a term of three years from July 1, 2009

**Blind Industries and Services of Maryland, Board of Trustees of**

10. Walter Andre Brown, Ed.D. District 40  
2156 Mt. Royal Terrace  
Baltimore, MD 21217

Member of the Board of Trustees of Blind Industries and Services of Maryland;  
reappointed to serve a term of three years from July 1, 2007

11. William E. Hadlock, Ed.D. District 9  
3454 Arcadia Drive  
Ellicott City, MD 21042

Member of the Board of Trustees of Blind Industries and Services of Maryland;  
reappointed to serve a term of three years from July 1, 2009

12. Gerald L. Moschel District 32  
1707 Saunders Way  
Glen Burnie, MD 21061

Member of the Board of Trustees of Blind Industries and Services of Maryland;  
reappointed to serve a term of three years from July 1, 2008

**Chiropractic and Massage Therapy Examiners, State Board of**

13. Clyde Anderson District 18  
2804 Blueridge Avenue  
Silver Spring, MD 20902

Member of the State Board of Chiropractic and Massage Therapy Examiners;  
appointed to serve a term to expire June 30, 2011

14. Karen A. Biagiotti District 32  
602 Newfield Road  
Glen Burnie, MD 21061

Member of the State Board of Chiropractic and Massage Therapy Examiners;  
appointed to serve a term to expire June 30, 2013

15. Michael Fedorczyk, D.C. District 27  
4004 Lakeview Turn  
Dunkirk, MD 20754

Member of the State Board of Chiropractic and Massage Therapy Examiners;  
appointed to serve remainder of a term of four years from July 1, 2006

16. Gwenda Harrison District 27  
15313 Livingston Road  
Accokeek, MD 20607

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term to expire June 30, 2013

### **Consumer Council**

17. Michael R. Lemov District 16  
6303 Wynkoop Blvd.  
Bethesda, MD 20817

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2008

18. Charles E. Sydnor, III District 10  
2 Helms Pick Court  
Catonsville, MD 21228

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

### **Correctional Training Commission**

19. Reginald Garnett District 99  
10613 Atkins Grove Court  
Glen Allen, VA 23059

Member of the Correctional Training Commission; appointed to serve remainder of a term of three years from July 1, 2008

20. Deborah J. Richardson District 10  
3927 Susanna Road  
Randallstown, MD 21133

Member of the Correctional Training Commission; appointed to serve remainder of a term of three years from July 1, 2007

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

21. Allen B. Clinedinst District 5  
1912 Ridgewood Court  
Hampstead, MD 21074

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2010

22. George Warren District 33  
1302 Double Gate Court  
Davidsonville, MD 21035

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2010

**Maryland School for the Blind, Board of Directors of the**

23. Kimberley G. Alfonso District 16  
7500 Woodmont Avenue, #616  
Bethesda, MD 20814

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve remainder of a term of three years from July 1, 2007

24. Craig D. Borne District 8  
14 Bellfalls Way  
Baltimore, MD 21236

Member of the Board of Directors of the Maryland School for the Blind; reappointed to serve a term of three years from July 1, 2007

25. Katherine A. Klausmeier District 8  
11 Bladen Street  
Annapolis, MD 21401

Member of the Board of Directors of the Maryland School for the Blind; reappointed to serve a term of three years from July 1, 2007

**Psychologists, State Board of**

26. Joann V. Altiero, Ph.D. District 28  
7765 Sutton Court  
Port Tobacco, MD 20677

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2009

**Residential Child Care Program Administrators, State Board for Certification of**

27. William L. Childers District 2  
10837 Archer Lane  
Williamsport, MD 21795

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2009

28. Ada P. Thomas District 12  
5320 Dorsey Hall Drive #117  
Ellicott City, MD 21042

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2006

**Veterinary Medical Examiners, State Board of**

29. David L. Handel District 39  
14400 Frances Green Way  
N. Potomac, MD 20878

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

30. John L. Heizer, D.V.M. District 2  
19910 Cool Hollow Road  
Hagerstown, MD 21740

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2008

31. Steven W. Kurtz, D.V.M. District 9  
2109 Ramona Lane  
Woodstock, MD 21163

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

32. Chris H. Runde District 29  
36633 Bethel Church Road  
Mechanicsville, MD 20659

Member of the State Board of Veterinary Medical Examiners; reappointed to serve a term of five years from June 1, 2009

### Statewide Nominees

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### African American History and Culture, Commission on

- S-1. Kelsey R. Bush District 29  
21931 Rosewood Terrace  
Lexington Park, MD 20653

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2009

- S-2. Charles M. Christian, Ph.D. District 41  
113 North Rock Glen Road, Apt. 113  
Baltimore, MD 21229

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2009

### Blind Industries and Services of Maryland, Board of Trustees of

- S-3. Donald J. Morris District 4  
16547 Old Emmitsburg Road  
Emmitsburg, MD 21727

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2009

**Boiler Rules, Board of**

S-4. Andris Bilmanis, Jr.  
17720 Mohr Oak Lane  
Hughesville, MD 20637

District 29

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2010

**Residential Child Care Program Administrators, State Board for Certification of**

S-5. Bruce T. Anderson  
12244 Itnyre Road  
Smithsburg, MD 21783

District 2

Member of the State Board for Certification of Residential Child Care Program Administrators; reappointed to serve a term of four years from July 1, 2009

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 118)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 119)

**RECESS**

At 11:23 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:00 P.M. on Legislative Day, February 5, 2010, Calendar Day, Monday, February 8, 2010, in memory of Reverend Doctor John L. Wright.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Monday, February 8, 2010**  
**8:00 P.M. Session**

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Note: The Maryland General Assembly did not meet in session scheduled for Monday, February 8, 2010 at 8:00 P.M. because of a severe winter snowstorm.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: February 5, 2010**  
**Calendar Day: Tuesday, February 9, 2010**

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At 10:16 A.M. the Senate resumed its session.

Prayer by Senator McFadden.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 121)

**INTRODUCTION OF BILLS**

**Senate Bill 634 – Senators Pipkin, Astle, Della, Exum, Garagiola, Kelley,  
Kittleman, Middleton, and Pugh**

AN ACT concerning

**Transportation – Maryland Emergency Medical System Operations Fund  
– Transport by Privately Owned Helicopter**

FOR the purpose of adding reimbursement of operators of private helicopter companies for costs of emergency medical transport under certain circumstances as an authorized use of money in the Maryland Emergency Medical System Operations Fund; requiring the State Emergency Medical Services Board to adopt certain regulations and protocols; making a certain stylistic change; and generally relating to the Maryland Emergency Medical System Operations Fund.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–955  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 635 – Senator Pipkin**

AN ACT concerning

**Kent County Board of Education – Members – Terms and Vacancies**

FOR the purpose of altering the term of the members of the Kent County Board of Education; requiring the County Commissioners of Kent County to appoint a certain individual to fill any vacancy on the Board; repealing certain provisions providing for the election of a certain candidate to fill a certain vacancy on the Board; providing for the application of certain provisions of this Act; and generally relating to the terms of members and vacancies on the Kent County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–801  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 636 – Senator Pipkin**

EMERGENCY BILL

AN ACT concerning

**Mental Hygiene Administration – Upper Shore Community Mental Health Center – Continued Operation**

FOR the purpose of adding the Upper Shore Community Mental Health Center to the list of State facilities maintained under the direction of the Mental Hygiene Administration of the Department of Health and Mental Hygiene; requiring the Administration, notwithstanding any other provision of law, to continue the operation of the Upper Shore Community Mental Health Center in Chestertown, Maryland; making this Act an emergency measure; and generally relating to the Upper Shore Community Mental Health Center.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–406(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health – General  
Section 10–406(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

**Senate Bill 637 – Senators Pipkin and Astle**

AN ACT concerning

**Health Insurance – Dental Provider Panels – Provider Contracts**

FOR the purpose of prohibiting a provider contract from containing a provision that requires a dental provider, as a condition of participating in certain dental provider panels, to accept a new, revised, or amended fee schedule; providing for the application of this Act; and generally relating to dental provider panels and provider contracts.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 15–112.2(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance  
Section 15–112.2(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 638 – Senators Madaleno, Conway, Currie, Frosh, Harrington, Jones, Kelley, Lenett, Middleton, Pinsky, Pugh, and Raskin**

AN ACT concerning

**Earned Income Credit Information Act**

FOR the purpose of requiring the Comptroller to publish certain information relating to eligibility for the State earned income tax credit; requiring the Comptroller to prepare and make available to employers of the State a certain notice; requiring an employer to provide certain notification to an employee who may be eligible

for the State earned income tax credit; providing that an employee may not pursue a private cause of action against an employer for the employer's failure to provide certain notice; providing for the effective date of this Act; and generally relating to employee notification of the State earned income tax credit.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–905(a), (b), and (f)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–913  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 639 – Senators Pugh, Currie, and Glassman**

AN ACT concerning

**Higher Education – Death of Police Officer or Firefighter – Edward T. Conroy Memorial Scholarship Program**

FOR the purpose of waiving tuition for any child of a police officer or firefighter killed in the line of duty in the State of Maryland; requiring the Governor to provide in the annual budget a certain amount under certain circumstances; requiring certain postsecondary institutions to allow certain students upon acceptance, after meeting enrollment requirements, to enroll in certain programs and attend classes for credit under these circumstances; requiring certain postsecondary institutions to waive tuition for certain students; providing for the termination of certain provisions of this Act; and generally relating to the enrollment and attendance of Edward T. Conroy Memorial Scholarship recipients at postsecondary institutions.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–601  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–601  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Chapter 418 of the Acts of the General Assembly of 2004)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 640 – Senators Pugh, Currie, and Harrington**

AN ACT concerning

**Telephone Companies – Distribution of Telephone Directories – Customer Opt Out**

FOR the purpose of requiring a telephone company to provide customers with an opportunity to opt out of receiving telephone directories distributed by, or on behalf of, the telephone company; requiring the Public Service Commission to adopt regulations to carry out this Act; and generally relating to telephone companies and the distribution of telephone directories.

BY adding to

Article – Public Utility Companies  
Section 8–206  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 641 – Senators Pugh, Harrington, Jones, Lenett, Madaleno, Raskin, and Rosapepe**

AN ACT concerning

**Insurance – Premium Finance Companies – Acceptance of Consideration During Term of Premium Financing Agreement – Prohibited**

FOR the purpose of prohibiting an insurance producer, employee of an insurance producer, or any other person from accepting, directly or indirectly, any valuable consideration during the term of a premium finance agreement that was facilitated by the insurance producer, employee, or other person and finances premiums under a certain policy written through the Maryland Automobile Insurance Fund; and generally relating to premium financing agreements.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 23–502  
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 642 – Senators Pugh, Jones, and Rosapepe**

AN ACT concerning

**Insurance – Premium Finance Companies – Premium Finance Agreement  
Terms – Disclosure and Publication**

FOR the purpose of requiring a premium finance company that offers premium financing to individuals who are insured under a policy of personal lines automobile insurance written through the Maryland Automobile Insurance Fund to disclose to the Maryland Insurance Commissioner certain rates, fees, and other terms and conditions applicable to the premium financing; requiring the Commissioner to establish the manner and form in which the information must be disclosed, require the information to be disclosed in a certain manner, and publish the information on the Maryland Insurance Administration's website; prohibiting a premium finance company from entering into a premium finance agreement that contains any rates, fees, or other terms and conditions that are inconsistent with those disclosed to the Commissioner; requiring a fund producer to take certain actions before binding coverage for a certain applicant for personal lines coverage written through the Maryland Automobile Insurance Fund; authorizing the fund producer to charge a certain fee; defining certain terms; and generally relating to premium finance companies and premium financing for individuals insured through 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 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–507(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Insurance  
Section 23–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 643 – Senators Pugh, Currie, Forehand, Harrington, Jones, King, Kramer, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Telephone Companies and Resellers – Third-Party Vendor Billing**

FOR the purpose of prohibiting a telephone company or reseller from engaging in certain third-party vendor billing without certain express authorization from a customer; requiring the authorization to be separate from certain other documents and to include certain information; requiring a telephone company or reseller to retain a certain copy of the express authorization for a certain period of time; requiring a telephone company or reseller to offer customers a certain blocking option under certain circumstances at no charge; requiring a telephone company or reseller to provide customers with certain notice concerning third-party vendor billing; prohibiting disconnection of a customer's telephone service or imposition of certain additional fees or interest charges for nonpayment of certain charges; authorizing the Public Service Commission to adopt certain regulations; providing that a telephone company or reseller subject to this Act is liable to a customer for certain charges; authorizing the Commission to assess a certain administrative penalty on a telephone company or reseller under certain circumstances; defining certain terms; and generally relating to third-party vendor billing.

BY adding to

Article – Public Utility Companies

Section 8-701 through 8-708 to be under the new subtitle “Subtitle 7. Third-Party Vendor Billing”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 644 – Senators Pugh, Harrington, Jones, Madaleno, and Rosapepe**

AN ACT concerning

**Insurance – Premium Finance Companies – Limitation on Referrals by Insurance Producers**

FOR the purpose of prohibiting, with respect to personal lines automobile insurance written through the Maryland Automobile Insurance Fund, an insurance producer or an agent or employee of an insurance producer from directing or referring an insured to a premium finance company in which the insurance producer, agent, or employee has a certain beneficial interest or with which the

insurance producer, agent, or employee has a certain compensation arrangement; requiring an insurance producer or an agent or employee of an insurance producer to report a certain beneficial interest in or compensation arrangement with a premium finance company to the Maryland Insurance Commissioner in a certain manner; establishing a certain civil penalty for a violation of this Act; defining certain terms; and generally relating to referrals of insureds to premium finance companies.

BY adding to

Article – Insurance

Section 23–505.3

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 645 – Senator Frosh**

AN ACT concerning

#### **Firearm Safety Act of 2010**

FOR the purpose of authorizing an investigative or law enforcement officer acting in a criminal investigation or another person acting at the prior direction and under the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of certain offenses relating to the sale, rental, purchase, or transfer of a regulated firearm under certain circumstances; requiring the Secretary of State Police or the Secretary's designee to disapprove an application of a State-regulated firearms dealer's license if the Secretary or the Secretary's designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary or the Secretary's designee suspend a dealer's license if the licensee is not in compliance with certain record-keeping and reporting requirements; authorizing a certain person to request a hearing under certain circumstances; prohibiting a person who has previously been convicted of certain crimes from possessing a firearm; requiring a valid Maryland handgun purchase permit for the purchase or receipt of a regulated firearm; establishing requirements and procedures for the issuance and renewal of a handgun purchase permit; authorizing the Secretary or the Secretary's designee to revoke a handgun purchase permit under certain circumstances; requiring that a hearing be granted to certain aggrieved persons under certain circumstances; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer's business; requiring the Secretary or the Secretary's designee to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying

certain record-keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain manner after receipt of a letter from the Secretary or the Secretary's designee requesting certain information; prohibiting a licensee from using an unreported loss or theft of a firearm as a defense in certain proceedings except under certain circumstances; allowing the Secretary or the Secretary's designee to inspect the inventory and records of a licensed dealer under certain circumstances; providing certain penalties; altering certain penalties; altering a certain definition; defining certain terms; and generally relating to firearms.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a), (m), and (s)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–101(l), 5–110(a), 5–114, 5–115, 5–133, 5–134(d), 5–141, and 5–143  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Public Safety  
Section 5–133.1 and 5–144  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 646 – Senators Pugh, Astle, Della, Garagiola, Glassman, Kelley, Klausmeier, Lenett, Peters, and Stone**

AN ACT concerning

**Workers' Compensation – Medical Presumptions**

FOR the purpose of altering the occupational disease presumption under the workers' compensation law as applied to certain firefighters, certain fire fighting instructors, certain rescue squad members, certain advanced life support unit members, and certain sworn members of the Office of the State Fire Marshal;

providing that certain diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a certain manner; providing that a certain presumption applies only if certain circumstances are met; providing for the termination of this Act; and generally relating to the occupational disease presumption for certain diseases and cancers under the workers' compensation law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–503  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 647 – Senator Pugh**

AN ACT concerning

#### **Homeowner's, Farmowner's, and Dwelling Insurance Policies – Claims for Additional Payments**

FOR the purpose of requiring each policy of homeowner's, farmowner's, or dwelling insurance issued, sold, or delivered in the State that provides certain coverage for a dwelling or personal property to contain a provision that allows an insured to file a claim for certain additional payments for at least a certain period of time; providing for the application of this Act; and generally relating to policies of homeowner's, farmowner's, and dwelling insurance.

BY adding to  
Article – Insurance  
Section 19–213  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 648 – Senator Pipkin**

AN ACT concerning

#### **Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span**

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation

Authority, in collaboration with certain other agencies, to commence the process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 649 – Senator Pipkin**

EMERGENCY BILL

AN ACT concerning

**Chesapeake Bay Bridge – Inspection by Independent Entity Required**

FOR the purpose of requiring the Maryland Transportation Authority to cause an inspection to be conducted of all elements of the superstructure and substructure of the William Preston Lane, Jr. Memorial Bridge (Chesapeake Bay Bridge) on or before a certain date; requiring the Authority to retain the services of an entity that is independent of and not affiliated with the Authority to conduct the inspection; requiring the Authority to mandate that the entity conducting the inspection use the most exacting and state-of-the-art technology in the industry to complete its evaluation; making this Act an emergency measure; and generally relating to an inspection of the Chesapeake Bay Bridge by an independent entity.

Read the first time and referred to the Committee on Finance.

**Senate Bill 650 – Senator Pipkin**

AN ACT concerning

**Maryland Transportation Authority – Proposed Toll or Fee Charges – Public Comments**

FOR the purpose of requiring certain staff of the Maryland Transportation Authority to receive and maintain written comments submitted by the public regarding proposed toll or fee charges for certain transportation facilities projects; requiring the staff to provide the members of the Authority with copies of the

written comments; and generally relating to public comments submitted to the Maryland Transportation Authority regarding certain proposed toll or fee charges.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–101(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 651 – Senators Pipkin and Astle**

AN ACT concerning

**Maryland Transportation Authority – Toll Increase – Public Meeting Requirement**

FOR the purpose of requiring that, prior to instituting a toll increase for a transportation facilities project under its jurisdiction, the Maryland Transportation Authority hold a public meeting at a place located within a certain radius of the transportation facilities project; and generally relating to a requirement for a public meeting related to toll increases for certain facilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 652 – Senators DeGrange, Brochin, Conway, Edwards, Forehand, Garagiola, Kelley, Klausmeier, Munson, Peters, Raskin, Rosapepe, Simonaire, and Stone**

AN ACT concerning

**Property Tax Credit – Habitat for Humanity**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain real property owned by Habitat for Humanity; requiring Habitat for Humanity to submit an annual report to certain governing bodies under certain circumstances; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to set, by law, the amount, terms, scope, and duration of the tax credit and to provide for any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to authorization for a property tax credit for certain real property owned by Habitat for Humanity.

BY adding to

Article – Tax – Property

Section 9–252

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 653 – Senators Lenett, Madaleno, and Raskin**

AN ACT concerning

**Environment – Coal Combustion By-Products – Minimum Standards –  
Beneficial Uses**

FOR the purpose of requiring a person using or disposing of coal combustion by-products to comply with certain standards if the by-products come into contact with the ground; requiring a person making certain use of coal combustion by-products to comply with certain regulations and permit provisions; requiring a person using coal combustion by-products for certain purposes to use engineering practices that meet a certain standard; repealing certain provisions made obsolete by this Act; and generally relating to the use of coal combustion by-products.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–289

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing

Article – Environment

Section 15–407

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 654 – Senators Lenett, Gladden, Muse, and Raskin**

EMERGENCY BILL

AN ACT concerning

**Real Property – Tenants in Foreclosure – Conforming to Federal Law**

FOR the purpose of providing that an immediate successor in interest who has acquired legal title to certain residential property pursuant to a foreclosure shall assume the interest subject to the provision of a certain notice to vacate and certain rights of a certain bona fide tenant; establishing the circumstances under which a lease or tenancy shall be considered bona fide; authorizing termination of a lease if the purchaser will occupy the property as the purchaser's primary residence; establishing certain requirements for a notice to vacate; providing for the construction of a certain provision of this Act; altering the contents of certain notices required to be sent to occupants of certain residential property in foreclosure; requiring a certain notice to be sent to certain persons if a foreclosure action is dismissed, withdrawn, or terminated; defining a certain term; making this Act an emergency measure; and generally relating to tenants in foreclosure.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.6 and 7–105.9  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 655 – Senator Lenett**

AN ACT concerning

**Task Force to Study Financial Matters Relating to Long–Term Care Facilities  
– Extension**

FOR the purpose of extending the termination date of the Task Force to Study Financial Matters Relating to Long–Term Care Facilities; altering certain dates by which certain reports are required to be submitted; and generally relating to the Task Force to Study Financial Matters Relating to Long–Term Care Facilities.

BY repealing and reenacting, with amendments,  
Chapter 672 of the Acts of the General Assembly of 2008  
Section 1 and 2

Read the first time and referred to the Committee on Finance.

**Senate Bill 656 – Senator Lenett**

AN ACT concerning

**Energy Performance Ratings – State, County, and Municipal Buildings**

FOR the purpose of requiring, beginning on a certain date, the governing body of a county or a municipal corporation to post a certain Energy Star rating for certain county or municipal buildings in a certain area of the buildings; beginning on certain dates, requiring the Department of General Services to post a certain Energy Star rating for certain State buildings in a certain area of the buildings; defining certain terms; and generally relating to the energy performance of State, county, and municipal buildings.

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–111  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 4–808.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 657 – Senators DeGrange, Astle, Garagiola, Jones, Kasemeyer, Klausmeier, Kramer, Miller, Pipkin, Reilly, and Robey**

**EMERGENCY BILL**

AN ACT concerning

**Recordation Taxes and State Transfer Tax – Debt Forgiven in “Short Sale”**

FOR the purpose of clarifying that for the purposes of recordation taxes and the State transfer tax, the consideration payable for an instrument of writing to which the tax applies does not include the amount of any debt forgiven or assumed by a

person other than the grantee; making this Act an emergency measure; and generally relating to recordation taxes and State transfer tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–103(a) and 13–203(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 658 – Senators DeGrange, Astle, and Rosapepe**

AN ACT concerning

**Anne Arundel County – Property Tax Credit – Habitat for Humanity of the Chesapeake ReStore**

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county or municipal tax imposed on real property that is owned by Habitat for Humanity of the Chesapeake ReStore; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for the amount, terms, scope, and duration of the credit and to provide for any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to a property tax credit for certain real property owned by Habitat for Humanity of the Chesapeake ReStore.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–303(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 659 – Senators Klausmeier, Conway, Harrington, and Lenett**

AN ACT concerning

**Education – Immunizations – Children Entering Seventh Grade or Higher**

FOR the purpose of requiring the Department of Health and Mental Hygiene’s regulations regarding immunizations to include the requirement that the parent or legal guardian of a child born on or after a certain date entering a certain grade level in this State on or after a certain date to have had certain

immunizations administered to the child; requiring the Department to require the parent or legal guardian of a child born on or after a certain date transferring into a school in this State on or after a certain date to have had certain immunizations administered to the child; making a technical change; and generally relating to immunizations for school children.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–403(a)(2) and (3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 660 – Senator Klausmeier**

AN ACT concerning

**State Personnel – Natural Resources Law Enforcement Officers –  
Appointment to Major or Lieutenant Colonel**

FOR the purpose of authorizing the Secretary of Natural Resources to appoint a certain law enforcement officer to the rank of Major or Lieutenant Colonel without examination; establishing that a certain law enforcement officer appointed in accordance with certain provisions of this Act continues to serve at the pleasure of the Secretary; providing that on termination of a certain appointment, a certain law enforcement officer may return to a certain rank or be promoted to a certain higher rank under certain circumstances; establishing that in cases of inconsistency between certain provisions of this Act and certain other provisions of law, certain provisions of this Act shall control as to certain matters; making certain conforming changes; providing for the application of certain provisions of this Act; and generally relating to law enforcement officers of the Department of Natural Resources.

BY adding to  
Article – Natural Resources  
Section 1–107  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 1–203 and 5–206  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 661 – Senator Klausmeier**

AN ACT concerning

**Public Service Commission – Competitive Electricity and Gas Supplier Referral Program**

FOR the purpose of requiring the Public Service Commission to establish a Competitive Electricity and Gas Supplier Referral Program by a certain date; specifying the terms and conditions under which an electricity or gas supplier may participate in the Program; requiring electric and gas companies to include certain information in certain customer bills in a certain manner at certain times; requiring an electric company or a gas company to provide to certain customers a certain opportunity at a certain time; requiring an electric company or a gas company to take certain actions to enroll certain customers with certain suppliers under certain circumstances; requiring electric or gas companies to provide certain notice in a certain form within a certain time period; requiring a certain electricity supplier or gas supplier to provide a certain customer with a certain sales agreement containing certain information within a certain time period; providing the mechanism by which a certain sales agreement takes effect; providing for the application of a certain provision; requiring a certain electricity or gas supplier to provide certain notice to a customer within a certain period before the end of a certain term; providing that a customer remains the customer of a certain electricity or gas supplier under certain circumstances; providing that a certain electricity or gas supplier has made a certain affirmation under certain circumstances; requiring an electric or gas company to make available certain information on request; prohibiting certain customers from being charged certain additional fees; providing for the application of this Act; defining certain terms; and generally relating to electricity and gas supply services.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 1–101(h), (j), (k), and (n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–518  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 662 – Senator Klausmeier**

AN ACT concerning

**Prescription Drugs – Controlled Dangerous Substances – Certification of Information on Delivery**

FOR the purpose of requiring deliverers of certain prescription drugs and the recipients of those drugs to endorse a certain form; requiring the form to certify certain information; requiring the submission of the form to the State Board of Pharmacy; requiring the Board to adopt certain regulations; and generally relating to the delivery of prescriptions drugs that are controlled dangerous substances to patients.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–403  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 663 – Senators Klausmeier, Della, Exum, Forehand, King, Lenett, Madaleno, Muse, Peters, Pugh, and Raskin**

AN ACT concerning

**Health Insurance – Prescription Drugs – Cost-Sharing Obligations**

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a cost-sharing obligation for a prescription drug that exceeds the dollar amount of the cost-sharing obligation for a prescription drug in a certain category; prohibiting a person from making or allowing unfair discrimination between certain individuals in the amount of the cost-sharing obligation imposed for a prescription drug; defining a certain term; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance cost-sharing obligations for prescription drugs.

BY adding to  
Article – Insurance  
Section 15–845 and 27–208(b)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 664 – Senators Klausmeier, Dyson, and Harris**

AN ACT concerning

**Environment – Dental Radiation Machines – Inspections**

FOR the purpose of requiring a State inspector to provide a dental office or dental facility a certain written notice under certain circumstances; prohibiting the Department of the Environment from imposing a fine on a dental office or dental facility for a certain violation under certain circumstances; and generally relating to inspections of dental radiation machines.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 8–301(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 665 – Senators Klausmeier and Astle**

AN ACT concerning

**Health Insurance – Dental Provider Contracts – Prohibited Provision**

FOR the purpose of prohibiting a carrier from including in a dental provider contract a provision that requires a dental provider to provide certain services; defining a certain term; providing for the application of this Act; and generally relating to dental provider contracts.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 15–112.2(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 15–112.2(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 666 – Senators Muse, Forehand, Haines, and Stone**

**EMERGENCY BILL**

AN ACT concerning

**Real Property – Transfer Fees – Prohibition**

FOR the purpose of prohibiting a person who conveys a fee simple interest in real property from recording a covenant for the payment of a transfer fee under certain circumstances; establishing that a covenant that requires a certain payment of a transfer fee is void under certain circumstances; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to the prohibition on transfer fees on real property.

BY adding to

Article – Real Property

Section 10–708

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 667 – Senators Forehand, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone**

AN ACT concerning

**Criminal Law – Sexual Crimes – Definitions**

FOR the purpose of altering the definition of “sexual act” to include an act in which a part of an individual’s body is used to penetrate certain body parts of another individual; altering the definition of “sexual contact”; and generally relating to definitions relating to sexual crimes.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 3–301(a)

Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–301(e) and (f)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 668 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Laurel Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 669 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Marlboro Meadows Senior Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Marlboro Meadows Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 670 – Senators Simonaire, Haines, Jacobs, Mooney, and Stone**

AN ACT concerning

**Criminal Law – Trespass on Posted Property and Wanton Trespass on Private Property – Penalties**

FOR the purpose of increasing the penalties for subsequent violations of the crime of trespass on posted property; increasing the penalties for subsequent violations of the crime of wanton trespass on private property; and generally relating to penalties for the trespass crimes.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 6–402 and 6–403  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 671 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Drug-Free Zones Pilot Program – Public Parks and Recreation Areas**

FOR the purpose of prohibiting a person in Anne Arundel County from manufacturing, distributing, dispensing, or possessing with intent to distribute a controlled dangerous substance in violation of a certain provision, or conspiring to commit the crimes, in a public park or recreation area; establishing certain penalties for a violation of this Act; establishing that a certain mandatory minimum penalty may not be suspended; establishing the ineligibility for parole for a certain person except under certain circumstances; requiring a sentence for a violation of this Act to be consecutive to any other sentence; establishing that a conviction for a violation of this Act may not merge with certain other convictions; authorizing the county to post certain signs; defining a certain term; providing for the termination of this Act; and generally relating to drug free zones in Anne Arundel County.

BY adding to  
Article – Criminal Law  
Section 5–629  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 672 – Senators Dyson, Colburn, Harris, and Reilly**

AN ACT concerning

**Patient Referrals – Imaging and Radiation Therapy Services – Accreditation**

FOR the purpose of altering the definition of “in-office ancillary services” as it relates to certain referrals by certain health care practitioners so as to include magnetic resonance imaging services, computed tomography scan services, and radiation therapy services; altering certain exceptions to certain patient referral prohibitions; requiring health care entities that furnish magnetic resonance imaging services, radiation therapy services, and computed tomography scan services to receive accreditation from certain organizations by certain dates; authorizing the provisional accreditation of certain health care entities; requiring certain health care entities to maintain certain standards and make available evidence of accreditation; defining a certain term; and generally relating to the referral of patients for magnetic resonance imaging services, computed tomography scan services, and radiation therapy services.

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 1–301, 1–302, and 1–303  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Health Occupations  
Section 1–601 to be under the new subtitle “Subtitle 6. Accreditation of Business Entities That Furnish Magnetic Resonance Imaging Services, Computed Tomography Scan Services, and Radiation Therapy Services”  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 673 – Senator Harris**

AN ACT concerning

**Natural Resources – Hand-Launched Vessels – Statewide Pass**

FOR the purpose of requiring the Department of Natural Resources to establish a certain statewide pass for certain hand-launched vessels; requiring the Department to issue a pass to certain persons who apply and pay a certain fee to the Department; authorizing a certain holder of a pass to use certain boating access facilities subject to certain requirements; requiring a pass to be displayed

in a certain manner; requiring certain fees be distributed to a special fund for a certain purpose; defining certain terms; and generally relating to a statewide pass for hand-launched vessels.

BY adding to

Article – Natural Resources  
Section 8–703.3  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 674 – Senator Kittleman**

AN ACT concerning

#### **Robert Kittleman Scholarship Reform Act**

FOR the purpose of repealing certain laws relating to senatorial and delegate scholarships; and generally relating to the repeal of senatorial and delegate scholarships.

BY repealing

Article – Education  
Section 18–401 through 18–408 and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 675 – Senators Kittleman and Jacobs**

AN ACT concerning

#### **Unemployment Insurance – Exemption from Covered Employment – Small Business Directors, Officers, and Members**

FOR the purpose of providing that work performed by an officer or director of a certain corporation or a member of a certain limited liability company under certain circumstances is not covered employment for purposes of unemployment insurance; and generally relating to an exemption from unemployment insurance of certain employment performed for small corporations and small limited liability companies.

BY adding to

Article – Labor and Employment  
Section 8–224  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

## MESSAGE FROM THE HOUSE OF DELEGATES

### FIRST READING OF HOUSE BILLS

**House Bill 80 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

#### **State Board for Professional Engineers**

FOR the purpose of requiring the State Board for Professional Engineers to adopt regulations to require a demonstration of professional competency as a condition of renewal of a license to practice engineering under certain circumstances; providing for implementation of the continuing competency program on a phased-in basis; authorizing the Board to issue certain retired status licenses; prohibiting a holder of a retired status license from practicing engineering; authorizing the holder of a retired status license to use a certain designation; authorizing the Board to reactivate a retired status license under certain circumstances; and generally relating to the practice of professional engineering.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 14–314  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 14–316  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 84 – Chair, Economic Matters Committee (By Request –  
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration  
Contractors – Membership**

FOR the purpose of increasing the number of members of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; and generally relating to the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 9A-202  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**House Bill 130 – The Speaker (By Request – Department of Legislative  
Services)**

AN ACT concerning

**State Board for Professional Land Surveyors – Sunset Extension and  
Program Evaluation**

FOR the purpose of continuing the State Board for Professional Land Surveyors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board for Professional Land Surveyors.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 15-702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government

Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(35)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 133 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Pilots – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Pilots in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation, in conjunction with the Board, to submit a certain report on or before a certain date; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–802  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(50)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 134 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Examiners of Landscape Architects – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Examiners of Landscape Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to certain statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 9–702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(36)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 136 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Plumbing – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Plumbing in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; requiring the Department of Labor, Licensing, and Regulation to submit a certain report on or before a certain date; and generally relating to the State Board of Plumbing.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–702  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(51)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

#### **Senate Bill 11 – Senator Conway**

AN ACT concerning

**Business Regulation – Returnable Containers – Plastic Secondary Packaging**

SB0011/514731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 11  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Dyson”; in line 3, strike “accepting possession of” and substitute “purchasing”; and in line 12, strike “possession and”.

AMENDMENT NO. 2

On page 2, in line 5, strike “ACCEPT POSSESSION OF” and substitute “PURCHASE”; and in line 23, strike “BUYER” and substitute “PURCHASER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 43 – Senator Haines**

AN ACT concerning

**Public Safety – Board of Boiler Rules – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Comprehensive Master Plans**

**SB0074/584934/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 74  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “plan” insert “or update”.

AMENDMENT NO. 2

On page 4, in lines 30 and 35, in each instance, after the second “**PLAN**” insert “**OR UPDATE**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Public Safety and  
Correctional Services)**

AN ACT concerning

**Health General – Disease Prevention and Testing – Inmates of Correctional  
Institutions**

**SB0077/214736/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 77  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Services)” insert “and Senator Harrington”.

AMENDMENT NO. 2

On page 2, in line 19, strike “**BRONCHIAL**” and substitute “**BUCCAL**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Office of Student Financial  
Assistance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Exempt Institutions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 122)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #6**

**Senate Bill 42 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Orphans’ Court Judges – Pensions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 0      (See Roll Call No. 123)

The Bill was then sent to the House of Delegates.

**Senate Bill 59 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Agriculture)**

AN ACT concerning

**Agricultural Land Transfer Tax – Distribution and Use of Revenue**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 124)

The Bill was then sent to the House of Delegates.

**Senate Bill 64 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Business and Economic Development) and Senators  
Garagiola and Jones**

AN ACT concerning

**Maryland Research and Development Tax Credit – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41      Negative – 0      (See Roll Call No. 125)

The Bill was then sent to the House of Delegates.

### ADJOURNMENT

At 10:44 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:44 A.M. on Tuesday, February 9, 2010.

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**Annapolis, Maryland  
Tuesday, February 9, 2010  
10:45 A.M. Session**

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The Senate met at 10:45 A.M.

Prayer by Senator McFadden.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 126)

The Journal of February 5, 2010 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Middleton, Muse and Stoltzfus be excused from today's session.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 3 – Senators Klausmeier, Middleton, and Robey**

AN ACT concerning

**Environment – Wetlands and Waterways Program Fees – Aquaculture**

**SB0003/974933/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 3

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, Colburn, and Dyson”; and in line 5, after “Program;” insert “requiring the Aquaculture Coordinating Council to report certain information to the Department of the Environment and the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 4, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013, the Aquaculture Coordinating Council shall report to the Department of the Environment and, in accordance with § 2-1246 of the State Government Article, the General Assembly on:

(1) The status of commercial aquaculture in the State;

(2) The fiscal impact of the fee exemption established under this Act;

and

(3) Any other findings and recommendations related to the implementation of this Act.”;

and in line 10, strike “2.” and substitute “3.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Commission on Environmental Justice and Sustainable Communities –  
Membership**

**SB0060/724334/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 60

(First Reading File Bill)

On page 1, in the sponsor line, after “Environment)” insert “and Senators Harrington and Lenett”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Horse Industry Fund – Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 10, 2010.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 81 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – License Suspensions and  
Revocations – Maximum Penalties

SB0081/624436/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 81

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “altering the” and substitute “providing that a certain”; in line 5, after “circumstances” insert “applies only to a first offense; establishing a maximum penalty for a second or subsequent offense that may be imposed by the Board under certain circumstances”.

AMENDMENT NO. 2

On page 1, in lines 18 and 20, in each instance, strike the brackets; in lines 18 and 20, in each instance, strike “**\$10,000**” and substitute “FOR A FIRST OFFENSE”; after line 20, insert:

“(C) IN ADDITION TO SUSPENSION OR REVOCATION OF THE LICENSE, THE BOARD MAY IMPOSE A PENALTY OF NOT MORE THAN \$10,000 FOR A SECOND OR SUBSEQUENT OFFENSE.”;

and in line 21, strike “(c)” and substitute “(D)”.

On page 2, in line 1, strike “(d)” and substitute “(E)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 82 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Commercial Feed Law – Definitions – Prohibition on Sale**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 83 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)**

AN ACT concerning

**Department of Housing and Community Development – Group Home Financing Program – Refinancing**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 84 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission – Membership**

**SB0084/674334/1**

BY: Education, Health, and Environmental Affairs Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the first “of” insert “expanding the maximum number of members of the Tidal Fisheries Advisory Commission; requiring the composition of the Tidal Fisheries Advisory Commission to reflect the geographic regions of the State where the commercial fishing industry is operating;”.

AMENDMENT NO. 2

On page 1, in line 21, strike “12” and substitute “15”.

On page 2, in line 1, after “(3)” insert “(I)”; in the same line, strike “eleven” and substitute “14”; and after line 2, insert:

**“(II) THE COMPOSITION OF THE COMMISSION SHALL REFLECT THE GEOGRAPHIC REGIONS OF THE STATE WHERE THE COMMERCIAL FISHING INDUSTRY IS OPERATING.”**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 88 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Advisory Council**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Secretary of Agriculture – Farm Quarantine**

**SB0090/214434/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 90

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “circumstances;” insert “providing that certain provisions of this Act do not limit the authority of the Secretary of the Environment under a certain provision of law;”; and in line 19, after “livestock,” insert “poultry,”.

AMENDMENT NO. 2

On page 2 in line 5, on page 3 in lines 2, 5, 8, 19, and 22, on page 4 in line 32, on page 5 in line 28, and on page 6 in line 7, in each instance, after “**LIVESTOCK,**” insert “POULTRY,”.

On page 2, in line 7, after “**EXPOSED**” insert “TO”; in line 23, strike “**OR**” and substitute a comma; and in the same line, after “**TENANT**” insert “, OR ANIMAL OWNER”.

On page 3, in line 12, after “**LIVESTOCK**” insert “AND POULTRY”.

AMENDMENT NO. 3

On page 4, after line 25, insert:

**“(K) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT ANY AUTHORITY OF THE SECRETARY OF THE ENVIRONMENT UNDER § 8-105 OF THE ENVIRONMENT ARTICLE.”**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0090/633829/1**

BY: Senator Conway

AMENDMENT TO SENATE BILL 90  
(First Reading File Bill)

On page 2, in line 26, strike the first “OR” and substitute a comma; and in the same line, after “TENANT” insert “, OR ANIMAL OWNER”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #5**

**CONSENT CALENDAR #50**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 40 – Senator Colburn**

AN ACT concerning

**Dorchester County – Membership of Sanitary Commission**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 47 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Restaurant Seating Requirement**

**SB0047/874436/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 47

(First Reading File Bill)

On page 2, strike beginning with “**EXCEPT**” in line 3 down through “**SEATING**” in line 4 and substitute “**SEATING**”; in line 4, strike “**75**” and substitute “**50**”; strike in their entirety lines 6 through 12, inclusive; in line 13, in each instance, strike the bracket; in the same line, strike “**(3)**”; in line 14, in each instance, strike the bracket; and in the same line, strike “**(4)**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 13 – Senator Raskin**

AN ACT concerning

**Civil Proceedings – Foreign Defamation Judgments – Enforceability and  
Bases of Personal Jurisdiction**

**SB0013/548177/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 13

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “prohibiting recognition of certain foreign judgments;”; in the same line, strike the second “a”; in line 7, strike

“judgment need” and substitute “judgments may”; in line 8, strike “finding” and substitute “determination”; and in the same line, after the semicolon insert “authorizing a court to award costs and reasonable attorney’s fees to a party opposing recognition or enforcement of a certain foreign judgment; defining a certain term.”.

#### AMENDMENT NO. 2

On page 1 after line 24, and on page 2 after line 17, in each instance, insert:

**“(A) IN THIS SECTION, “DEFAMATION” INCLUDES INVASION OF PRIVACY BY FALSE FACTS.”.**

On page 2, in line 1, before “A” insert “**(B)**”; and in lines 18 and 27, strike “(a)” and “(b)”, respectively, and substitute “**(B)**” and “**(C)**”, respectively.

#### AMENDMENT NO. 3

On page 2, strike beginning with the colon in line 8 down through “**THE**” in line 11 and substitute “**THE**”; and in lines 13 and 15, strike “**(I)**” and “**(II)**”, respectively, and substitute “**(1)**” and “**(2)**”, respectively.

#### AMENDMENT NO. 4

On page 2, in line 27, strike “need” and substitute “**MAY**”.

#### AMENDMENT NO. 5

On page 3, in line 6, strike “OR”; and in line 13, after the second “CONSTITUTION” insert “**;**OR”

**(7) THE CAUSE OF ACTION RESULTED IN A DEFAMATION JUDGMENT ENTERED AGAINST THE PROVIDER OF AN INTERACTIVE COMPUTER SERVICE, AS DEFINED IN 47 U.S.C. § 230, UNLESS THE COURT BEFORE WHICH THE MATTER IS BROUGHT IN THIS STATE DETERMINES THAT THE JUDGMENT IS CONSISTENT WITH 47 U.S.C. § 230.**

**(D) IN ANY ACTION BROUGHT IN A COURT OF THIS STATE UNDER § 6-103.3 OF THIS ARTICLE OR TO ENFORCE A FOREIGN JUDGMENT, THE COURT MAY AWARD THE PARTY OPPOSING RECOGNITION OR ENFORCEMENT OF THE FOREIGN JUDGMENT REASONABLE ATTORNEY’S FEES AND COSTS, IF THE PARTY PREVAILS IN THE ACTION ON A GROUND SPECIFIED IN THIS SECTION”.**

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 46 – Senator Colburn**

AN ACT concerning

**Vehicle Laws – Registration and Driver’s License Renewal Fees – No Charge  
for Recipients of Medal of Honor**

**SB0046/928074/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 46  
(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Colburn” and substitute “Senators Colburn, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Peters, Raskin, Simonaire, and Stone”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 51 – Senator Raskin**

AN ACT concerning

**Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

SB0051/388076/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 51  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Raskin” and substitute “Senators Raskin and Forehand”; and in line 4, after “distance” insert “, except under certain circumstances”.

AMENDMENT NO. 2

On page 1, in line 23, after “FEET” insert “, UNLESS, AT THE TIME:

(I) THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER FAILS TO OPERATE THE VEHICLE IN CONFORMANCE WITH § 21-1205(A) OF THIS SUBTITLE (“RIDING TO RIGHT SIDE OF ROADWAY”) OR § 21-1205.1(B) OF THIS SUBTITLE (“ROADWAY WITH BIKE LANE OR SHOULDER PAVED TO SMOOTH SURFACE”); OR

(II) A PASSING CLEARANCE OF LESS THAN 3 FEET IS CAUSED SOLELY BY THE BICYCLE, EPAMD, OR MOTOR SCOOTER RIDER FAILING TO MAINTAIN A STEADY COURSE”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 61 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Family Law – Criminal History Records Checks – Employees and Employers in Facilities and Other Individuals That Care for or Supervise Children**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Criminal Procedure – Expiration Date of Sentences – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 245 – Senator Simonaire**

AN ACT concerning

**School Bus Seat Belt Corrective Language Act**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 127)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #7**

**Senate Bill 26 – Senators Miller, Kasemeyer, and Kittleman**

AN ACT concerning

**Maryland Constitutional Convention – Sense of the Voters**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 128)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 129)

**ADJOURNMENT**

At 11:14 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 10, 2010.

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**Annapolis, Maryland**  
**Wednesday, February 10, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer was prepared by Reverend Dan Mucci and read by Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 9, 2010 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Brinkley, Dyson, Exum, Glassman, Harris, Jacobs, Madaleno, McFadden, Middleton, Muse, Raskin, Rosapepe, Stoltzfus, Stone and Zirkin be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 32 Members present.

(See Roll Call No. 131)

Senator Kasemeyer moved to suspend the rules to allow the following Senate bills to be referred to the appropriate committees.

The motion was adopted by a roll call vote as follows:

Affirmative - 32      Negative - 0      (See Roll Call No. 132)

**INTRODUCTION OF BILLS**

**Senate Bill 676 – Senator McFadden**

AN ACT concerning

**For-Hire Driving Services – Temporary For-Hire Driver's Licenses and  
Operator's Dress Code**

FOR the purpose of requiring the Public Service Commission to issue to a certain applicant a temporary for-hire driver's license and, if applicable, a badge for a certain period immediately on receipt of a completed application in which the applicant has included certain information regarding certain felony and

misdemeanor convictions, a certain application fee, and a certain certified driver's record; providing that a certain temporary for-hire driver's license shall expire at the earlier of a certain time if the Commission has not received a certain criminal history records check under certain circumstances, on the date of issuance or denial of a for-hire driver's license, or on a certain date; requiring an individual who operates a motor vehicle for hire or a taxicab to comply with a certain dress code while operating the motor vehicle for hire or taxicab under certain circumstances; and generally relating to for-hire driving services.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 10–101(a) and (d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 10–107  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 10–302  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 677 – Senators Della, Exum, Harrington, Kelley, Lenett, Pinsky, Raskin, Rosapepe, and Zirkin**

AN ACT concerning

**Telephone Companies – Acquisitions and Franchises**

FOR the purpose of requiring a certain telephone company to provide the Public Service Commission with copies of certain documents at certain times under certain circumstances; requiring the Commission to provide a certain telephone company with certain confidentiality and other protections under certain circumstances; prohibiting certain persons from acquiring the power to exercise certain influence over the policies and actions of a telephone company under certain circumstances without prior authorization from the Commission; prohibiting a certain person from acquiring a certain franchise or right under a certain franchise without prior authorization from the Commission; authorizing the Commission to order compliance with, and take certain actions authorized by, certain provisions under certain circumstances; requiring a certain

application to include certain information; requiring the Commission to promptly examine and investigate certain applications and undertake certain proceedings to review the application in accordance with certain provisions and issue a certain order under certain circumstances; requiring the Commission to consider certain factors when considering a certain acquisition; requiring the Commission to issue a certain order granting a certain application under certain circumstances; authorizing the Commission to condition a certain order on the satisfactory performance or adherence to certain requirements; requiring the Commission to issue an order denying a certain application under certain circumstances; requiring the Commission to issue a certain order within a certain time period under certain circumstances; providing for an extension of a certain time period under certain circumstances; providing that the failure of the Commission to issue a certain order within a certain time period is considered to be approval of a certain acquisition; providing that nothing in certain provisions prohibits dissemination of certain information by any party under certain circumstances; providing for the application of certain provisions; and generally relating to the acquisition of a certain telephone company or the acquisition of a certain franchise to own or operate a telephone line in the State.

BY adding to

Article – Public Utility Companies

Section 6–106

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 678 – Senators Della, Forehand, Lenett, Pinsky, and Raskin**

AN ACT concerning

**Commercial Law – Credit Services Businesses – Limitation on Fees**

FOR the purpose of prohibiting a credit services business, its employees, and certain independent contractors from charging or receiving any money or other valuable consideration in connection with an extension of credit that, when combined with any interest charged on the extension of credit, would exceed a certain interest rate; and generally relating to the regulation of credit services businesses.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–1902

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 679 – Senators Harrington, Lenett, Pinsky, and Raskin**

AN ACT concerning

**Campaign Finance Entities – Contribution Records and Reports**

FOR the purpose of requiring the treasurer of a campaign finance entity, to the extent practicable, to record certain information regarding an individual who makes contributions of a certain cumulative amount during a certain period of time to the campaign finance entity; requiring the treasurer to include certain information regarding contributors in the campaign finance report that the treasurer of a campaign finance entity is required to file; providing for a delayed effective date; and generally relating to the contribution records and reports of campaign finance entities.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–221 and 13–304(b)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 680 – Senator Harrington**

AN ACT concerning

**Criminal Law – Simulated Census Documents – Prohibition**

FOR the purpose of prohibiting a person from using, sending, or delivering to another a certain document that simulates an official letter, survey, or questionnaire relating to the decennial census of the United States or implies a certain association with certain government entities for a certain purpose; prohibiting a person from using a certain logo, seal, insignia, envelope, or other form that simulates certain identifying information of any governmental unit; providing for a certain penalty; providing for the proof of sending; establishing the jurisdiction in which a certain person may be prosecuted; and generally relating to prohibiting simulated census documents.

BY adding to

Article – Criminal Law

Section 8–524

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 681 – Senators Pinsky, Brochin, Della, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, King, Lenett, Madaleno, Peters, Raskin, Robey, and Stone**

AN ACT concerning

**Public Funding and Small Donor Act for General Assembly Elections**

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; requiring the District Court to add a certain surcharge to certain fines imposed by the District Court for certain violations and to transfer the surcharges collected to the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to raise certain supplemental private contributions under certain circumstances; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and

recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for delayed effective dates for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Public Funding and Small Donor Act for General Assembly Elections.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 7–301(f)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 7–301(g)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226, 13–227, and 13–235

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY adding to

Article – Election Law

Section 13–505; and 15–101 through 15–118 to be under the new title “Title 15. Public Funding and Small Donor Act for General Assembly Elections”

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–402(a)(25) and (34)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Judicial Proceedings.

**Senate Bill 682 – Senators Pinsky, Exum, Forehand, Gladden, Harrington,  
Jones, Kelley, Lenett, Madaleno, McFadden, Pugh, and Raskin**

AN ACT concerning

**Maryland Health System Act of 2010**

FOR the purpose of establishing the Maryland Health System; specifying the purposes of the Health System; stating a certain intention of the General Assembly; providing that certain residents of the State are members of the Health System and are eligible to receive certain benefits; prohibiting certain health care providers from using preexisting medical conditions to determine the eligibility of a member to receive benefits; prohibiting certain health care providers from refusing to provide services to a member on the basis of certain factors; requiring the Maryland Health System Policy Board to establish a certain package of benefits including certain services to be provided by the Health System; providing that certain coverage may not be subject to coinsurance, deductibles, or co-payments; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate the services covered by the Health System; authorizing a member to choose any participating health care provider; requiring the Health System to make certain reimbursements to certain members; authorizing a participating health care provider to charge a member directly for certain services; prohibiting a participating health care provider from imposing certain charges; requiring the Health System to institute and use an electronic claim and payment system; requiring a participating health care provider to use the electronic claim and payment system to file claims; providing for certain budgets and payments for certain health care providers; establishing the Maryland Health System Policy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Administrative Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Health Needs, Planning, and Improvement Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health Quality Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Patient Advocacy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Patient Advocacy Board; establishing the Maryland Health System Trust Fund; specifying the purposes, contents, and uses of the Fund; establishing the Maryland Health System Fund Board; specifying the membership of the Fund Board and the terms, duties, and powers of the members of the Fund Board; establishing the Maryland Health System Payment Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Office of the Health Inspector General; specifying the duties of the Health Inspector General; specifying the initial terms of the appointed members of the Maryland Health

System Policy Board; requiring the Department of Health and Mental Hygiene to apply to the Secretary of Health and Human Services for certain waivers from certain federal requirements on or before a certain date; requiring the Maryland Health System Policy Board to seek certain waivers on or before a certain date; requiring the Maryland Health System Policy Board to submit a certain report to the Governor and the General Assembly on or before a certain date; providing that negotiated health insurance contributions made by employers on behalf of employees who are working in the State temporarily but who reside outside the State may not be abridged by this Act; defining certain terms; providing for the effective dates of this Act; and generally relating to the Maryland Health System.

BY adding to

Article – Health – General

Section 25–101 through 25–1001 to be under the new title “Title 25. Maryland Health System”

Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 683 – Senators Peters, Harrington, Currie, Exum, Miller, Muse, Pinsky, and Rosapepe**

AN ACT concerning

**Property Taxes – Homestead Property Tax Credit**

FOR the purpose of providing that the homestead property tax credit applies to any State, county, or municipal corporation property tax, including certain taxes imposed by a county for a bicounty commission and certain taxes imposed for special taxing districts; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–105(b)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 684 – Senators Peters, Colburn, Currie, Haines, Harris, Jacobs, Mooney, Muse, Raskin, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Courts – Veterans’ Treatment Court Pilot Program – Establishment**

FOR the purpose of authorizing the establishment of a Veterans’ Treatment Court Pilot Program in certain counties under certain circumstances; authorizing the Chief Judge of the Court of Appeals to accept a gift or grant for certain purposes under certain circumstances; providing that a defendant charged with a certain nonviolent crime who is a veteran and who exhibits substance abuse or mental health problems is eligible for diversion to a certain veterans’ treatment court; providing for certain procedures; requiring the Administrative Office of the Courts to incorporate the Veterans’ Treatment Court Pilot Program under the Office of Problem–Solving Courts, make certain best practice recommendations, and establish performance evaluations for the courts; providing for the period for which a veterans’ treatment court retains jurisdiction; authorizing the use of funds from a certain special fund for providing certain substance abuse services through a veterans’ treatment court; establishing the applicability of the subtitle; defining certain terms; requiring the circuit administrative judges for certain circuits to submit jointly a certain report on the pilot program; making this Act subject to a certain contingency; providing for the termination of this Act; and generally relating to the establishment of a Veterans’ Treatment Court Pilot Program.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 6–220(b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 6–2A–01 through 6–2A–09 to be under the new subtitle “Subtitle 2A.  
Veterans’ Treatment Court Pilot Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 8–6A–01(b)(1) and (3)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 8–6A–01(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

**Senate Bill 685 – Senators DeGrange, Brinkley, Currie, Edwards, Kasemeyer, King, Kramer, McFadden, Miller, Munson, Peters, and Stoltzfus**

AN ACT concerning

**Personal Property Tax – Heavy Equipment**

FOR the purpose of authorizing a county or municipal corporation to impose a tax, not exceeding a certain amount, on the gross receipts from the short-term lease or rental of certain heavy equipment property under certain circumstances; requiring a person who owns a business with gross receipts subject to the tax to collect and remit the tax by a certain day each quarter; providing that certain heavy equipment property is not subject to property tax; providing for a delayed effective date; and generally relating to the taxation of certain heavy equipment property.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9-609  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property  
Section 7-243  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 686 – Senators Raskin, Frosh, Harrington, Lenett, Madaleno, Pinsky, Pugh, and Rosapepe**

AN ACT concerning

**Watershed Protection and Restoration Act**

FOR the purpose of requiring each county and municipality to adopt certain laws or ordinances to establish a stormwater remediation fee and a local watershed protection and restoration fund on or before a certain date; establishing the purpose of a stormwater remediation fee; requiring each county and municipality to collect a stormwater remediation fee in accordance with this Act; requiring each county and municipality to set the amount of a residential stormwater remediation fee in a certain manner; requiring each county and

municipality to set the amount of a nonresidential stormwater remediation fee in a certain manner; prohibiting each county and municipality from assessing a stormwater remediation fee on certain property owners and on certain State-owned property; requiring each county and municipality to report annually certain information to the Department of the Environment in a certain manner on or before a certain date; requiring the Department to report certain information to the BayStat Subcabinet in a certain manner; authorizing the Department to adopt certain regulations; defining a certain term; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 687 – Senator Raskin**

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 not to exceed \$250,000, 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 Budget and Taxation.

### **Senate Bill 688 – Senator Raskin**

AN ACT concerning

#### **Maryland General Corporation Law – Miscellaneous Provisions**

FOR the purpose of altering the manner in which certain charter documents of certain business entities must be executed by authorizing certain officers, agents, and persons acting in a certain capacity to sign, acknowledge, witness, and attest the documents and to verify certain matters and facts; clarifying that a corporation may provide by its charter that holders of one or more classes or

series of stock have certain voting rights under certain circumstances; clarifying that certain authority of a corporation to provide by its charter for classes of stock and certain rights, restrictions, and preferences of classes of stock applies to series of stock; altering the circumstances under which the board of directors of a corporation may effect a certain reverse stock split; expanding the authority of the board of directors of a corporation to delegate to certain committees powers of the board relating to the authorization of dividends on stock and other distributions; repealing certain unnecessary provisions of law relating to the time at which a stockholder of a corporation or a shareholder of a real estate investment trust who proposes a certain nominee or matter for consideration at a meeting of the stockholders or shareholders may be required to provide certain notice; altering the circumstances under which certain notice given by a corporation by a single notice to all stockholders who share an address is effective; providing that, prior to being convened, a meeting of stockholders may be postponed from time to time to a certain date; altering the contents of a certain notice of a proposed charter amendment that a corporation must give to certain stockholders; exempting corporations that have a class of securities registered under a certain federal law from the application of certain provisions of law relating to the dissolution of a corporation; clarifying that certain restrictions on voting rights apply to the holders of certain shares and not to the shares; making conforming and stylistic changes; and generally relating to corporations and other business entities.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–301(a), 2–105(a), 2–309(d) and (e), 2–411(a), 2–504(f), 2–504.1,  
2–511(d), 2–604, 3–413, and 3–702(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 8–601.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 689 – Senators Raskin and Madaleno**

AN ACT concerning

#### **Domestic Violence – Reasonable Corporal Punishment – Limitations**

FOR the purpose of specifying, in certain provisions of law relating to domestic violence, that reasonable corporal punishment of a child does not include certain

actions; and generally relating to domestic violence and corporal punishment of a child.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–501(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 690 – Senators Raskin and Frosh**

AN ACT concerning

#### **Corporations – B (For–Benefit) Corporation**

FOR the purpose of authorizing a corporation to elect to be a certain B (for–benefit) corporation by amending or including in the charter of the corporation a statement that the corporation is a B corporation; providing for the application of this Act; requiring the election to be approved by the stockholders in a certain manner; authorizing a corporation to terminate status as a B corporation in a certain manner; requiring that clear reference to the fact that a corporation is a B corporation appear prominently in a certain charter document; establishing that every B corporation shall have the purpose of creating a public benefit; establishing that the creation of a public benefit as provided in this Act is in the best interests of the B corporation; requiring a director of a B corporation, in performing the duties of director, in determining what the director reasonably believes to be in the best interests of the B corporation, to consider the effects of any action or decision not to act on certain factors; establishing that a certain director shall not have any duty to a certain person; providing that a certain director shall have a certain immunity from liability under certain circumstances; requiring a B corporation to deliver to each stockholder a certain annual report; defining certain terms; and generally relating to for–benefit corporations.

BY adding  
Article – Corporations and Associations  
Section 5–6C–01 through 5–6C–08 to be under the new subtitle “Subtitle 6C. B  
(For–Benefit) Corporations”  
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 691 – Senators Raskin, Frosh, Harrington, Lenett, Madaleno, and Pinsky**

AN ACT concerning

**Election Law – Persons Doing Public Business – Independent Expenditures**

FOR the purpose of prohibiting a person doing public business from making an independent expenditure for certain campaign material; defining a certain term; altering a certain term relating to campaign contributions disclosure by persons doing public business; and generally relating to independent expenditures on campaign material by persons doing public business.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–102 and 14–101(g)

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 692 – Senator Raskin**

AN ACT concerning

**Condominiums – Conversion of Residential Rental Facilities – Expiration of Registration and Notice**

FOR the purpose of requiring a certain owner and landlord to give a certain notice of conversion of a residential rental facility to a condominium and a purchase offer to a subsequent tenant who leases property in the facility after the owner or landlord has given the tenants the initial notice and purchase offer; requiring an owner and landlord to give a subsequent tenant the same period of time to remain in the rental facility as the initial tenants are given; providing that the right of a tenant approved for an extended lease under State or local law may not be terminated during the extension period because of a change of ownership of the rental facility during that period; conforming the contents of a certain notice; limiting the validity of a certain registration of the conversion of a residential rental facility to a condominium to a certain period of time; requiring, if the validity of the registration expires, that the Secretary of State issue an order terminating the registration and requiring the owner to submit a new public offering statement and application for registration; establishing that

the rights of tenants in a conversion are not abrogated by an owner's failure to complete the conversion in a certain period of time; requiring the Secretary to adopt regulations regarding the termination of a certain registration; providing for the application of this Act; and generally relating to the conversion of residential rental facilities to condominiums.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–102.1, 11–127, and 11–137  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 693 – Senators Raskin, Lenett, Pinsky, and Rosapepe**

AN ACT concerning

**Green Maryland Act of 2010**

FOR the purpose of altering the minimum requirement for the purchase of recycled paper by the Department of General Services; requiring the Board of Public Works to adopt regulations that require certain State units, on or before a certain date, to establish a certain increased price preference for the purchase of certain products; requiring State units to review annually and revise certain procurement specifications in accordance with a certain manual and strategy; requiring the Department to study the use of compost as a fertilizer and report findings of the study on or before a certain date; making it the goal of the Department to increase the use of compost in landscaping activities; requiring the Department to provide assistance to State units in developing strategies and best practices for implementing environmentally preferable purchasing, including the development of a best practices manual; requiring bidders and offerors for a procurement contract with the Department to certify certain product claims; defining certain terms; providing for the application of certain provisions of this Act; making technical changes; providing for the construction of this Act; repealing obsolete provisions; and generally relating to procurement and use of environmentally beneficial products and practices.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–402 and 14–405  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – State Finance and Procurement  
Section 14–409 and 14–410

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing

Article – Environment

Section 9–1722

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 694 – Senator Lenett**

AN ACT concerning

#### **Labor and Employment – Wage Payment and Collection Law – Definition of Wage**

FOR the purpose of clarifying that the definition of “wage” as used in the Wage Payment and Collection Law includes overtime wages; and generally relating to the Wage Payment and Collection Law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–501(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 695 – Senator Haines**

AN ACT concerning

#### **Criminal Procedure – Violent Offenders – Parole as Condition for Alcohol or Drug Abuse Treatment**

FOR the purpose of providing that a defendant who has been sentenced to the Division of Correction after being convicted of a certain violent crime is not eligible for commitment for alcohol or drug abuse treatment until the defendant is eligible for parole; and generally relating to the eligibility of violent offenders for drug or alcohol abuse treatment.

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 7–301(c)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 8–507(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 8–507(p)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 696 – Senator Haines**

AN ACT concerning

**Criminal Law – Homicide by Motor Vehicle or Vessel – Penalties**

FOR the purpose of increasing the penalties for certain crimes of homicide by motor vehicle or vessel while impaired by alcohol, homicide by motor vehicle or vessel while impaired by drugs, and homicide by motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to homicide by motor vehicle or vessel.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 2–503  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–504, 2–505, and 2–506  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 697 – Senator Haines**

AN ACT concerning

**Alcohol- or Drug-Related Crimes – Serious Physical Injury by Motor Vehicle  
or Vessel – Penalties**

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 certain penalties; altering the names of certain criminal charges; making conforming changes; and generally relating to causing a serious physical injury by motor vehicle or vessel.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3-201(a) and (d)  
Annotated Code of Maryland  
(2002 Volume and 2009 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 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16-402(a)(33)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 698 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Controlled Dangerous Substances – Per Se Driving Offenses**

FOR the purpose of prohibiting a person from driving or attempting to drive if there is in the person's blood a certain controlled dangerous substance or its metabolite under certain circumstances; providing that a certain defense is not available for certain charges; providing for certain penalties; making a conforming change; and generally relating to a prohibition on driving or attempting to drive with a certain controlled dangerous substance or its metabolite in a person's blood under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16-402(a)(34), 21-902(d), and 27-101(k) and (q)(1)

Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 699 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Drug-Related Driving Offense – Penalties**

FOR the purpose of altering certain penalties for an offense of driving or attempting to drive while impaired by a drug, a combination of drugs, or a combination of one or more drugs and alcohol under certain circumstances; making technical and stylistic changes; and generally relating to penalties for a certain drug-related driving offense.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16-402(a)(25) and (34), 21-902(c), and 27-101(c)(24), (25), and (26), (f),  
(j), (k), and (q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 700 – Senator Exum**

AN ACT concerning

**Health Insurance – Child Wellness Benefits**

FOR the purpose of requiring certain individual, group, or blanket health insurance policies and nonprofit health service plans to cover, in the minimum package of child wellness services required to be provided under the policies' or plans' family member coverage, certain visits for obesity evaluation and treatment and certain visits for and costs of developmental testing as recommended by a certain organization; expanding the list of visits at which certain examinations, assessments, and guidance services must be covered; expanding the list of services that may result in coverage for certain laboratory tests; providing for the application of this Act; and generally relating to the expansion of child wellness benefits under health insurance policies and nonprofit health service plans.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15-817(a), (b), and (f)

Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–817(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 701 – Senators Pugh, Lenett, Conway, Currie, Della, Exum,  
Forehand, Harrington, Kelley, King, Kramer, Madaleno, McFadden,  
Muse, Peters, Rosapepe, and Stone**

AN ACT concerning

### **Commercial Law – Debt Settlement Services**

FOR the purpose of prohibiting a person from offering, providing, or attempting to provide debt settlement services in the State except as allowed under this Act; prohibiting a debt settlement services provider from receiving certain funds or payments or imposing certain fees or charges on a consumer, except for certain fees for certain services, until a debt settlement services agreement is executed and the debt settlement services are completed; limiting to a certain amount the fee that a debt settlement services provider may charge for debt settlement services; prohibiting a debt settlement services provider from charging a fee for certain services or to rescind a debt settlement services agreement; prohibiting a debt settlement services provider from making a certain representation, requiring or advising a consumer to stop making certain payments, or requiring a consumer to make a certain contribution; requiring that a debt settlement services agreement be signed and dated by the debt settlement services provider and the consumer and include certain information and disclosures; requiring that an advertisement for debt settlement services include certain disclosures; 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; providing for the application of this Act; establishing a certain short title; defining certain terms; and generally relating to debt settlement services and debt settlement services providers.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–301(14)(xxvi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law  
Section 13–301(14)(xxvii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Commercial Law  
Section 13–301(14)(xxviii); and 14–3801 through 14–3811 to be under the new  
subtitle “Subtitle 38. Debt Settlement Services Act”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 702 – Senators Rosapepe, Astle, Currie, Dyson, Exum, Forehand,  
Frosh, Garagiola, Gladden, Harrington, Jones, King, Klausmeier,  
Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin,  
Robey, and Stone**

AN ACT concerning

### **Tuition Cap and College Opportunity Act of 2010**

FOR the purpose of requiring the Maryland Higher Education Commission to appoint a certain group to assess and report annually on meeting certain goals so that certain institutions are comparable and competitive; requiring the Commission to assess annually the State’s and an institution’s progress toward certain goals and to display the progress in an online format; requiring the Commission to update periodically certain information for certain purposes; requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the State to set certain funding at certain levels as compared to a group of peer institutions in certain states; limiting the amount of the annual increase in tuition and fees that may be charged each academic year for certain students under certain circumstances; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring additional State funds be used for certain priorities; requiring the Governor to include in the annual budget submission supplemental funding to certain institutions to be used for certain purposes; requiring performance accountability plans to include graduation rates as the primary indicator of performance for certain institutions; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; establishing a Tuition Stabilization Trust Account within the Higher Education Investment Fund; providing for the purpose of the Account; providing for the source of funds for the Account; providing for a certain amount of funds to be held in the Account; providing for

the appropriation of certain funds from the Account to certain institutions for certain purposes; authorizing a governing board to develop a pilot tuition plan for certain purposes, subject to certain restrictions; requiring the Commission to develop and implement a graduated scale for certain grants based on certain criteria; modifying a certain award amount for a certain scholarship program; reauthorizing the Higher Education Investment Fund; requiring the Commission to modify certain grants based on certain criteria; declaring the intent of the General Assembly; requiring certain reports be submitted to the General Assembly on or before certain dates; defining certain terms; and generally relating to State support for and tuition at higher education institutions in Maryland.

BY repealing and reenacting, without amendments,

Article – Education

Section 10–203(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–105(f)(1) and (h), 11–305, 15–106.6, and 18–304(a) and (b)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education

Section 11–108, 12–117, and 15–106.8

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–613.1

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 703 – Senators Garagiola, Forehand, Kelley, King, Lenett, Madaleno, Muse, Pinsky, and Robey**

AN ACT concerning

**Tobacco-Related Products – Definitions and Distribution to Minors**

FOR the purpose of altering the definition of “cigarette” in connection with tobacco taxes, the regulation of cigarette business, the sale of cigarettes below cost, and

certain cigarette fire safety standards to include certain tobacco products that are wrapped in certain substances and weigh less than a certain amount and are likely to be offered to, or purchased by, consumers as cigarettes; prohibiting the distribution of certain tobacco products, cigarette rolling papers, and tobacco-related coupons to minors; requiring photo identification checks in connection with the distribution of certain tobacco-related products to minors; requiring photo identification checks in connection with the distribution of certain tobacco-related products to minors; prohibiting minors from purchasing, possessing, or using cigarette rolling papers or certain tobacco-related products; establishing certain civil penalties; repealing a county-specific provision concerning civil enforcement of youth tobacco violations applicable to Carroll County, Garrett County, and St. Mary's County; providing that this Act does not preempt any county or municipal law that regulates tobacco products; and generally relating to tobacco-related products and distribution to minors.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 15–102.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing

Article – Criminal Law  
Section 10–108  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 16–101(b) and 16–601  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 11–501(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General  
Section 24–1701 through 24–1707 to be under the new subtitle “Subtitle 17.  
Distribution of Tobacco-Related Products to Minors”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 12–101(b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 12–101(c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 704 – Senators Garagiola and Frosh**

AN ACT concerning

#### **Insurance – Coordination of Benefits – Health Insurance and Personal Injury Protection**

FOR the purpose of providing that certain health maintenance organization contracts, health insurance policies, and policies of nonprofit health service plans are subject to certain provisions of law relating to coordination of benefits with personal injury protection coverage under motor vehicle liability insurance policies; prohibiting the contracts and policies from containing a provision that requires certain personal injury protection benefits to be paid before benefits under the contracts and policies; defining the term “insured” or “named insured” for purposes of certain provisions of law relating to personal injury protection coverage to include an individual entitled to hospital, medical, or surgical benefits under certain health insurance policies or contracts; providing for the application of this Act; and generally relating to coordination of health insurance and personal injury protection benefits.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–713.1(d)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–713.1(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Insurance

Section 15–104(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Insurance  
Section 15–104(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–507  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 705 – Senator Exum**

AN ACT concerning

#### **Higher Education – Maryland Football Act**

FOR the purpose of requiring a certain public institution of higher education in the State categorized as a National Collegiate Athletic Association (NCAA) Football Bowl Subdivision (FBS) school to schedule and play a football game at least once every four years against each of certain public institutions of higher education in the State categorized as NCAA Football Championship Subdivision (FCS) schools; specifying where the games may be played; defining certain terms; and generally relating to the Maryland Football Challenge.

BY adding to  
Article – Education  
Section 13–704  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 706 – Senator McFadden**

AN ACT concerning

#### **Mental Hygiene Administration – Placement of Individuals with Mental Illness – Study**

FOR the purpose of requiring the Mental Hygiene Administration and the Office of the Attorney General, in consultation with certain stakeholders, to conduct a certain evaluation, make a certain report, and develop certain plans; requiring the Mental Hygiene Administration and the Office of the Attorney General to provide 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 a study and report on the treatment of individuals with mental illness.

Read the first time and referred to the Committee on Finance.

**Senate Bill 707 – Senator McFadden (By Request – Baltimore County Administration)**

AN ACT concerning

**Vehicle Laws – Parking Violations – Administrative Enforcement by Counties and Municipal Corporations**

FOR the purpose of authorizing a county or municipal corporation, by ordinance, to establish an alternative enforcement program for the issuance of civil parking citations for violations of certain restrictions on the stopping, standing, or parking of vehicles; establishing certain requirements for an ordinance adopted under this Act; requiring an ordinance adopted under this Act to provide for a certain judicial review in the District Court; requiring an ordinance adopted under this Act to require a certain agency or board to provide a certain notification to the Motor Vehicle Administration; requiring the Administration to treat the failure to pay a certain fine, request a certain adjudication, or appear at a certain adjudication in a certain manner; establishing that a civil parking citation issued under a certain ordinance is not a civil citation subject to the jurisdiction of the District Court; establishing that an adjudication of a certain civil parking citation is not a criminal conviction and does not impose certain liabilities; establishing that a certain person may appeal to the District Court in a certain manner from certain civil parking citations; establishing that the District Court does not have jurisdiction over certain civil parking citations, except under certain circumstances; providing that certain provisions limiting the authority of local jurisdictions over the Maryland Vehicle Law do not apply to an ordinance adopted in accordance with this Act; requiring the Chief Judge of the District Court to adopt certain procedures for the appeal of civil parking citations issued in accordance with an ordinance adopted under this Act; prohibiting the Administration from registering or transferring the registration of a vehicle under certain circumstances; authorizing the Administration to suspend the registration of a vehicle under certain circumstances; establishing that certain provisions relating to the disposition and records of traffic citations do not affect or modify certain procedures established under an ordinance adopted in accordance with this Act; providing that certain provisions relating to violations of license restrictions or rules or regulations adopted under the

Maryland Vehicle Law do not apply to an ordinance adopted in accordance with this Act; and generally relating to the enforcement of parking violations.

BY adding to

Article – Courts and Judicial Proceedings

Section 4–402(g); and 12–801 to be under the new subtitle “Subtitle 8. Review of Decisions of Local Adjudicatory Boards”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–1003, 25–102(a)(1), and 26–301(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 25–101.1(b) and (d), 26–303, 26–304, 26–407(a), and 27–102

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – Transportation

Section 26–301.1

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 26–305(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Judicial Proceedings.

## **Senate Bill 708 – Senator Kasemeyer**

AN ACT concerning

### **Maryland Higher Education Business Coalition and Fund**

FOR the purpose of establishing the Maryland Higher Education Business Coalition and the Maryland Higher Education Business Coalition Fund for certain purposes; providing for the uses and administration of the Fund; requiring a certain audit of the Fund; and generally relating to the establishment of the

Maryland Higher Education Business Coalition and the Maryland Higher Education Business Coalition Fund.

BY adding to

Article – Education

Section 10–214

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 709 – Senator Kasemeyer**

AN ACT concerning

**State Retirement and Pension System – Disability Retirement Application  
– Surviving Beneficiary**

FOR the purpose of authorizing a certain beneficiary to submit an application for disability retirement under certain circumstances; requiring the Board of Trustees of the State Retirement and Pension System to accept an application for disability retirement from a certain beneficiary under certain circumstances; requiring the medical board to review a certain application to make a certain determination under certain circumstances; requiring the Board of Trustees to review a certain application to make a certain determination; requiring the Board of Trustees to grant a disability retirement allowance under certain circumstances; requiring a certain burden of proof to be on a certain beneficiary; requiring a disability retirement allowance to begin at a certain time under certain circumstances; providing for the application of this Act; and generally relating to an application for disability retirement submitted by a surviving beneficiary of a deceased member of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–103(a) and 29–104

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 710 – Senators Harris and Raskin**

AN ACT concerning

**Elections – New Political Party – Petition Signatures**

FOR the purpose of altering the number of signatures required to be included in a petition to form a new political party; providing for a delayed effective date; and generally relating to forming a new political party.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 4–102  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 711 – Senators Harris, Haines, Jacobs, Kittleman, Munson, Reilly, and Stoltzfus**

AN ACT concerning

**Election Law – Qualification of Voters – Proof of Identity**

FOR the purpose of requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; requiring an election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter who is unable to present a certain form of identification to vote by provisional ballot under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification; requiring the Motor Vehicle Administration to issue an identification card to certain voters at no charge; providing for a delayed effective date; and generally relating to proof of identity of voters.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–310 and 16–201  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 12–301(a) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(b)  
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 712 – Senators Harris, Brinkley, Colburn, Edwards, Glassman, Haines, Jacobs, Kittleman, Mooney, Munson, Pipkin, Reilly, Simonaire, and Stoltzfus**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Taxpayer Protection Act**

FOR the purpose of adding a new section to the Maryland Constitution to require the approval of three-fifths of the members elected to each House of the General Assembly to pass legislation to increase the rate of an existing tax or to impose a tax on an individual or entity not subject to the tax at the time of consideration of the legislation; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 28A

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 713 – Senators Lenett, Della, Harrington, King, Madaleno, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Public and Commercial Buildings – Energy Benchmarking and Disclosure**

FOR the purpose of requiring gas or electric companies to maintain, in a certain format, gas or electric consumption records for nonresidential retail gas or electric customers; requiring a gas or electric company to upload to the EPA Portfolio Manager certain gas or electric consumption records after receiving authorization from an owner or operator of a nonresidential building; requiring that certain commercial buildings be benchmarked each year, beginning in certain years, using the EPA Portfolio Manager, and that an owner or operator of the building submit certain energy benchmarking information to the Maryland Energy Administration; requiring the Administration to include certain information about certain commercial buildings in a certain report, unless the Administration makes the information available to the public in some other manner; requiring that, on or after a certain date, an owner or

operator of certain publicly owned buildings and certain privately owned commercial buildings disclose certain energy benchmarking information to certain persons; requiring that certain State buildings be benchmarked annually, beginning in a certain year, using the EPA Portfolio Manager, and that the Department of General Services compile certain benchmarking information and submit the information to the Administration; requiring the Administration to include certain information about certain State buildings in a certain report, unless the Administration makes the information available to the public in some other manner; defining certain terms; and generally relating to the disclosure of energy usage information for public buildings and privately owned commercial buildings.

BY adding to

Article – Public Utility Companies  
Section 7–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Real Property  
Section 10A–101 through 10A–103 to be under the new title “Title 10A. Energy Benchmarking and Disclosure”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 4–8A–01 through 4–8A–04 to be under the new subtitle “Subtitle 8A. Energy Benchmarking”  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–20B–12  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 714 – Senator Zirkin**

AN ACT concerning

**Family Law – Grounds for Divorce – Separation**

FOR the purpose of altering certain grounds for absolute divorce by authorizing a court to decree an absolute divorce on the grounds of separation if either party has filed an application for divorce, a certain period of time has passed since a party filed an application for divorce, and there is no reasonable expectation of reconciliation; repealing a certain time period of separation as grounds for absolute divorce; and generally relating to the grounds for absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 715 – Senators Dyson, Astle, Brinkley, Colburn, Conway, DeGrange, Forehand, Garagiola, Gladden, Glassman, Haines, Harris, Jacobs, Jones, King, Kittleman, Klausmeier, Kramer, Lenett, Middleton, Munson, Pipkin, Raskin, Rosapepe, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

**State Government – Commemorative Days – Fire, Rescue, and Emergency Services Workers**

FOR the purpose of requiring the Governor to proclaim a certain day in June each year as the day to honor certain fire, rescue, and emergency services workers in the State; requiring the Governor to order the State flag to be flown at half-staff on a certain day in June each year; requiring certain memorial plaques to be placed by a certain organization on a certain memorial in a certain city on a certain day in June each year; and generally relating to the commemoration of fire, rescue, and emergency services workers.

BY adding to  
Article – State Government  
Section 13–409  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 716 – Senator Jones**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Bottle Club Registrations**

FOR the purpose of prohibiting the Board of License Commissioners for Baltimore City under certain conditions from approving an application for the registration of an establishment used as a bottle club; allowing a person to renew or extend the registration of a certain establishment used as a bottle club; making the registration of a bottle club nontransferable; and generally relating to the registration of establishments used as bottle clubs in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 20–102  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 717 – Senators Jones, Madaleno, Exum, Forehand, Frosh, Lenett, Pinsky, and Raskin**

AN ACT concerning

**The Lorraine Sheehan Health and Community Services Act of 2010**

FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland; altering the distribution of the alcoholic beverage tax revenue; requiring the Comptroller to distribute a portion of the alcoholic beverage tax revenue to certain special funds to be used only for certain purposes; establishing the Developmental Disability Support Fund as a special fund to be used to support certain services for individuals with developmental disabilities; establishing the Addiction Treatment and Prevention Fund as a special fund to be used to support certain programs for the treatment and prevention of drug and alcohol addictions; establishing the Mental Health Care Fund as a special fund to be used to support certain programs for the treatment and prevention of mental illness; establishing the Maryland Medicaid Trust Fund as a special fund to be used to provide certain health care services to certain individuals; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–301 and 5–105  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General  
Section 7–207, 8–207, 10–209, and 15–103.6  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

**Senate Bill 718 – Senators Robey and Raskin**

AN ACT concerning

**Tanning Devices – Use by Minors – Prohibition**

FOR the purpose of prohibiting certain owners, employees, and operators of tanning facilities from allowing minors to use certain tanning devices; prohibiting certain owners, employees, and operators of tanning facilities from distributing to minors certain passes, coupons, or packages redeemable for use of a tanning device; and generally relating to tanning devices.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–106  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 719 – Senator Middleton**

AN ACT concerning

**Health Occupations – Dental Hygienists – Practice in Long-Term Care Facilities**

FOR the purpose of authorizing a dental hygienist to practice dental hygiene under the general supervision of a dentist in long-term care facilities under certain circumstances; requiring certain dental hygienists to have a certain written agreement; requiring certain dental hygienists to consult with the supervising dentist or a treating physician under certain circumstances; requiring certain dental hygienists to assess the appropriate recall interval for a patient in a certain manner; requiring certain dental hygienists to ensure that certain long-term care facilities have a medical emergency plan and certain equipment; defining certain terms; and generally relating to the practice of dental hygiene.

BY adding to  
Article – Health Occupations

Section 4-308(j)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 720 – Senator Middleton**

AN ACT concerning

#### **Clean Energy Loan Programs**

FOR the purpose of altering the requirements of a certain Clean Energy Loan Program adopted by a political subdivision under certain circumstances; requiring a certain energy audit that is required to be performed before a political subdivision approves a certain loan to identify certain cost-effective energy efficiency projects and renewable energy projects that would generate a certain projected yearly energy cost savings; prohibiting the total amount of a certain loan from exceeding a certain percentage of the assessed value of certain property; requiring that a certain surcharge under local Clean Energy Loan Programs be limited to a certain amount; authorizing the principal of a certain loan to include the cost of a certain energy audit; requiring that the terms of a certain loan include a requirement that the loan be repaid over a certain period; prohibiting a certain loan from being made unless certain conditions are met; requiring a certain political subdivision to send certain notice by first-class certified mail to certain secured parties under certain circumstances; authorizing a certain secured party to collect and hold in escrow certain payments due on a certain loan in a certain manner; providing that a certain surcharge constitutes a lien on certain property; providing that a certain lien has a certain priority; providing that a certain lien is effective against a certain person; providing that a certain lien is not effective against any third party unless a certain notice of the lien is recorded and indexed in a certain manner; requiring the notice of a certain lien to contain certain information; requiring a certain clerk of a certain court to take certain action on the presentation of a release of a certain lien; limiting the liability of a certain loan assessment in certain property foreclosures; prohibiting the outstanding balance of a certain loan from being accelerated or made due in full; authorizing a certain political subdivision to offer the opportunity to participate in a certain Program to certain financial institutions; authorizing a certain political subdivision to refer certain applicants to other sources of funds, cooperate with other public and private sources of funds, and contract with a certain organization to implement, administer, or fund a certain Program; requiring a certain Program to comply with certain laws and include certain disclosures and training to certain persons under certain circumstances; requiring the Maryland Energy Administration to adopt certain regulations; requiring the Maryland Clean Energy Center to report yearly to the Governor and the General Assembly on or

before a certain date; providing for the application of this Act; and generally relating to local Clean Energy Loan Programs.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1502  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 721 – Senators Middleton, Frosh, Kelley, and Stone**

AN ACT concerning

**Public Service Commission – Cost Reimbursement**

FOR the purpose of authorizing the Public Service Commission to require a certain applicant for authorization of certain transactions to reimburse the Commission for certain costs; prohibiting a public service company from passing certain costs on to ratepayers; requiring the Commission to provide certain notice to certain applicants; providing that a reimbursement under this Act is not an assessment under a certain provision of law and not subject to certain limitations; and generally relating to reimbursable costs of the Public Service Commission.

BY adding to  
Article – Public Utility Companies  
Section 6–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 722 – Senator Middleton**

AN ACT concerning

**Public Service Commission – Proceedings and Orders**

FOR the purpose of authorizing the Public Service Commission to conduct a certain proceeding for the purpose of issuing a certain order that affects more than one public service company; requiring the Commission to provide certain notice of a certain proceeding; requiring the notice to contain certain information; requiring the Commission to provide a certain person with an opportunity to explain why a certain proceeding should not be conducted; requiring the Commission, in holding a certain hearing, to provide an opportunity for a certain person to participate in the hearing in certain manners; requiring the

Commission to conduct at least one hearing on certain issues; requiring the Commission to issue an order within a certain time; and generally relating to proceedings held by the Public Service Commission.

BY adding to

Article – Public Utility Companies  
Section 3–113(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 723 – Senator Munson**

AN ACT concerning

#### **Health Insurance – Clinically Integrated Organizations**

FOR the purpose of authorizing certain health insurance carriers to pay a clinically integrated organization or its members for services associated with the coordination of certain covered medical services to certain qualifying individuals; authorizing the carriers to pay a clinically integrated organization or its members certain incentives for a certain purpose; requiring the carriers to share medical information about a qualifying individual with a clinically integrated organization and its members under certain circumstances; defining certain terms; requiring a clinically integrated organization to notify the Maryland Health Care Commission of a certain agreement and to provide a certain report to the Commission under certain circumstances; applying certain provisions of this Act to health maintenance organizations and managed care organizations; and generally relating to payments to and sharing medical information with clinically integrated organizations.

BY adding to

Article – Health – General  
Section 15–102.8 and 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Insurance  
Section 15–1801 through 15–1803 to be under the new subtitle “Subtitle 18.  
Clinically Integrated Organizations”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 724 – Senators Glassman and Peters**

AN ACT concerning

**Property Taxes – Assessments and Appeals – Expansion of Property Owner’s Bill of Rights**

FOR the purpose of requiring the State Department of Assessments and Taxation to hold certain public education sessions; requiring certain valuation records to be included with certain notices; altering the circumstances under which the Department provides copies of certain assessment worksheets and cards; increasing the number of days in which a notice of assessment may be appealed; requiring that certain information be available before a hearing on notice of property assessment made by a supervisor under certain circumstances; providing that the value or classification in the notice of assessment may be appealed to property tax assessment appeal boards in counties other than where the property is located under certain circumstances; providing that the taxpayer may record certain property tax assessment appeal hearings under certain circumstances; providing that the taxpayer may be heard, present evidence, and cross-examine witnesses at certain property tax assessment appeal hearings within certain time limitations; requiring that a physical inspection of certain property must occur under certain circumstances; requiring the property tax assessment appeal boards to consider certain information in determining the value of property on appeal; altering and adding certain rights of taxpayers in the Property Owner’s Bill of Rights; requiring the State Department of Assessments and Taxation to submit a certain report by a certain date; and generally relating to certain property tax assessments and appeals.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 1–402, 2–202, 8–401, 14–201(c), 14–502, 14–509(a) and 14–510

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property

Section 14–511(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 725 – Senator Glassman**

AN ACT concerning

**State Government – Priority Funding for Transportation Projects for BRAC**

FOR the purpose of 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 transportation projects that are needed to accommodate growth generated by Base Realignment and Closure (BRAC) recommendations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103.1(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 726 – Cecil County Senators**

AN ACT concerning

**Cecil County – Collective Bargaining – Representation of Deputy Sheriffs  
– Arbitration – Referendum**

FOR the purpose of authorizing the representatives of certain full-time sworn law enforcement deputy sheriffs in the Cecil County Sheriff's Office and the County Commissioners of Cecil County to bargain collectively with the Sheriff and the County Commissioners on certain issues; authorizing certain sworn law enforcement deputy sheriffs to take or refrain from taking certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization, the Sheriff, and the County Commissioners to follow certain procedures for collective bargaining; providing for certain means to resolve a dispute if the certified labor organization and the Sheriff and the County Commissioners are unable to negotiate a certain agreement; requiring a collective bargaining agreement to contain certain matters; providing for certain rights and responsibilities of the Sheriff that are not impaired by the provisions of this Act; requiring that any additional funding required as a result of a certain agreement be subject to approval by the County Commissioners; providing a certain cost-sharing cap for certain costs associated with this Act; providing for the construction of this Act; submitting this Act to a referendum of the legally qualified voters of Cecil County; and generally relating to collective bargaining of deputy sheriffs in Cecil County.

BY adding to

Article – Courts and Judicial Proceedings  
Section 2–309(i)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 727 – Senators Pipkin, Jacobs, and Stone**

AN ACT concerning

**Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or Standing**

FOR the purpose of prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to sit on the floor of the school bus; establishing that this Act does not apply during a certain period of time at the beginning of a school year for public schools or, under certain circumstances, in an emergency; making certain conforming changes; and generally relating to a prohibition on permitting pupils to sit on the floor or stand on a school bus.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–1118  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 728 – Cecil County Senators**

AN ACT concerning

**Cecil County – Board of Electrical Examiners and Licensing of Electricians**

FOR the purpose of repealing certain provisions of the Cecil County Code of Public Local Laws relating to the appointment of the Board of Electrical Examiners, the adoption of rules and bylaws for the Board, the compensation of Board members, the meetings of the Board, the licensing and supervision of electricians by the Board, the reports and fees of the Board, penalties, and the electrical standards; and generally relating to the Cecil County Board of Electrical Examiners and the licensing of electricians in Cecil County.

BY repealing

The Public Local Laws of Cecil County  
Section 99–1 through 99–22  
Article 8 – Public Local Laws of Maryland  
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 729 – Cecil County Senators**

AN ACT concerning

**Cecil County – Regulation of Domestic Animals**

FOR the purpose of authorizing the County Commissioners of Cecil County, by ordinance, to provide for certain regulation of certain domestic animals and certain hybrids of domestic and wild animals; and generally relating to the regulation of domestic animals in Cecil County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–511  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 730 – Senators Pipkin and Jacobs**

AN ACT concerning

**Cecil County Property Tax Rate – Constant Yield Tax Rate**

FOR the purpose of prohibiting the County Commissioners of Cecil County from setting a county property tax rate that exceeds the constant yield tax rate, excluding certain revenue; providing for the application of this Act; and generally relating to the county property tax rate in Cecil County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 6–308(b) and (h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property  
Section 6–308(k)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 731 – Cecil County Senators**

AN ACT concerning

#### **Cecil County – Emergency Medical Services – Collective Bargaining**

FOR the purpose of authorizing the representatives of certain employees in the Division of Emergency Medical Services to bargain collectively with the Cecil County Commissioners on certain issues; authorizing the County Commissioners to recognize or withdraw recognition of a certain representative under certain circumstances; providing for the subject of, the time frame of, the rules of conduct for, and the process and remedies for violations of the collective bargaining agreement; requiring a certain memorandum between the County Commissioners and a certain representative; authorizing the County Commissioners to also have a certain representative; establishing certain actions not authorized by this Act; defining certain terms; and generally relating to collective bargaining of emergency medical services employees in Cecil County.

BY adding to

The Public Local Laws of Cecil County  
Section 15–13  
Article 8 – Public Local Laws of Maryland  
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 732 – Cecil County Senators**

AN ACT concerning

#### **Cecil County – Public Facilities Bond Bill**

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$11,300,000 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 Budget and Taxation.

### **Senate Bill 733 – Cecil County Senators**

AN ACT concerning

#### **Cecil County – Budget and Taxes**

FOR the purpose of repealing a requirement that a certain public notice contain a copy of the proposed budget of Cecil County; requiring that a certain public notice indicate that the proposed budget of Cecil County will be available on the county website and shall be reproduced and made available to the public on request; repealing a certain provision relating to when certain taxes are in arrears and when certain interest shall be charged and collected; providing that certain taxes are due and payable in accordance with certain provisions of law; repealing a requirement that the Treasurer of Cecil County shall make a certain list alphabetical; altering the place where the Treasurer of Cecil County shall hold a certain tax sale under certain circumstances; repealing a certain provision relating to when the Treasurer of Cecil County shall accept certain tax payments; authorizing that certain delinquent taxes, interest, and certain costs or penalties may be payable by a credit card as honored by the county; and generally relating to the Cecil County budget and taxes.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Cecil County  
Section 34–7 and 34–13  
Article 8 – Public Local Laws of Maryland  
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 734 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Police  
Department Facility – Community Space**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 735 – Senator Rosapepe**

AN ACT concerning

**Consumer Protection – Lifetime Warranties on Consumer Goods**

FOR the purpose of providing that a manufacturer of a consumer good is liable to a consumer for the fulfillment of a lifetime warranty by the manufacturer on the consumer good if the merchant who sold the consumer good alters the warranty in a certain manner, the merchant ceases doing business in the State, and the manufacturer continues to do business in the State; 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 lifetime warranties.

BY adding to

Article – Commercial Law

Section 14–1322

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 736 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Dorset Road  
Reconstruction**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,440,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 737 – Senators Kramer, King, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Sandy Spring Museum  
Capacity Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$140,000, the proceeds to be used as a grant to the Board of Trustees of the Sandy Spring Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 738 – Senators Jacobs, Brinkley, Colburn, Glassman, Haines,  
Harris, Kittleman, Mooney, Munson, Pipkin, Reilly, Simonaire, and  
Stoltzfus**

AN ACT concerning

**Education – Public Charter School Facilities – Financing**

FOR the purpose of establishing the Public Charter School Facilities Debt Reserve Fund for certain purposes; providing for the uses and administration of the Fund; providing for certain payments from the Fund in certain circumstances; requiring the State Board of Education to adopt certain regulations; requiring the State Department of Education to examine and provide a report on the feasibility of and the mechanism for providing per-pupil facilities aid for public charter schools; providing that certain security or payments are not a debt or obligation of the State or any political subdivision of the State; providing that the State is not required to make certain payments except from the Fund; defining certain terms; and generally relating to the financing of public charter school facilities.

BY adding to

Article – Education

Section 9–111

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 739 – Senators Jacobs, Colburn, Edwards, Glassman, Haines, Harris, Kittleman, Mooney, Munson, Pipkin, Reilly, and Stoltzfus**

AN ACT concerning

**Sales and Use Tax – Rate**

FOR the purpose of altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales and use tax; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; and generally relating to altering the rate of the sales and use tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–105(b), 11–104(a) and (b), and 11–301  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 740 – Senator Jacobs**

AN ACT concerning

**Vehicle Laws – Detectable Level of a Controlled Dangerous Substance or Its Metabolites – Prohibition**

FOR the purpose of prohibiting a person from driving or attempting to drive any vehicle while the person has a detectable level of a controlled dangerous substance, or its metabolites, in the person's blood, if the person is not entitled to use the controlled dangerous substance under the laws of the State; establishing that a certain number of points be assessed against a certain person for a certain offense; making a certain conforming change; making a stylistic change; and generally relating to a prohibition on driving or attempting to drive a vehicle while having a detectable blood level of a controlled dangerous substance or its metabolites.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–402(a)(34), 21–902(d), and 27–101(q)(1)  
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 741 – Senators Jacobs, Brinkley, Colburn, Haines, Harris, Kittleman, Mooney, Pipkin, Reilly, and Stoltzfus**

AN ACT concerning

**Charter Schools – Certificated Professional Employees – Exemption from Collective Bargaining Agreements**

FOR the purpose of exempting certain charter schools and certain employees of certain charter schools from certain provisions of law and regulation; providing certain exceptions to this exemption under certain circumstances; authorizing certain employees to form certain organizations for certain purposes; authorizing certain organizations to serve as certain exclusive representatives under certain circumstances; specifying that certain organizations are considered certain units in certain counties; defining certain terms; and generally relating to employees of public charter schools.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–401(b), 6–404, 6–405, 6–407, 9–102(11), 9–106, and 9–108

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 6–401(d)(1) and (e), 6–402, 6–403, 6–406, 6–408, 6–409, 6–410, and 6–411

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 742 – Senator Colburn**

AN ACT concerning

**Correctional Services – First Degree Murder – Minimum Sentence**

FOR the purpose of requiring that a person convicted of murder in the first degree serve a certain minimum term before being eligible for parole consideration; prohibiting the deduction in advance from a term of confinement of an inmate who has been convicted of murder in the first degree until the inmate has served a certain term; providing for the application of this Act; and generally

relating to eligibility for parole consideration or a deduction in advance from a term of confinement for murder in the first degree.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704, 4–305(b), and 7–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 743 – Senator Colburn**

AN ACT concerning

#### **Criminal Law – Handguns – Transport in Motor Vehicle by Nonresident**

FOR the purpose of establishing that a nonresident may transport an unloaded handgun in a motor vehicle in the State only for certain purposes and uses allowed under law and only if the nonresident complies with certain requirements; making a conforming change; and generally relating to the transportation of a handgun in a motor vehicle by a nonresident.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 744 – Senator Colburn**

AN ACT concerning

#### **Commercial Law – Unfair or Deceptive Trade Practices – Disclosure of Prior Vehicle Use**

FOR the purpose of requiring a vehicle dealer who is required by law to make a certain disclosure to consumers regarding the prior use of a vehicle to make a reasonable inquiry about whether the vehicle formerly was used other than primarily for personal, household, or family purposes; requiring a dealer to disclose that the prior use of a vehicle is unknown under certain circumstances; establishing that a dealer may comply with the requirements of this Act by providing the consumer with a certain vehicle history report; defining certain terms; and generally relating to disclosures by vehicle dealers and unfair or deceptive trade practices.

BY adding to

Article – Commercial Law  
Section 13–320  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 745 – Senator Colburn**

AN ACT concerning

**Health Insurance – Ambulance Service Providers – Direct Reimbursement**

FOR the purpose of requiring health insurers, nonprofit health service plans, and health maintenance organizations to reimburse an ambulance service provider directly for certain covered services; providing that an ambulance service provider is entitled to direct reimbursement under certain circumstances; providing for the application of this Act; defining a certain term; and generally relating to reimbursement by insurers, nonprofit health service plans, and health maintenance organizations for transportation by ambulance.

BY adding to

Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Insurance  
Section 15–716  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 746 – Senator Colburn**

AN ACT concerning

**Natural Resources – Land Acquisition – Notification and Approval**

FOR the purpose of requiring the Secretary of Natural Resources to provide certain information about certain proposed land purchases by the Department of Natural Resources to certain counties under certain circumstances; prohibiting the State from acquiring land for open space purposes in Dorchester County

unless the County Council of Dorchester County approves the purchase; and generally relating to the acquisition of land by the Department of Natural Resources and the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 1–104(k) and 5–910  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 747 – Senator Colburn**

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Program – Caroline County and Talbot County**

FOR the purpose of authorizing the Circuit Administrative Judge of the Second Circuit to establish a Truancy Reduction Pilot Program in Caroline County and Talbot County; making certain provisions relating to Truancy Reduction Pilot Programs in certain counties applicable to Caroline County and Talbot County; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–01  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8C–02  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 748 – Senator Colburn**

AN ACT concerning

**Wicomico County – Board of Elections – Membership**

FOR the purpose of altering the number of regular members of the Wicomico County Board of Elections; requiring the members of the local board to be of certain political parties; requiring that a vacancy on the local board be filled in a certain manner; making a conforming change; providing for a delayed effective date; and generally relating to the membership of the Wicomico County Board of Elections.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2–204(a)(23) and (b)(1) and (2)(i)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing  
Article – Election Law  
Section 2–204(b)(2)(ii)7.  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 749 – Senator Colburn**

AN ACT concerning

#### **Creation of a State Debt – Dorchester County – Richardson Maritime Heritage 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 James B. Richardson Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 750 – Senator Dyson**

AN ACT concerning

**Campaign Finance – Contributions by Foreign Nationals**

FOR the purpose of prohibiting a foreign national from making a contribution to a campaign finance entity governed by the State election laws; defining a certain term; and generally relating to prohibiting contributions by individuals defined as foreign nationals.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 1–101(o), 13–225, and 13–226(b)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Election Law  
Section 13–225.1  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 751 – Senators Middleton, Astle, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Madaleno, and Robey**

AN ACT concerning

**Nursing Facilities – Maryland Medical Assistance Program – Rights**

FOR the purpose of authorizing certain judicial action against certain individuals who fail to comply with a certain court order to make certain payments; authorizing certain judicial action against certain individuals who fail to comply with a certain court order to seek assistance from the medical assistance program or to cooperate fully in the medical assistance eligibility process; authorizing the Attorney General to enforce and prosecute certain provisions of law; providing that the Act may not be construed to limit certain legal actions by a nursing facility; requiring the Office of the Attorney General, in consultation with the Department of Health and Mental Hygiene and the nursing home industry, to revise certain documents in a certain manner; and generally relating to nursing facilities and the medical assistance program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–344(a)

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–344(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 752 – Senator Pipkin**

AN ACT concerning

**Queen Anne’s County – Property Tax Credit – Foster Parent**

FOR the purpose of authorizing the governing body of Queen Anne’s County to grant, by law, a tax credit against the county property tax imposed on property owned by certain individuals; authorizing the governing body of Queen Anne’s County to provide, by law, for eligibility and certification criteria for the credit, the amount and duration of the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to a property tax credit in Queen Anne’s County for property owned by certain individuals.

BY adding to  
Article – Tax – Property  
Section 9–319(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 753 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Kennard High School  
Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Kennard Alumni Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 754 – Senators King, Forehand, Garagiola, Harrington, Lenett, Madaleno, Pugh, and Raskin**

AN ACT concerning

**State Personnel – Accrual of Annual Leave – Local Government Service**

FOR the purpose of including certain service by certain former employees of counties and municipal corporations in the definition of “total State service” for purposes of determining the accrual of annual leave for certain State employees; and generally relating to the accrual of annual leave for State employees.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 9–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 9–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 755 – Senators King, Garagiola, Madaleno, and Pugh**

AN ACT concerning

**Correctional Services – Diminution Credits – Limitations**

FOR the purpose of providing that a certain provision of law limiting a certain deduction from a term of confinement that can be earned applies to a certain single sentence as well as a certain consecutive or concurrent sentence; providing that an inmate may not receive diminution credits for manifesting satisfactory progress in a vocational, educational, or training course in a calendar month if the inmate has already received a certain number of diminution credits for manifesting satisfactory performance of assigned work tasks for the same calendar month; providing that an inmate may not receive diminution credits for satisfactory performance of assigned work tasks in a calendar month if the inmate has already received a certain number of

diminution credits for manifesting satisfactory progress in a vocational, educational, or training course for the same calendar month; altering the number of diminution credits that an inmate whose term of confinement includes a sentence for a certain violent or controlled dangerous substance offense may receive for a calendar month during which the inmate manifests satisfactory progress in special selected work projects or other special programs designated by the Commissioner of the Division of Correction and approved by the Secretary of Public Safety and Correctional Services; reducing the maximum number of diminution credits that an inmate may receive for a calendar month; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 3–701  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704, 3–705, 3–706, 3–707, and 3–708  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 756 – Senators King, Madaleno, and Raskin**

AN ACT concerning

**Health Insurance – Assignment of Benefits**

FOR the purpose of prohibiting a carrier from prohibiting the assignment of benefits to a health care provider by an insured, subscriber, or enrollee; prohibiting a carrier from refusing to directly reimburse a health care provider under an assignment of benefits; defining certain terms; and generally relating to the assignment of benefits under health insurance.

BY adding to  
Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Insurance  
Section 15–134  
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 757 – Senators King, Forehand, Lenett, Madaleno, and Middleton**

AN ACT concerning

**Crimes – Child Neglect – Penalties**

FOR the purpose of prohibiting a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a minor from neglecting the minor in a manner that causes substantial risk of physical injury to the minor, mental injury to the minor, or substantial risk of mental injury to the minor; providing penalties for a violation of this Act; providing that it is an affirmative defense to a charge of violating this Act that at the time of the neglect there was a reasonable apprehension in the mind of the defendant that acting to stop or prevent the neglect would result in substantial bodily harm to the defendant or the minor; defining certain terms; and generally relating to child neglect.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–601  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 758 – Senators King, Dyson, Forehand, Harrington, Kramer, Lenett, Madaleno, Peters, Pinsky, and Stone**

AN ACT concerning

**Education – Early Learning Challenge Fund – Application for Grants**

FOR the purpose of requiring the State Department of Education to apply for grants from the Early Learning Challenge Fund; requiring the Department to take certain actions before submitting an application; requiring the application to contain certain information; making this Act subject to a certain contingency; and generally relating to the application for grants from the Early Learning Challenge Fund.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 759 – Senators King, Forehand, Harrington, Kramer, Lenett,  
Madaleno, Peters, Pinsky, Rosapepe, and Stone**

AN ACT concerning

**Early Child Care and Education Enhancement Program – Annual Report**

FOR the purpose of requiring the State Department of Education to include in a certain annual report certain information relating to the Judith P. Hoyer Early Child Care and Education Enhancement Program and the participating agencies and programs; and generally relating to reporting requirements of the State Department of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–217  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 760 – Senators Pugh and Harrington**

AN ACT concerning

**Transportation – Consolidated Transportation Program – Evaluation and Selection of Proposed Capital Projects**

FOR the purpose of altering the process and the criteria used for selecting capital projects to be included in the Consolidated Transportation Program; requiring that the annual Consolidated Transportation Program report include certain goals, a summary of how certain determinations were made, and certain information for each major capital project; requiring that each major capital project proposed by a certain entity include certain elements; requiring the Department of Transportation to evaluate requests for major capital projects based on a certain record and certain other information; requiring the Department to rank and select the capital projects to be included in the Consolidated Transportation Program based on certain criteria; requiring the Smart Growth Subcabinet to conduct an annual review of certain goals, benchmarks, and indicators that are used to select certain capital projects; defining certain terms; and generally relating to the evaluation and selection process for capital projects to be included in the Consolidated Transportation Program.

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 2-103.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 761 – Senators Pugh, Forehand, and Kramer**

AN ACT concerning

**Mental Health – Local Correctional Facilities – Incarcerated Individuals with  
Mental Illness**

FOR the purpose of requiring the managing official of a local correctional facility to provide access to a certain amount of medication to certain individuals under certain circumstances; providing that part of a certain supply of medication may be provided by prescription under certain circumstances; establishing immunity from civil liability for certain persons; creating a certain exception; and generally relating to mental health treatment for incarcerated individuals.

BY adding to  
Article – Correctional Services  
Section 11-206  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the  
Committee on Finance.

**Senate Bill 762 – Senators Della and Stone**

AN ACT concerning

**Commercial Law – Consumer Protection – Refund Anticipation Loans and  
Checks**

FOR the purpose of prohibiting certain persons from soliciting the execution of, processing, receiving, or accepting an application or agreement for a refund anticipation loan or refund anticipation check or facilitating the making of a refund anticipation loan or refund anticipation check under certain circumstances; requiring a facilitator of a refund anticipation loan or refund anticipation check to display a certain schedule of fees in a certain manner; requiring the schedule to contain certain information and disclosures; prohibiting a facilitator from charging certain fees; requiring a facilitator to make certain written and oral disclosures to certain consumers at a certain time and in a certain manner; requiring the annual percentage rate for a refund anticipation loan to be calculated using certain guidelines; prohibiting a

facilitator from taking certain actions relating to a refund anticipation loan or refund anticipation check; providing that, under certain circumstances, a certain provision of this Act does not prohibit a charge or fee from being imposed by a facilitator; 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 certain additional penalties for a willful failure to comply with this Act; defining certain terms; and generally relating to refund anticipation loans and refund anticipation checks.

BY adding to

Article – Commercial Law

Section 14–3801 through 14–3807 to be under the new subtitle “Subtitle 38.  
Refund Anticipation Loans and Checks”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 763 – Senator Astle**

AN ACT concerning

#### **Commercial Law – Sale of Cigarettes – Cost**

FOR the purpose of altering the definitions of “basic cost of cigarettes” and “cost to the wholesaler” in the Cigarette Sales Below Cost Act; and generally relating to the sale of cigarettes.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11–501(b) and (e)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 764 – Anne Arundel County Senators**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – Coordinating Center for Home and Community Care Building Facilities**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$3,475,000, the proceeds to be used as a grant to the Board of Directors of the Coordinating Center for Home and Community Care, Inc. for certain development or

improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 765 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County Board of Education – Appointed Members Subject to Contested Elections**

FOR the purpose of requiring that the appointed members of the Anne Arundel County Board of Education be subject to contested elections; repealing certain provisions relating to a retention election for certain appointed members of the county board; providing for a nonpartisan election for the county board under certain circumstances; providing that certain candidates for election to the county board be nominated and that the elections be conducted in a certain manner; establishing rules regarding the inclusion of a candidate's name on the ballot and the counting of votes in the event a candidate dies, declines the nomination, or becomes disqualified; requiring the Governor to appoint a certain individual to fill a vacancy on the county board in certain circumstances; and generally relating to contested elections for certain appointed members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108, 3–110, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 to be under the new subtitle “Subtitle 2A. Anne Arundel County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 766 – Senators Gladden, Exum, Forehand, Kelley, and Madaleno**

AN ACT concerning

**Wiretapping and Electronic Surveillance – Location of a Mobile  
Communications Device**

FOR the purpose of modifying a certain definition to include the location of a mobile communications device; authorizing a provider of wireless telecommunications service to disclose to certain persons location information transmitted by a mobile communications device for a certain period of time under certain emergency circumstances; requiring a public safety official or emergency service provider to provide a certain notice to a certain person within a certain period of time under certain circumstances; and generally relating to wiretapping and electronic surveillance and stored wire and electronic communications and transactional records access.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 10–401(1), (2), and (11) and 10–402(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–401(7) and 10–4A–03  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(11)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 767 – Senator Gladden**

AN ACT concerning

**Governor’s Office for Children – Division of Licensing and Monitoring of  
Residential Child Care Programs**

FOR the purpose of requiring a person providing residential services to certain children to have a certain license; providing for a certain scope; establishing the Division of Licensing and Monitoring of Residential Child Care Programs in the Governor’s Office for Children; requiring the Division to license and monitor certain programs; authorizing the Division to impose certain sanctions;

requiring the Children's Cabinet to have oversight authority over the Division; requiring the Children's Cabinet to adopt certain regulations; requiring a person to be licensed by the Division before the person may operate a residential child care program; requiring an applicant to meet certain qualifications and submit a certain application; requiring the Division to take certain actions on receipt of a complete application; requiring the Division to serve as a single point of entry for an applicant and a certain current provider; requiring the Division to provide certain information and to license and monitor certain programs; establishing certain penalties; prohibiting a person from operating, attempting to operate, or holding one's self out as operating as a residential child care program unless licensed by the Division; requiring a person to be licensed by the Division before a person may operate as a child care home; requiring a person to be licensed by the Division before the person may operate as a child care institution; declaring the intent of the General Assembly that the Governor transfer certain positions and funds in a certain manner; providing that a certain transfer of positions and duties shall be made using existing resources; defining certain terms; altering certain definitions; and generally relating to licensing and monitoring of residential child care programs.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–508, 5–509, 5–509.1, and 5–526  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(a) and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–903(a), 10–501, and 10–514  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Human Services  
Section 8–1101 through 8–1108 to be under the new subtitle “Subtitle 11.  
Division of Licensing and Monitoring of Residential Child Care  
Programs”  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 9–235 and 9–236  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 768 – Senator Gladden**

AN ACT concerning

**Civil Actions – Health Care Malpractice Claims – Attesting Expert Report**

FOR the purpose of establishing that discovery in a health care malpractice claim is available on the basis of a report of an attesting expert; specifying requirements for the contents of the report of an attesting expert under certain circumstances; providing that certain certificates and reports are not admissible into evidence in a hearing or trial for a health care malpractice claim; allowing the assertion of certain claims and defenses; requiring an extension of time for filing a certain certificate or report to be granted under certain circumstances; and generally relating to attesting expert reports in health care malpractice claims.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–02(c)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–04(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 769 – Senator Gladden**

AN ACT concerning

**Health Care Malpractice – Noneconomic Damages**

FOR the purpose of altering certain limitations on noneconomic damages for a personal injury action and a wrongful death action concerning health care malpractice for a cause of action arising on or after a certain date; and generally

relating to noneconomic damages in personal injury and wrongful death actions concerning health care malpractice.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–09(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 770 – Senator Gladden**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Baltimore City – Orphans’ Court Judges – Qualifications**

FOR the purpose of proposing an amendment to the Maryland Constitution to prescribe different qualifications for judges of the Orphans’ Court for Baltimore City; requiring judges of the Orphans’ Court for Baltimore City to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; making certain technical 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 IV – Judiciary Department  
Section 40

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 771 – Senator Gladden**

AN ACT concerning

**Income Tax – Subtraction Modification – Furlough Days**

FOR the purpose of providing a subtraction modification under the Maryland income tax in a certain amount for each day an employee of the State or a county government is furloughed during the year; providing that the subtraction modification may not exceed a certain amount; allowing a subtraction during a certain taxable year for days an employee is furloughed during a certain year; defining a certain term; providing for the application of this Act; and generally relating to a subtraction modification for certain furlough days.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 772 – Senators Mooney and Brinkley**

AN ACT concerning

**Frederick County – Adult Detention Center – Fees**

FOR the purpose of altering certain medical and dental fees for individuals incarcerated in the Frederick County Adult Detention Center; establishing a processing fee, incarceration fee, and general educational development administrative fee for certain individuals in the Center; providing for the collection of certain fees; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–203(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 11–712(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Correctional Services  
Section 11–712(e) and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 773 – Senators Mooney and Colburn**

AN ACT concerning

**Corporate Income Tax – Repeal**

FOR the purpose of repealing the State income tax on corporations; providing for the application and termination of this Act; and generally relating to the repeal of the State income tax on corporations.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–102

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 774 – Senators Kramer, Conway, Currie, Della, Forehand, Jacobs, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Life and Health Insurance – Senior Investment Protection**

FOR the purpose of prohibiting a person from using a senior–specific certification or professional designation in a way that would mislead a purchaser of life insurance, health insurance, or an annuity about certain matters; stating the intent of this Act; requiring the Maryland Insurance Commissioner to specify certain misleading uses of certain certifications and designations by regulation or order; providing that certain uses shall be specified as being misleading under this Act; requiring the Commissioner to consult with the Securities Commissioner of the Securities Division on certain matters; establishing a rebuttable presumption concerning certain organizations that issue certain certifications and designations; establishing certain factors to consider in interpreting certain certifications and designations; establishing a penalty for violating this Act, including imprisonment and a fine; providing for the application of this Act; providing for the construction of this Act, including certain conflict of laws; defining certain terms; and generally relating to the sale and purchase of life insurance, health insurance, and annuities.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 27–201

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 27–223

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 775 – Senators Kramer, Conway, Currie, Forehand, Harrington, Kelley, Lenett, Muse, Pinsky, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Environment – Road Salt Management Programs**

FOR the purpose of requiring the State Highway Administration and each local jurisdiction that is responsible for highway maintenance to establish and implement a best practices road salt management program by a certain date; requiring the Administration and a responsible local jurisdiction to submit a preliminary program to the Department of the Environment for review and comment by a certain date, to review and update the program annually, to submit the annual review and update to the Department for review and comment, and to make the program and program updates available to the public in certain manners; establishing certain standards and requirements for a road salt management program; authorizing the Administration, in consultation with the Department, to establish a road salt management program or to review and update the program for a local jurisdiction under certain circumstances; stating certain findings of the General Assembly and the intent of the General Assembly in enacting this Act; and generally relating to the establishment of road salt management programs.

BY adding to

Article – Environment

Section 4–2A–01 through 4–2A–04 to be under the new subtitle “Subtitle 2A. Road Salt Management Programs”

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–602(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 776 – Senators Kramer, Forehand, Jacobs, King, Klausmeier, Madaleno, Muse, Peters, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Assisted Living and Nursing Home Residents Protection Act of 2010**

FOR the purpose of requiring that, during a certain application process, nursing homes and assisted living facilities apply for a State criminal history records check of certain residents and check a certain registry; requiring certain facilities to require a State criminal history records check for certain residents on or before a certain date; requiring certain facilities to place certain residents in private rooms, provide certain notice to certain employees, and develop certain care plans; requiring certain facilities to provide certain individuals with a certain notice and a certain signed statement; requiring certain facilities to require certain individuals to sign a certain statement; requiring certain facilities to file certain statements for certain periods of time; requiring certain facilities to place prominently a certain notice in the facility; defining certain terms; requiring local law enforcement units to send a certain notice to certain facilities under certain circumstances; and generally relating to the protection of residents in assisted living facilities and nursing home facilities.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–709  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Health – General  
Section 19–2401 through 19–2404 to be under the new subtitle “Subtitle 24.  
Criminal Background Check and Notice Requirements for Residents of  
Assisted Living Programs or Related Institutions”  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

**Senate Bill 777 – Senators DeGrange, Kasemeyer, King, Klausmeier, McFadden, Munson, Peters, Pugh, Robey, and Zirkin**

AN ACT concerning

**Local Government Funds – Redeposit into Insured Accounts**

FOR the purpose of authorizing a local government to deposit unexpended or surplus money in any federally insured bank or savings and loan association without certain security under certain conditions; and generally relating to the deposit of local government funds.

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22–O  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 778 – Senators Raskin, Lenett, and Pinsky**

AN ACT concerning

**Public Schools – Student Information – Availability to Military Recruiters**

FOR the purpose of requiring certain public schools that administer the Armed Services Vocational Aptitude Battery (ASVAB) to choose a certain score reporting option for military recruiter contact; requiring certain public schools to send a certain notice containing certain information to the ASVAB representative coordinating the administration of the ASVAB and to notify certain students and the parent or guardian of certain students of certain release of student information requirements; providing that certain students or the parent or guardian of certain students who choose to release certain information to military recruiters may individually submit certain forms to the military services; defining a certain term; and generally relating to public schools and the availability of student information for military recruiters.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–111  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 779 – Senator Raskin**

AN ACT concerning

**State Highway Administration – Unauthorized Signs on Highway  
Rights-of-Way**

FOR the purpose of providing for original jurisdiction of the District Court for certain actions; prohibiting a person without authorization from the State Highway Administration from placing or maintaining a sign within the right-of-way of a State highway; providing that a sign placed or maintained in violation of this Act may be removed by the Administration, a law enforcement officer, or certain local governments; authorizing the Administration or certain local governments to collect certain civil penalties and to seek an injunction against violations of this Act; providing for civil penalties for certain violations of this Act; providing that certain provisions of this Act may be enforced only by issuance of a warning for a certain period of time; requiring the Administration and certain local governments to retain civil penalties collected under certain provisions of this Act; providing that the presence of a sign within a State highway right-of-way is evidence of certain facts; and generally relating to the placement and maintenance of unauthorized signs on State highway rights-of-way.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4-401(16) and (17)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 4-401(18)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8-605  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 780 – Senator Raskin**

AN ACT concerning

**Real Property – Affordable Housing Land Trusts**

FOR the purpose of authorizing a certain affordable housing land trust agreement to be recorded in the land records; exempting a certain affordable housing land

trust agreement from certain provisions relating to a possibility of reverter and right of entry; exempting a certain affordable housing land trust agreement from certain provisions relating to the creation and redemption of reversionary interests; providing for the applicability of this Act; requiring an affordable housing land trust to register with the State Department of Assessments and Taxation; requiring the Department to maintain an online list of registered affordable housing land trusts; authorizing an affordable housing land trust to conduct certain activities relating to the acquisition, leasing, management, maintenance, and preservation of residential real property under certain circumstances; imposing certain conditions on an affordable housing land trust agreement; authorizing an affordable housing land trust to repurchase any interest in or take possession of certain residential property under certain circumstances; limiting the reversionary interest of an affordable housing land trust under certain circumstances; requiring a tax assessment of certain affordable housing trust property to be done in a certain manner; prohibiting a nonprofit organization from operating an affordable housing land trust under certain circumstances; providing for the transfer of certain property interests under certain circumstances; defining certain terms; and generally relating to affordable housing land trusts.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–102(a), 6–101, 8–110(a), and 8–111.2  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Real Property  
Section 14–501 through 14–511 to be under the new subtitle “Subtitle 5.  
Affordable Housing Land Trusts”  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 781 – Senator Raskin**

AN ACT concerning

#### **Civil Rights Tax Relief Act**

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 782 – Senator Raskin**

AN ACT concerning

#### **Mortgage Foreclosure Bankruptcy Exemption**

FOR the purpose of authorizing an individual to claim a certain exemption in a certain bankruptcy proceeding; providing that the exemption may be for a certain amount in an individual's interest in owner-occupied, residential real property; prohibiting an individual from claiming the exemption under certain conditions; limiting the exemption to apply to claims by unsecured creditors; prohibiting both a husband and wife from claiming the exemption in the same proceeding; making conforming changes; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 11–504  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 783 – Senator Raskin**

AN ACT concerning

#### **Financial Crimes – Seizure and Forfeiture of Property**

FOR the purpose of establishing seizure and forfeiture procedures for property obtained through or used in connection with certain financial crimes; establishing conditions that would exclude certain property from forfeiture;

establishing how certain property subject to forfeiture may be seized, with certain exceptions; establishing circumstances that must be considered when determining whether to seize certain property; establishing a certain deadline for filing a complaint seeking forfeiture; providing for the contents and distribution of a certain complaint; providing for the forfeiture of interest in certain real property; providing for a stay of forfeiture of a certain family residence under certain circumstances; establishing a certain rebuttable presumption; providing for certain posthearing orders; providing for the application of proceeds from a certain sale of forfeited property; defining certain terms; providing for the application of this Act; providing for the effective date of this Act; and generally relating to seizure and forfeiture of property used in connection with violation of the Financial Crimes law.

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 12–101(c), (f), (g), (i), (k), and (o), 12–202, 12–203, 12–208 through 12–211, 12–301 through 12–308, 12–402, and 12–403

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure

Section 13–501 through 13–509 to be under the new subtitle “Subtitle 5. Violations of Financial Crimes Law”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 784 – Senator Raskin**

AN ACT concerning

#### **Maryland Statutory Trust Act**

FOR the purpose of clarifying and revising the Maryland Business Trust Act and renaming it to be the Maryland Statutory Trust Act; providing that a use of a certain designation or statement in a certain certificate of trust or governing instrument does not create a certain presumption or inference; providing for the construction of certain provisions of this Act; clarifying that a statutory trust has certain general powers under certain circumstances; clarifying the requirements for, and time at which, a statutory trust is formed; providing for the restatement of a certificate of trust under certain circumstances; providing for the execution and effective time of certain documents; clarifying that a governing instrument of a statutory trust may contain certain provisions relating to the nature and division of beneficial interests in the statutory trust, the rights of certain persons, amendments to the governing instrument, and

actions by or on behalf of the statutory trust in the event there are no trustees; clarifying that a statutory trust is not required to execute its governing instrument and that it is bound by its governing instrument; clarifying that a beneficial owner or trustee of a statutory trust is bound by the statutory trust's governing instrument; clarifying the types of consideration that may be contributed for a beneficial interest in a statutory trust; clarifying and altering the powers of a statutory trust to indemnify and hold harmless, and to pay or reimburse certain expenses incurred by, certain persons; altering the circumstances under which certain records of a statutory trust may be inspected and copied; clarifying that, except as provided in the governing instrument of a statutory trust, meetings of beneficial owners or trustees may be held in a certain manner, beneficial owners or trustees may vote or consent to a certain action in a certain manner, and certain actions must be approved by the beneficial owners or trustees by a certain percentage of votes; clarifying certain powers, duties, and liabilities of the trustees of a statutory trust; providing that a governing instrument may not eliminate the duty of a trustee to perform the trustee's duties in good faith; providing for certain limits on the duties of a trustee; providing that no creditor of a trustee shall have the right to exercise any legal or equitable remedy with respect to certain property under certain circumstances; providing that a trustee of a certain statutory trust shall be deemed to be independent and disinterested when making a certain determination or taking certain action; providing that certain persons, in the governing instrument of a statutory trust or other writing, may consent to be subject to certain jurisdiction or arbitration and to be served with legal process in a certain manner; altering the vote by which the trustees of a statutory trust must approve a merger or consolidation; altering certain requirements for articles of merger or consolidation; establishing that, subject to the Maryland Constitution, certain laws govern the organization, internal affairs, and liability of the trustees of a foreign statutory trust, and a foreign statutory trust may not be denied registration under certain circumstances; requiring a foreign statutory trust to register with the State Department of Assessments and Taxation before doing certain business in the State; establishing certain requirements for registration; prohibiting a foreign statutory trust from doing any kind of business in the State that a domestic statutory trust is prohibited from doing under the laws of the State; authorizing a foreign statutory trust to cancel its registration in a certain manner; establishing certain penalties for failing to register with the Department and for transacting certain business on behalf of a foreign statutory trust that has not registered with the Department; authorizing the Attorney General to bring a certain action; specifying certain actions that do and do not constitute doing business in the State; providing that by doing certain business in the State a foreign statutory trust assents to the laws of the State; providing for a merger of a foreign statutory trust; providing for the forfeiture of the right of a foreign statutory trust to do business in the State; defining certain terms; altering and repealing certain definitions; making certain conforming and stylistic changes; and generally relating to statutory trusts.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 12–101 through 12–610, 12–801 through 12–803, and 12–805 through  
12–810 to be under the amended title “Title 12. Statutory Trusts”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 12–105, 12–306, 12–404, 12–405, and 12–611; and 12–901 through  
12–912 to be under the new subtitle “Subtitle 9. Foreign Statutory  
Trusts”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 12–701 and 12–804  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 1 – Rules of Interpretation  
Section 15  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 14.09(c)(4)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 4–401(i)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 1–201(28) and 8–103(a)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law

Section 11-201(f), 11-301(j), 11-401(d), 11-501(f), 11-601(g), 11-701(c), 11-801(d), 11-901, 11-1101(d), 11-1201(d), 12-101(g), 12-301(f), 12-401(h), 12-501(k), 12-601(q), 12-701(f), 12-801(f), 12-901(f)(1), 12-1001(g)(1), 13-101(h), 14-101(d), 14-201(d), 14-301(e), 14-401(f), 14-501(d), 14-601(c), 14-701(d), 14-801(b), 14-901(i), 14-1001(d), 14-1201(j), 14-1301(c), 14-1901(g), 14-2801(d), 14-3401(c), 14-3601(h), 15-102(a)(2), 15-301(e), 16-101(d), 17-101(e) and (l), 18-101(e), 21-101(m), and 22-102(a)(51)

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1-101, 1-203(b)(3)(ii), 1-301(a), 3-101(b), 3-102(a)(3), 4A-101, 8-103(a), 8-501.1(a) and (c)(1), 9A-101(n), (o), and (p), 9A-902(c), and 10-208(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Corporations and Associations

Section 9A-101(n) and (q) and 9A-902(h) and (i)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 9-401(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8-213(f)

Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1-801(h)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 9-201(i), 11-102(b)(10), 15-201(d), 15-301(f), 15-401(g), and 15-501(j)

Annotated Code of Maryland

(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 9.5–101(m) and 10–301(o)

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 5–401(b) and (d), 8–101(b), 11–101(a)(4), 11–201(e), 11–401(h), and  
11–501(p)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 5–608(a)(3)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 2–122(a)(3), 7–109(a)(2), and 10–501(h)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–102.1(a)(4)(iv) and (7)(iv)

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 11–101(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 785 – Senators Peters, Lenett, Raskin, and Robey**

AN ACT concerning

**Public Investment Protection Act**

FOR the purpose of establishing the Public Investment Protection Act; stating findings and declarations of the General Assembly; requiring that certain employers receiving certain State subsidies pay certain wages to certain employees; requiring certain employers to participate in a certain apprenticeship program; requiring certain employers to enter into certain labor agreements with certain labor organizations; requiring the Commissioner of Labor and Industry to publish certain wage rates at certain times; requiring that certain agreements between the State and certain persons include certain provisions; requiring employers to post a certain notice at certain work sites; requiring certain employers to keep certain records and to make the records available to the Commissioner at certain times for certain purposes; establishing presumptions; prohibiting certain employers from discharging or taking other adverse actions against certain employees or other persons; authorizing certain persons to bring court actions for certain remedies for certain violations; specifying penalties; authorizing the Commissioner to conduct investigations, make determinations, and issue orders; authorizing certain persons to bring a private right of action against certain employers for certain violations; authorizing the Commissioner to adopt certain regulations; defining certain terms; providing for the construction of this Act; providing for the application of this Act; making this Act severable; and generally relating to the Public Investment Protection Act.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–413  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Labor and Employment  
Section 3–1001 through 3–1012 to be under the new subtitle “Subtitle 10. Public Investment Protection Act”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 786 – Senators Peters and Robey**

AN ACT concerning

#### **Public Schools – State Aid for School Construction – Planning and Design Costs**

FOR the purpose of requiring the Board of Public Works to include the cost of planning and design as an approved public school construction or capital improvement cost; requiring the Board of Public Works, at the recommendation of the Interagency Committee on School Construction, to adopt certain

regulations; providing for the application of this Act; providing for the termination of this Act; and generally relating to public school construction.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 787 – Senator Pugh**

AN ACT concerning

**Financial Institutions – Mortgage Lenders – Net Worth Requirements**

FOR the purpose of establishing that for purposes of satisfying certain minimum net worth requirements, in addition to computing the net worth of an applicant for a new mortgage broker's license or for the renewal of a license according to generally accepted accounting principles, net worth may be computed according to any other recognized comprehensive basis of accounting; and generally relating to net worth requirements for mortgage brokers.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 11–501(a) and (f)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 11–508.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 788 – Senator Pugh (Task Force to Study Motor Vehicle Towing Practices)**

AN ACT concerning

**Motor Vehicles – Towing Practices and Procedures**

FOR the purpose of establishing a motor vehicle towing and storage lien on a towed motor vehicle on behalf of the tower for certain towing and storage charges;

prohibiting a motor vehicle towing and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; establishing certain notice and publication requirements for the public sale of a towed vehicle; requiring the Administration to issue a salvage certificate to the purchaser of a vehicle subject to a motor vehicle towing and storage lien under certain circumstances; requiring certain motor vehicle towing and storage lienors to file a certain court action in a certain manner under certain circumstances; requiring the Motor Vehicle Administration to issue a certificate of title that contains a conspicuous “salvage” notation under certain circumstances; clarifying the application of certain security requirements for tow trucks; altering certain security requirements for tow trucks; altering certain penalties for certain violations related to tow truck vehicle registration; providing for the statewide application of certain provisions of law governing the towing or removal of vehicles from parking lots; altering the content required on certain signage related to the towing and storage of vehicles; altering the maximum distance that a vehicle towed from a parking lot may be transported for storage, subject to a certain exception; altering certain maximum amounts that a person may charge for towing and storing a vehicle; altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to obtain certain photographic evidence from the parking lot owner before towing a vehicle from a parking lot; prohibiting a tower from towing a vehicle for a certain violation within a certain time period; altering the storage facility to which a tower is required to transport a towed vehicle; prohibiting the removal of a towed vehicle from a certain storage facility for a certain time period; clarifying the required opportunity that certain persons must provide for the reclamation of a towed vehicle; requiring a tower to release a towed vehicle to certain persons under certain circumstances; requiring a storage facility for towed vehicles to accept payment in a certain manner and to make an automatic teller machine available on the premises; altering the persons eligible to seek certain civil damages from a tower under certain circumstances; altering certain penalties for certain towing violations; establishing certain penalties for violations relating to motor vehicle towing and storage liens; making a certain stylistic change; making a certain technical correction; altering a certain definition; and generally relating to motor vehicle towing practices and procedures.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 16–202(c) and 16–207

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 16–206

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–152, 13–507, 13–920, 21–10A–01 through 21–10A–06, and 27–101(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–506(c) and 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 789 – Senators Garagiola, Brochin, Conway, Currie, Forehand, Frosh, Gladden, Harrington, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Labor and Employment – The Healthy Retail Employee Act**

FOR the purpose of requiring certain retail employers to provide a certain nonworking or working shift break to certain employees under certain circumstances; authorizing certain employees to file a complaint with the Commissioner of Labor and Industry under certain circumstances; authorizing the Commissioner to investigate whether a certain provision of law has been violated under certain circumstances; requiring the Commissioner to attempt to resolve a certain issue informally or issue a certain order under certain circumstances; authorizing the Commissioner to assess a certain civil penalty under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; requiring a court to award certain attorney’s fees and costs under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to shift breaks for employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–103(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Labor and Employment  
Section 3–710

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 790 – Senators Garagiola, DeGrange, Dyson, and Lenett**

AN ACT concerning

**Maryland Estate Tax – Exclusions for Family Farms 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 property subject to certain agricultural preservation easements; requiring a phased-in implementation of the exclusion for certain property subject to certain agricultural preservation easements; providing that a certain exclusion applies to certain property for which a certain application is initiated within a certain period of time after the decedent's death; authorizing a person to submit an application for a payment deferral under certain circumstances; requiring payment of the Maryland estate tax in accordance with an alternative payment schedule under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 7-309(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7-309(b)(1) and (2)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 7-309(c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 791 – Senator Garagiola**

AN ACT concerning

**Procurement – Multi-Year Contracts for Renewable Energy – Termination  
Clauses**

FOR the purpose of authorizing the Board of Public Works, on the recommendation of the Secretary of General Services, to waive a certain requirement to include a certain termination clause in certain multi-year contracts for the procurement of energy generated from certain renewable sources; requiring the Board to consider a certain factor in determining whether to grant a certain waiver; and generally relating to the terms of multi-year procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–217  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 792 – Senator Garagiola**

AN ACT concerning

**Department of Assessments and Taxation – Processing Fees and Electronic  
Document Filing and Processing System**

FOR the purpose of establishing certain fees that the State Department of Assessments and Taxation must collect for processing certain business entity documents within certain time periods; requiring the Department, contingent on the availability of funds, to develop and implement a system, accessible on the Department's website, for the electronic filing and processing of certain documents; and generally relating to filing documents with the State Department of Assessments and Taxation.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 1–203(a) and (b)(1), (3)(i), and (4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–203(b)(8)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 793 – Senators Garagiola, Forehand, King, and Pugh**

AN ACT concerning

**State Retirement and Pension System – Investments – Qualified Information  
Technology, Green Technology, Medical Device Technology, or Bioscience  
Businesses**

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to invest a certain amount of the assets of the several systems of the State Retirement and Pension System within a certain period of time in certain venture capital funds focused on certain types of businesses; requiring certain venture capital funds to invest a certain amount of the assets of the several systems in certain types of businesses; requiring the Board of Trustees to submit certain reports containing certain information on or before a certain date; providing for the termination of this Act; defining certain terms; and generally relating to the Board of Trustees investing the assets of the several systems in qualified information technology, green technology, medical device technology, or bioscience businesses.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–123  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 794 – Senators Pugh and Jones**

AN ACT concerning

**Unemployment Insurance – Exemption from Covered Employment –  
Passenger Motor Vehicle Drivers**

FOR the purpose of providing that work performed by a passenger motor vehicle driver under certain circumstances is not covered employment for the purposes of unemployment insurance; defining a certain term; and generally relating to coverage of individuals driving passenger motor vehicles under the unemployment insurance law.

BY adding to  
Article – Labor and Employment  
Section 8–206(i)

Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 795 – Senator Pugh**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Video Lottery Gaming – Table Games**

FOR the purpose of amending the Maryland Constitution to authorize a person that holds a video lottery operation license to offer table games, such as poker, blackjack, craps, and roulette, to the public; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XIX – Video Lottery Terminals  
Section 1

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 796 – Senators Middleton and Forehand**

AN ACT concerning

**Criminal Procedure – Child Advocacy Centers**

FOR the purpose of requiring the Department of Human Resources and the Governor's Office of Crime Control and Prevention jointly to establish and sustain child advocacy centers in the State; specifying the organizations and entities in which the centers may be based; specifying certain actions to be taken by the centers; requiring that the State Victims of Crime Fund be used to support the centers; requiring the Governor's Office of Crime Control and Prevention to ensure that a certain amount of money be distributed equally to the centers annually as grants for certain purposes; authorizing the Department of Human Resources to contract with certain organizations to operate the centers; requiring that money for the child advocacy centers be as provided in the State budget and be used to supplement, but not supplant, money that the centers receive from other sources; requiring the Governor's Office of Crime Control and Prevention to provide input into a certain report; altering the subject of a certain report to include the child advocacy centers; and generally relating to child advocacy centers.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–916, 11–919, and 11–923  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 797 – Senator Jones**

AN ACT concerning

**Blue Ribbon Commission on Alzheimer’s Disease and Related Disorders**

FOR the purpose of establishing a Task Force on Alzheimer’s Disease and Related Disorders; providing for the membership of the Task Force; designating the chair of the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive certain reimbursement; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; requiring the Task Force to examine certain population data, survey certain research, and assess existing services, resources, and capacity regarding Alzheimer’s disease and related disorders; requiring the Task Force to make certain recommendations; requiring the Task Force to make a certain report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on Alzheimer’s Disease and Related Disorders.

Read the first time and referred to the Committee on Finance.

**Senate Bill 798 – Senator Astle**

AN ACT concerning

**Anne Arundel County – Trapping – Rabies Vector Species**

FOR the purpose of authorizing the owner or lessee of real property in Anne Arundel County to use a trap to capture certain rabies vector species in a certain area of the real property without a license or permit; requiring the owner or lessee to provide certain notice to Anne Arundel County Animal Control related to certain trapping activity; requiring Anne Arundel County Animal Control, on receiving certain notice, to take custody of certain rabies vector species under certain circumstances; authorizing the governing body of Anne Arundel County to impose certain reasonable restrictions on certain trapping activities for a certain purpose; defining certain terms; and generally relating to trapping in Anne Arundel County.

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 10–406 and 10–414  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 799 – Senators Klausmeier, Astle, and Pugh**

AN ACT concerning

**Electric Companies and Gas Companies – Customer Account Information**

FOR the purpose of requiring an electric company, a gas company, or an electric and gas company, on a certain request by a certain electricity supplier or gas supplier, to provide certain information related to certain customer accounts to the electricity supplier or gas supplier, subject to a certain restriction; requiring an electric company, a gas company, or an electric and gas company to provide the information in a certain form and to update it periodically; prohibiting an electric company, a gas company, or an electric and gas company from providing certain information without the prior authorization of a certain customer; providing the method by which an electric company, a gas company, or an electric and gas company must obtain the customer's authorization, including requiring certain notice to be provided containing certain information; requiring the notice to be provided to certain customers at certain times; establishing when a customer is deemed to have given certain authorization; authorizing a customer to withdraw authorization in a certain manner; requiring an electric company, a gas company, or an electric and gas company to ensure that certain information is not shared under certain circumstances; authorizing an electric company, a gas company, or an electric and gas company to recover certain costs, as determined by the Public Service Commission, directly from a certain electricity supplier or gas supplier; providing that an electricity supplier or a gas supplier may use certain information only for a certain purpose; prohibiting an electricity supplier or a gas supplier from selling or providing certain information to any other person, with a certain exception; authorizing an electricity supplier or a gas supplier to provide certain information to an authorized agent for a certain purpose; providing that the authorized agent is subject to the same restrictions on the use, sale, or provision of the information as an electricity supplier or a gas supplier; providing that this Act does not apply to an electric cooperative or a gas cooperative; and generally relating to electricity, gas supply, and customer account information.

BY adding to

Article – Public Utility Companies  
Section 7–510.1  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 800 – Senator Klausmeier**

AN ACT concerning

**Common Ownership Communities – Fidelity Insurance – Exemption**

FOR the purpose of limiting the applicability of a certain requirement that the governing bodies of certain common ownership communities purchase fidelity insurance; exempting the governing body of a cooperative housing corporation, a condominium, or a homeowners association with fewer than a certain number of members, units, or lot owners and with less than a certain amount of common charges, assessments, or fees from the requirement of purchasing fidelity insurance; and generally relating to fidelity insurance and common ownership communities.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–6B–18.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–114.1 and 11B–111.6  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 801 – Senator Klausmeier**

AN ACT concerning

**Baltimore County – Public School Employees – Collective Bargaining and Representation Fees**

FOR the purpose of requiring the Board of Education of Baltimore County to negotiate certain fees with certain employee organizations representing certain certificated and noncertificated employees to be charged to certain nonmembers for certain representation; and generally relating to collective bargaining and representation fees for certain certificated and noncertificated school personnel in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 802 – Senator Pipkin**

AN ACT concerning

**Upper Shore Community Mental Health Center – Early Retirement**

FOR the purpose of providing certain employees of Upper Shore Community Mental Health Center with the opportunity to receive an early retirement allowance under certain circumstances; requiring that certain documents be completed by a certain date; requiring that a certain reduction be made to the retirement allowances of certain employees of Upper Shore Community Mental Health Center; providing for the termination of this Act; and generally relating to employees of Upper Shore Community Mental Health Center receiving an early retirement allowance.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 23–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 803 – Senator Pipkin**

AN ACT concerning

**Sewage Sludge Utilization Permits – Chesapeake and Atlantic Coastal Bays  
Critical Area – Judicial Review**

FOR the purpose of applying certain standing requirements, legal processes for judicial review of environmental permits, and a certain prohibition against contested case hearings to certain sewage sludge utilization permits issued for land in the Chesapeake and Atlantic Coastal Bays Critical Area; and generally relating to standing in certain environmental protection proceedings and certain judicial actions.

BY repealing and reenacting, without amendments,  
Article – Environment

Section 1–101(b), 1–605, and 1–606  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 1–601  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 804 – Senator Pipkin**

AN ACT concerning

#### **Ratepayer Relief Act of 2010**

FOR the purpose of prohibiting an electricity supplier from recovering certain costs incurred in complying with the renewable energy portfolio standard, including costs resulting from certain compliance fees and from connecting certain electric generation facilities to the grid; repealing a certain provision authorizing the recovery of certain compliance fees under certain conditions; repealing a certain provision related to the waiver of the ability to recover certain compliance fees; and generally relating to cost recovery by electricity suppliers.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–706  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 805 – Senator Pipkin**

AN ACT concerning

#### **Higher Education – Nonpublic Institutions of Higher Education – Free Speech**

FOR the purpose of prohibiting, under certain circumstances, certain nonpublic institutions of higher education from making or enforcing certain rules subjecting students at the institution to disciplinary sanctions on the basis of conduct that is speech or other communication; authorizing certain students to bring a civil enforcement action for certain relief in a certain court; authorizing

the court to award attorney's fees to a prevailing plaintiff under certain circumstances; providing for the application of this Act; specifying that this Act does not authorize the prior restraint of certain speech; specifying that this Act does not prohibit an institution from imposing discipline for certain acts, subject to a certain condition; specifying that this Act does not prohibit an institution from adopting and enforcing rules and regulations to prevent hate crimes against students at the institution, subject to certain conditions; and generally relating to the regulation of speech at certain nonpublic institutions of higher education.

BY adding to

Article – Education

Section 17–108

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 806 – Senators Pipkin and Brinkley**

AN ACT concerning

**Budget – Reductions of Appropriations**

FOR the purpose of altering the maximum reduction that the Governor can make to an appropriation in the State budget; requiring the Governor to present proposed reductions to the budget committees of the General Assembly within a certain period of time before seeking approval of the Board of Public Works; and generally relating to the State budget and reductions of appropriations.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–213

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 807 – Senators Pipkin, Brochin, Conway, Currie, Della, Exum, Frosh, Harrington, Jones, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Pinsky, Raskin, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Electricity Market – Goal of the State – Best Possible Price for Ratepayers  
Through Reregulation**

FOR the purpose of providing that, on and after a certain date, the goal of the State is to return as soon as possible to a regulated electricity market for certain customer classes that results in a reliable electricity system at the best possible price for certain ratepayers; providing that the purpose of a certain current statute that establishes customer choice, competitive retail electricity markets, and deregulation of generation of electricity remains in effect until a certain other date; requiring the Public Service Commission to develop a certain transition plan; and generally relating to the goal of the State to return to a regulated electricity market for certain customers.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 808 – Senators Pipkin and Colburn**

AN ACT concerning

**County Oyster Committees – Public Shellfish Fishery Area – Power Dredging**

FOR the purpose of authorizing certain county oyster committees to authorize the use of power dredges to catch oysters in public shellfish fishery areas under certain circumstances; defining a certain term; and generally relating to power dredging for oysters.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1012  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 809 – Senators Pipkin and Colburn**

EMERGENCY BILL

AN ACT concerning

**Natural Resources – Designation of Oyster Sanctuaries – Prohibition**

FOR the purpose of prohibiting the Department of Natural Resources from designating a new oyster sanctuary in State waters before a certain date; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the designation of oyster sanctuaries.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 810 – Senators Brinkley and Munson**

AN ACT concerning

**Local Correctional Facilities – Inmates – Fees for Medical and Dental Visits**

FOR the purpose of altering certain fees for medical and dental visits charged to inmates in a local correctional facility; and generally relating to fees charged to inmates in a local correctional facility.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 1–101(a) and (j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–203(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 811 – Senators Brinkley, Edwards, and Robey**

AN ACT concerning

**State Personnel – Land Records Employees – Salaries and Benefits**

FOR the purpose of requiring that the operating expenses for the salaries and benefits of the employees of the land records office of the clerk of the circuit court for each county and Baltimore City be paid from the General Fund of the State, instead of the Circuit Court Real Property Records Improvement Fund, beginning with a certain fiscal year; and generally relating to the funding for payment of the salaries and expenses of employees of local land records offices in the State.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 13–603  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 812 – Senator Lenett**

AN ACT concerning

**End of Life Health Care Disclosure Act**

FOR the purpose of requiring certain health care facilities to provide certain information concerning the right to make certain decisions about health care and the availability of hospice care, to request a copy of existing advance directives under certain circumstances, and to inform certain individuals or proxy decision makers about certain facility procedures; requiring a health care facility to disclose the facility's policy on honoring advance directive provisions in a certain manner; requiring an admitting physician at a health care facility to inform an individual or an individual's proxy decision maker of the facility's policy on honoring advance directive provisions under certain circumstances; requiring the State Advisory Council on Quality Care at the End of Life to consult with certain groups before developing and making publicly available certain resources; defining certain terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to the provision of information by health care facilities on an individual's admission to a facility.

BY renumbering  
Article – Health – General  
Section 5–615(c)  
to be Section 5–615(e)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–615(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing  
Article – Health – General  
Section 5–615(b)  
Annotated Code of Maryland

(2009 Replacement Volume)

BY adding to

Article – Health – General  
Section 5–615(b), (c), and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 813 – Senators Lenett and Madaleno**

AN ACT concerning

**Maryland Communities for a Lifetime Act**

FOR the purpose of establishing the Maryland Communities for a Lifetime Program within the Department of Aging; defining a certain term; altering the membership of the Interagency Committee on Aging Services; providing for the term of a representative of a Community for a Lifetime on the Interagency Committee; prohibiting the reappointment of a representative of a Community for a Lifetime for more than a certain number of terms; requiring the Interagency Committee to plan for assisting Communities for a Lifetime annually; altering the composition of local interagency committees; requiring the Secretary of Aging to determine the amount of a grant for a proposed or existing senior activities center capital improvement after considering whether a Community for a Lifetime is affected by the project; requiring the Senior Citizen Activities Center Operating Fund to be used to benefit Communities for a Lifetime in a certain manner; requiring the Secretary of Aging, with the advice of the Innovations in Aging Services Advisory Council, to include provisions for funding grants sought by Communities for a Lifetime within an Innovations in Aging Services Program plan in a certain manner; altering the membership of the Innovations in Aging Services Advisory Council; establishing the purpose of this Act; requiring the Department of Aging, in consultation with area agencies on aging and the Interagency Committee on Aging Services, to oversee and coordinate the Maryland Communities for a Lifetime Program; requiring the Department of Aging to certify a community as a Community for a Lifetime under certain circumstances; requiring the Department of Aging to support Communities for a Lifetime in a certain manner; requiring a Community for a Lifetime to be considered a priority funding area; and generally relating to establishing a Maryland Communities for a Lifetime Program.

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 10–101, 10–302, 10–306, 10–504, 10–514, 10–603, and 10–604  
Annotated Code of Maryland

(2007 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 10–301, 10–501, 10–502, and 10–602  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY adding to  
Article – Human Services  
Section 10–901 through 10–905 to be under the new subtitle “Subtitle 9.  
Maryland Communities for a Lifetime Program”  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7B–02  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 814 – Senators Lenett, Madaleno, and Raskin**

AN ACT concerning

**Public Schools – New Construction or Renovation – Children’s  
Environmental Health**

FOR the purpose of requiring each county board of education to adopt an environmental health plan for school construction or renovation projects that includes certain standards; requiring a plan adopted under this Act to include certain additional provisions for school construction or renovation that will be conducted while the public school is occupied; requiring certain hazardous substance removal standards adopted under this Act to include certain provisions; requiring certain integrated pest management standards adopted under this Act to include certain provisions; requiring the Department of Health and Mental Hygiene to adopt regulations establishing a certain model environmental health plan; requiring the model plan to include certain minimum standards; requiring each county board to submit the plan developed under this Act to the Secretary of Health and Mental Hygiene for approval on or before a certain date; providing that the provisions of this Act only apply to new construction or renovation of public schools in the State; defining certain terms; providing for the application of this Act; and generally relating to environmental health plans for new construction or renovation of public schools.

BY adding to

Article – Education

Section 7–4C–01 through 7–4C–07 to be under the new subtitle “Subtitle 4C.  
Children’s Environmental Health”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 815 – Senators Forehand, Colburn, Klausmeier, Lenett, and Stone**

AN ACT concerning

**Identity Fraud – Uniform Reporting Form**

FOR the purpose of requiring the Police Training Commission, in cooperation with the Office of the Attorney General, the Governor’s Office of Crime Control and Prevention, and the Federal Trade Commission, to develop a uniform reporting form that makes certain transmitted data available for use by State and local law enforcement agencies by a certain date and that may authorize that certain data may be transmitted to a certain program within the Federal Trade Commission; and generally relating to the reporting of identity fraud.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–207

Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 816 – Senators Forehand, Colburn, Klausmeier, Lenett, Raskin,  
and Stone**

AN ACT concerning

**Criminal Restitution – Expansion**

FOR the purpose of authorizing a court to enter a judgment of restitution if, as a direct result of a certain act, the victim suffered certain actual or threatened harm, other financial expenses or losses, loss of certain earnings, benefits, or support, or incurred certain rehabilitation expenses; authorizing a court to enter a judgment of restitution if the victim incurred medical expenses, including mental health expenses; providing that a judgment of restitution does not preclude a certain property owner or victim who suffered certain losses, or received a certain award or other amount, from bringing a civil action; altering the definition of a certain term; and generally relating to criminal restitution.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–601(j) and 11–603  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 817 – Senators Forehand, Colburn, Klausmeier, Lenett, and Stone**

AN ACT concerning

**Identity Fraud Crimes – Restitution – Time Lost by Victim**

FOR the purpose of authorizing restitution for an amount equal to the value of time reasonably spent by a certain victim for clearing a certain victim's credit history or credit rating or in connection with certain civil or administrative proceedings; and generally relating to restitution for identity fraud crimes.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 818 – Senators Forehand, Colburn, Garagiola, Klausmeier, Lenett, Raskin, and Stone**

AN ACT concerning

**Identity Fraud – Restitution for Credit Restoration and Satisfaction of Financial Obligations**

FOR the purpose of authorizing a court to enter a judgment of restitution if a certain victim incurred certain reasonable costs, including reasonable attorney's fees, for clearing the victim's credit history or credit rating or in connection with a certain proceeding to satisfy a debt, lien, judgment, or other obligation of a certain victim that arose due to a certain act; providing that a judgment of restitution does not preclude a certain property owner or victim who suffered certain losses of support or benefits, or who received a certain award or other amount, from bringing a civil action to recover damages from a certain obligor; and generally relating to criminal restitution.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–603  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 819 – Senators Forehand, Colburn, Klausmeier, Lenett, and Stone**

AN ACT concerning

**Criminal Injuries Compensation – Crime Victim – Definition**

FOR the purpose of expanding the definition of “victim” under certain laws relating to restitution to mean a person who suffers actual or threatened physical, emotional, or financial harm as a direct result of a crime or delinquent act; and generally relating to restitution and criminal injuries compensation.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–801(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–811  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 820 – Senators Forehand, Colburn, Klausmeier, Lenett, and Stone**

AN ACT concerning

**Police Training Commission – Additional Minimum Training Requirements**

FOR the purpose of requiring the Police Training Commission to expand a certain curriculum and the minimum courses of study of certain police training conducted by certain police training schools to include special training on,

attention to, and the study of the exploitation of children, the contact with and treatment of victims of crimes and delinquent acts, the notices, services, support, and rights under State law available to certain victims and victims' representatives, and notification of the rights of victims of identity fraud under federal law; and generally relating to minimum requirements for police training.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–207  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 821 – Senators Forehand, Colburn, Klausmeier, Lenett, and Stone**

AN ACT concerning

**Criminal Injuries Compensation Notification – Law Enforcement Agencies**

FOR the purpose of requiring a law enforcement unit, whenever a report of a crime or delinquent act is reported to that unit, to give to a victim of the offense certain written information about compensation or certain pamphlets that notify victims of rights, services, and procedures; expanding the definition of “law enforcement unit”; and generally relating to providing notification to victims of crimes or delinquent acts.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–104(b) and (c) and 11–914(9) and (10)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–807  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 822 – Senators Forehand and King**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Identity House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of Identity, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 823 – Senator Forehand**

AN ACT concerning

#### **Family Law – Protective Orders – Burden of Proof**

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 and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 824 – Senators Madaleno, Conway, Currie, and Kelley**

AN ACT concerning

#### **Sales and Use Tax – Online Sales Presumption**

FOR the purpose of providing that for purposes of certain provisions of the sales and use tax law certain persons shall be presumed under certain circumstances to have an agent, canvasser, representative, salesman, or solicitor operating in the State for certain purposes; providing that a certain presumption may be rebutted by certain proof; providing for the construction of certain provisions of this Act; and generally relating to a presumption under the sales and use tax law under certain circumstances that certain persons have an agent, canvasser, representative, salesman, or solicitor operating in the State for certain purposes.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 11–701(b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 11–701.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 825 – Senator Madaleno**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**General Assembly – Start of Legislative Session and Presentation of Budget**

FOR the purpose of proposing an amendment to the Maryland Constitution to require the General Assembly to meet on a certain day each year for certain purposes and then to recess for a certain period; altering, beginning in a certain year, the date for the commencement of the annual regular session of the General Assembly; altering the date on which the Governor shall present the annual Budget to the General Assembly after the commencement of the regular session; 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 6, 14, and 52

Read the first time and referred to the Committee on Rules.

**Senate Bill 826 – Senator Madaleno**

AN ACT concerning

**State Finance – Presentation of Bills by Governor to the General Assembly  
and Notice of State Tax Rates**

FOR the purpose of altering the date by which the Governor shall present certain bond or revenue bills to the General Assembly after the commencement of the regular session; altering the date by which the Board of Public Works shall certify certain State tax rates on certain property to county governing bodies;

generally relating to the presentation of certain bond and revenue bills by the Governor to the General Assembly and notice concerning certain State tax rates on certain property; and making this Act contingent on the passage and ratification of a certain constitutional amendment.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–106 and 8–134  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 827 – Senator Madaleno**

AN ACT concerning

**Motor Fuel Tax – Index**

FOR the purpose of providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods under certain circumstances; requiring the Comptroller to make certain determinations regarding the average wholesale price per gallon of motor fuel for certain periods; providing for the payment of certain taxes on certain tax–paid motor fuel held as of certain dates; providing for the payment of a certain credit on certain tax–paid motor fuel held as of certain dates; and generally relating to the motor fuel tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 9–305  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – General  
Section 9–306  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 828 – Senator Madaleno**

AN ACT concerning

**Special Taxing Districts – Transportation Improvements – Exemption from  
County Tax Limitations**

FOR the purpose of exempting certain taxes imposed only within a special taxing district for the purpose of financing the cost of transportation improvements from county tax limitations; defining certain terms; and generally relating to special taxing districts and county tax limitations.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1302  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 829 – Senator Madaleno**

AN ACT concerning

**Teachers’ Retirement and Pension Systems – Reemployment of Retirees –  
Retired Higher Education Faculty**

FOR the purpose of requiring that certain retirees of the Teachers’ Retirement System or Teachers’ Pension System who, prior to retirement received their salary in a certain manner, are subject to a certain earnings limitation calculated in a certain manner if they are reemployed by a certain employer; and generally relating to the reemployment of retired higher education faculty.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions  
Section 22–406(c)(1) and 23–407(c)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 22–406(c)(2) and 23–407(c)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 830 – Senator Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – MCAD Parkland**

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 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 Budget and Taxation.

### **Senate Bill 831 – Senators Forehand and Miller**

AN ACT concerning

#### **Civil Litigation Funding**

FOR the purpose of establishing that the contingent right to receive an amount of the potential proceeds of a certain legal claim is assignable and that an assignment of that right is valid for certain purposes; establishing certain requirements for a contract for nonrecourse civil litigation funding; establishing that the responsibilities of a certain attorney if a certain dispute arises shall be consistent with the Maryland Rules of Professional Responsibility; establishing that certain communications do not affect certain evidentiary privileges; prohibiting a civil litigation funding company from assessing fees for a certain period; limiting the compounding of certain fees; requiring a civil litigation funding company, in calculating the annual percentage fee or rate of return, to include certain charges and compute the rate based on a certain amount; establishing certain prohibitions; requiring each civil litigation funding company to be licensed by the Commissioner of Financial Regulation in accordance with certain provisions of law; establishing that, with certain exceptions, certain provisions of law apply to a civil litigation funding company; requiring each licensed civil litigation funding company to report annually certain information to the Commissioner; requiring the Commissioner to adopt certain regulations and submit a certain annual report to the General Assembly; providing for the construction of this Act; defining certain terms; and generally relating to civil litigation funding.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–1201 through 5–1208 to be under the new subtitle “Subtitle 12. Civil Litigation Funding”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Financial Institutions

Section 11–202.1

Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 832 – Senator Jones**

AN ACT concerning

**Maryland Community Enhancement Transit–Oriented Development Fund**

FOR the purpose of establishing the Maryland Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; requiring a certain portion of certain revenues from certain projects and certain other money be paid into the Fund; requiring the Comptroller to pay certain money from the Fund to certain local governing bodies in a certain manner; authorizing local governing bodies to use or make awards of money received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; stating certain findings of the General Assembly; providing for the purposes of certain provisions of this Act; defining certain terms; and generally relating to the Maryland Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 1–101(e)  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY adding to  
Article – Economic Development  
Section 15–101 through 15–106 to be under the new title “Title 15. Maryland  
Community Enhancement Transit–Oriented Development Fund”  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–306  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 833 – The President (By Request – Departmental – Office of the Attorney General) and Senators Astle, Conway, DeGrange, Forehand, Garagiola, Harrington, Kelley, King, Lenett, Miller, Pinsky, Pugh, Raskin, Robey, and Zirkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Circuit Court Judges – Election, Qualifications, and Term of Office**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; altering certain qualifications for appointment of circuit court judges; providing for a transitional period during which the terms of certain amendments are effective; repealing certain obsolete provisions; making stylistic changes; generally relating to the selection, election, appointment, qualification, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article IV – Judiciary Department  
Section 2, 3, 5A, 11, and 21(a)

BY proposing a repeal of the Maryland Constitution  
Article IV – Judiciary Department  
Section 5; 18B and the part “Part IIA – Interim Provisions”; and 21A

BY proposing an addition to the Maryland Constitution  
Article XVIII – Provisions of Limited Duration  
Section 6

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 834 – Senator Currie**

AN ACT concerning

**Base Realignment and Closure – Public Charter Schools Located on a  
Federal Military Base**

FOR the purpose of exempting certain public charter schools from certain admission requirements; authorizing public charter schools subject to this Act to be open to certain students on a certain basis and to certain other students under certain circumstances; and generally relating to public charter schools located on a federal military base.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 9–102  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 9–102.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 835 – Senators Currie and Peters**

AN ACT concerning

**Equity in State Aid to Counties Act of 2010**

FOR the purpose of altering the calculation of certain distributions required to be made to certain counties based on per capita yield of county income taxes; altering the definition of “net taxable income” in the calculation of certain State aid for education by changing a certain date; providing for the application of this Act; and generally relating to the determination of net taxable income for purposes of calculating State aid.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(9)  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 836 – Senators Lenett, Frosh, Garagiola, King, Madaleno, Pugh,  
and Raskin**

AN ACT concerning

**Education – Students Arrested for Reportable Offenses – Prohibition Against  
Attending School with Victim**

FOR the purpose of authorizing a local school superintendent and a school principal to prohibit a student who is arrested for a reportable offense from attending the same school or riding on the same school bus as the alleged victim under certain circumstances; prohibiting a student who is convicted of or adjudicated delinquent for a reportable offense involving rape or a sexual offense from attending the same school or riding on the same school bus as the alleged victim; and generally relating to the protection of students who are victims of reportable offenses.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–303(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 7–303(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 837 – Senators Pipkin and Rosapepe**

AN ACT concerning

**Utility Consumer Protection Act of 2010**

FOR the purpose of prohibiting an electric company from passing certain costs associated with outreach, marketing, or otherwise publicizing customer choice on to customers; and generally relating to customer choice.

BY adding to

Article – Public Utility Companies  
Section 7–510.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 838 – Senators Raskin and Peters**

AN ACT concerning

**Maryland Veterans – Post–Traumatic Stress Disorder – Death Benefits**

FOR the purpose of providing that certain surviving beneficiaries of certain deceased veterans who are residents of Maryland and who died as a result of a certain illness are entitled to certain death benefits; and generally relating to death benefits for deceased Maryland veterans.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 1–202(a–1)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to  
Article – Public Safety  
Section 1–202(f)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–202(f), (g), (h), and (i)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 839 – Senator Raskin**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Petition for Writ of Actual Innocence – Newly  
Discovered Evidence**

FOR the purpose of altering certain provisions relating to the filing of a petition for a writ of actual innocence; providing that a person may file a petition for a writ of actual innocence only if the person is convicted of a felony, an attempt to commit a felony, or a solicitation to commit a felony; establishing that a person may file a petition if newly discovered evidence creates a substantial possibility that a certain result would have been different; requiring the court to allow the State to file a certain response in a certain period of time; establishing that the only relief that may be granted from a certain petition is to set aside the verdict and grant a new trial; providing that a petitioner in a certain proceeding has the burden of proving certain grounds by a standard of clear and convincing evidence; authorizing a person to file only a certain number of petitions within a certain period of time; authorizing a person aggrieved by a certain order to appeal to the Court of Special Appeals within a certain time period; authorizing the court to stay an order and set bail under certain circumstances; authorizing the Court of Special Appeals to affirm, modify, or reverse an order or remand a case for further proceedings under certain circumstances; authorizing the Court of Special Appeals to direct a political subdivision to pay certain costs under certain circumstances; making this Act an emergency measure; and generally relating to petitions for writ of actual innocence and newly discovered evidence.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 8–302 and 8–303  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

## **PETITIONS, MEMORIALS AND OTHER PAPERS**

### **BALTIMORE CITY BOND BILL RESOLUTIONS**

(See Exhibit D of Appendix III)

Referred to the Committee on Budget and Taxation.

## **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Conway moved, duly seconded, to make the Bill and Report a Special Order for February 11, 2010.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 32 Members present.

(See Roll Call No. 133)

**ADJOURNMENT**

At 10:47 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Thursday, February 11, 2010.

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**Annapolis, Maryland**  
**Thursday, February 11, 2010**  
**11:00 A.M. Session**

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The Senate met at 11:13 A.M.

Prayer was prepared by Pastor J. Bruce Jarboe and read by Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 10, 2010 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Glassman, Madaleno, Muse and Stoltzfus be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 135)

Senator Kasemeyer moved to suspend the rules to allow the following Senate bills to be referred to the appropriate committees.

The motion was adopted by a roll call vote as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 136)

**INTRODUCTION OF BILLS**

**Senate Bill 840 – Senator Reilly**

AN ACT concerning

**Budget Reduction Act**

FOR the purpose of repealing certain State horse racing impact aid grants to certain local jurisdictions; repealing certain grants to certain film production entities; altering certain State aid provided to certain nonpublic institutions of higher education; repealing certain State grants to certain institutions; repealing a certain income tax credit for certain research and development expenses; altering a certain limit on the amount of certain distributions required to be

made to certain counties and Baltimore City based on per capita yield of county income taxes; altering certain State aid to local jurisdictions for local expenditures for police protection; providing for the distribution of certain amounts to the General Fund of the State from a certain special fund; altering or repealing certain required appropriations; prohibiting the use of State general funds for certain purposes; limiting certain rates established under certain programs; altering the calculation of certain State aid to community colleges; altering a certain scholarship program; altering certain State funding requirements for local health services; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenue from short-term rental vehicles; altering a certain limit on the maximum aggregate initial tax credit certificates that may be issued for any fiscal year under a certain tax credit for certain investments in certain biotechnology companies; altering a requirement that the State reimburse certain amounts to certain local jurisdictions for a certain property tax credit; altering the distribution of certain highway user revenues; stating certain intent of the General Assembly regarding restraining spending in the State budget by implementation of certain actions; making the provisions of this Act severable; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of State government.

BY repealing

Article 41 – Governor – Executive and Administrative Departments  
Section 4-401, 4-402, and 4-405  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing

Article – Business Regulation  
Section 11-404 and 11-405  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing

Article – Economic Development  
Section 4-401 through 4-407 and the subtitle “Subtitle 4. Film Production Rebate Fund”  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing

Article – Education  
Section 17-104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

## BY repealing

Article – Health – General  
Section 13–1015 and 13–1116 through 13–1118  
Annotated Code of Maryland  
(2009 Replacement Volume)

## BY repealing

Article – Tax – General  
Section 10–721  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1101(a)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1101(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments  
Section 4–403 and 4–406(d)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 11–403, 11–404.1, and 11–406  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

## BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 4–216(b) and 10–523(a)(3)(i)  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

## BY adding to

Article – Economic Development  
Section 10–640(g) and 10–643(g)  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–417, 16–305(c)(1), 18–1101, 18–1102(a) and (b), and 18–1103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 17–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 2–302  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 11–401 and 11–402(d)  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–325(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1104, 2–1302.1, and 10–725(e)(3)(iii)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–103(h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–402(c) and 8–403  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 487 of the Acts of the General Assembly of 2009  
Section 44

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–403  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Chapter 487 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 841 – Senator Conway**

AN ACT concerning

#### **Bail Bonds – Surety Bondsmen – Licensure, Regulation, and Financing of Bail Bonds**

FOR the purpose of requiring licensure by the Maryland Insurance Commissioner of certain bail bondsmen; exempting property bondsmen from certain licensing requirements; altering certain definitions; authorizing the Commissioner to take certain disciplinary action in connection with certain violations; authorizing a premium finance company to finance bail bonds under certain circumstances; requiring the Commissioner to adopt regulations regarding the premium financing of bail bonds; defining the scope of certain provisions; providing for the repeal of laws inconsistent with this Act; providing for the construction of this Act; making certain stylistic changes; providing for a delayed effective date; and generally relating to the licensure and regulation of surety bondsmen.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–203(a) and 5–210  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 5–209  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 10–126(a), 10–301, 10–304(a), and 10–305  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing

Article – Insurance  
Section 10–302  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Insurance  
Section 23–104  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 842 – Senators Kittleman, Astle, and Jacobs**

AN ACT concerning

#### **Regulated Firearms – License Issued by Another State to Current or Former Member of the Armed Forces – Reciprocity**

FOR the purpose of specifying that a license issued by another state to an individual who is a current or former member of the armed forces of the United States to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 5–101(p)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY adding to

Article – Public Safety  
Section 5–117.1  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 843 – Senator Kittleman**

AN ACT concerning

**Prevailing Wage Rate – Public School Construction – Moratorium**

FOR the purpose of placing a moratorium for a certain period of time on the application of the prevailing wage rate law to the construction of certain schools by or for certain public bodies in the State; and generally relating to the prevailing wage rate for certain public works contracts for school construction.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), (d), (h), and (i), 17–210(a) and (c), and 17–214  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(j)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 844 – Senators Kittleman, Astle, Brinkley, Colburn, Dyson, Glassman, Haines, Jacobs, Munson, Reilly, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**State Procurement – Employment of Unauthorized Aliens and the Federal E–Verify Program**

FOR the purpose of requiring an employer under a State procurement contract or other grant of State money to verify, through a certain federal program governing immigration status, the employment eligibility of certain of its employees; prohibiting an employer under a State procurement contract or other grant of State money from intentionally or knowingly hiring an unauthorized alien under the procurement contract or grant; defining certain terms; authorizing a person to file a certain complaint with certain law enforcement officials alleging that certain employers are employing certain employees in violation of law; requiring the law enforcement officials to investigate the complaints and take certain actions; requiring a certain court to hear certain actions; requiring the court to impose certain sanctions on certain employers found to have committed certain violations; authorizing a court to impose certain sanctions against certain employers under certain circumstances; requiring that certain agencies suspend the licenses of certain employers under certain circumstances; providing for the reinstatement of the

licenses of certain employers under certain circumstances; providing for the revocation of the licenses of certain employers under certain circumstances; requiring the Attorney General to maintain certain records and a certain database and to make the information available on the Attorney General's website; specifying a certain absolute defense; providing for the construction of this Act; providing for the application of this Act; and generally relating to the employment of unauthorized aliens and the federal E-Verify program.

BY adding to

Article – State Finance and Procurement

Section 20–101 through 20–114 to be under the new title “Title 20. Employment of Unauthorized Aliens and the Federal E-Verify Program”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 845 – Senators Kittleman, Brinkley, Colburn, Haines, Harris, Jacobs, Mooney, and Stoltzfus**

AN ACT concerning

### **Procurement – Living Wage – Repeal**

FOR the purpose of repealing the provisions of law regarding the living wage for State contracts; repealing the requirement that certain employers pay certain hourly wages to employees who work on certain State contracts; repealing the requirement that the Commissioner of Labor and Industry adjust and publish certain wages; repealing the requirement that the Commissioner adopt certain regulations; repealing the authority of the Commissioner to require certain employers to keep certain records and submit certain reports; repealing the requirement that the Commissioner make certain assessments regarding the appropriateness of certain measures and placements under the living wage requirements; repealing the requirement that certain employers post certain information regarding the living wage; repealing certain requirements regarding the filing, investigation, and resolution of violations of the living wage requirements; repealing provisions regarding the filing of actions for the violation of living wage requirements; and generally relating to the repeal of the living wage law.

BY repealing

Article – State Finance and Procurement

Section 18–101 through 18–109 and the title “Title 18. Living Wage”

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 846 – Senators Kittleman and Brochin**

AN ACT concerning

**State Government – Notary Public – Appointment**

FOR the purpose of repealing a provision of law requiring a notary public applicant to receive certain approval from a certain State Senator; repealing a provision of law requiring an individual appointed as a notary public to be a resident of the senatorial district from which the individual is appointed; altering a provision of law by authorizing the removal or suspension of a notary public from office based on a request made to the Governor from the Secretary of State instead of from a certain State Senator; requiring a notary public applicant to receive certain approval from the Secretary of State; making certain conforming changes; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101, 18–102, 18–103(a), and 18–104(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 847 – Senators Kittleman, Astle, Brinkley, Colburn, Harris, and Jacobs**

AN ACT concerning

**Hunting Licenses – Exemption for Disabled Armed Forces Members**

FOR the purpose of creating an exemption from the requirement to obtain a hunting license under certain circumstances for a person who serves in the armed forces and has a service-connected disability; providing that the exemption applies only to hunting on private property; requiring a person who hunts under the exemption to possess certain identification; and generally relating to exemptions from the requirement to obtain a hunting license.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10–301(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 10–301(c)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 848 – Senator Kittleman**

AN ACT concerning

**Real Property – Recordation of Instruments and Foreclosure Procedures on Residential Property – Owner–Occupied Property**

FOR the purpose of limiting certain recordation requirements for a mortgage, deed of trust, or other instrument securing a mortgage loan on residential property to certain owner–occupied residential property; limiting certain foreclosure procedures for residential property to certain owner–occupied residential property; altering certain definitions; providing for the application of this Act; and generally relating to recordation requirements and foreclosure procedures for owner–occupied residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–104.1 and 7–105.1(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 849 – Senator Harrington**

AN ACT concerning

**Procurement – Minority Business Enterprise Directory – List of Contracts**

FOR the purpose of requiring the certification agency designated to certify a minority business enterprise to include in a certain directory certain information on all procurement contracts awarded by the State to minority business enterprises; and generally relating to certified minority business enterprises and State procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–304(a)  
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 850 – Senators Peters and Astle**

AN ACT concerning

**Family Law – Marital Property – Military Pensions**

FOR the purpose of requiring a court that transfers ownership of an interest in a military pension under certain provisions of law to base the transfer on the rank and years of service of the member of the military on the day the annulment or divorce decree is granted using the current value of the rank and years of service at the time of retirement; establishing that an interest in the portion of a military pension derived from military service by a member of the military before a marriage may not be considered marital property; establishing that an interest in the portion of a military pension derived from pay increases attributable to promotion or additional time served by a member of the military after an annulment or a divorce decree is granted may not be considered marital property; and generally relating to marital property and military pensions.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 8–203  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 851 – Senators Pugh, Forehand, Garagiola, Harrington, Jones, Klausmeier, Lenett, Madaleno, McFadden, Peters, and Raskin**

AN ACT concerning

**Maryland Health Improvement and Disease Prevention Act**

FOR the purpose of establishing a Blue Ribbon Commission on Health Improvement and Disease Prevention; providing for the membership, purpose, chair, staff, and reimbursement of the Commission; requiring the Commission to consider and make recommendations on certain incentives; requiring the Commission to report its findings and recommendations to the Governor and General Assembly; providing for the termination of this Act; and generally relating to a Blue Ribbon Commission on Health Improvement and Disease Prevention.

Read the first time and referred to the Committee on Rules.

**Senate Bill 852 – Senators Stone, Colburn, DeGrange, Dyson, Haines, Jacobs, Mooney, Muse, Peters, and Simonaire**

AN ACT concerning

**Same Sex Marriages – Foreign Jurisdictions – Invalidity**

FOR the purpose of providing that a marriage between two individuals of the same sex that is validly entered into in another state or in a foreign country is not valid in this State; altering the definition of a “foreign marriage” to provide that the term includes a marriage ceremony between a man and woman; and generally relating to the validity of same sex marriages in the State.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–201 and 2–502(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 853 – Senator Muse**

AN ACT concerning

**Landlord and Tenant – Stay of Eviction – Reasons for Nonpayment Beyond Tenant’s Control**

FOR the purpose of authorizing a judge, in an action for repossession of residential premises for failure to pay rent, to extend the time for the surrender of the premises under certain circumstances; authorizing a judge to grant an extension for up to a certain period of time after the trial if a certain employer of the tenant who is the major wage earner certifies that the tenant was laid off or furloughed for reasons beyond the tenant’s control; authorizing an administrative judge of any district to stay the execution of a warrant of restitution of a residential property for up to a certain period of time under certain circumstances; authorizing the administrative judge to stay execution because of the death of the tenant who is the major wage earner or the layoff or furlough of the tenant for reasons beyond the tenant’s control; requiring the administrative judge to conduct a hearing and receive testimony and affidavits from both parties before granting a stay; requiring the execution of the warrant of restitution for which the stay was granted to be given priority and completed within a certain period of time after the end of the stay; and generally relating to a judicial stay of eviction for certain reasons beyond a tenant’s control.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 8–401  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON FINANCE REPORT #3**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 7 – Senator Garagiola**

AN ACT concerning

**Business Regulation – State Amusement Ride Safety Advisory Board –  
Membership**

**SB0007/357877/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 7  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “Board;” insert “requiring that the composition of the Board as to the race and gender of its members reflect the composition of the population of the State;”.

AMENDMENT NO. 2

On page 2, after line 12, insert:

**“(4) THE COMPOSITION OF THE BOARD AS TO THE RACE AND GENDER OF ITS MEMBERS SHALL REFLECT THE COMPOSITION OF THE POPULATION OF THE STATE.”**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 27 – Senator Conway**

AN ACT concerning

**Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 57 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – Mental Health Benefits – Group Health Plans**

**SB0057/787275/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 57

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Maryland)” insert “and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh”; in line 2, strike “– Group Health Plans” and substitute “and Medical and Surgical Benefits for Mastectomies – Parity with Federal Law”; in lines 7 and 8, in each instance, strike “health plans” and substitute “contracts covering employees of one or more large employers”; in line 11, after “system;” insert “requiring certain factors used to manage”

certain benefits for mental illnesses, emotional disorders, drug abuse disorders, or alcohol abuse disorders under certain group contracts to be comparable as written and in operation to, and applied no more stringently than, the factors used to manage the benefits for certain physical illnesses; requiring certain contracts to provide coverage for certain physical complications of all stages of mastectomy in a certain manner;”; in line 12, after “terms;” insert “altering a certain definition;”; strike beginning with the second “and” in line 13 down through “benefits” in line 14; and in line 22, after “15–802” insert “and 15–815”.

#### AMENDMENT NO. 2

On page 2, strike in their entirety lines 6 through 8, inclusive; in line 9, strike “(5)” and substitute “(4)”; after line 10, insert:

**“(5) “LARGE EMPLOYER” MEANS AN EMPLOYER THAT HAS MORE THAN 50 EMPLOYEES AND IS NOT A SMALL EMPLOYER.”;**

and after line 19, insert:

**“(8) “SMALL EMPLOYER” HAS THE MEANING STATED IN § 15–1201 OF THE INSURANCE ARTICLE.”.**

On page 3, strike in their entirety lines 11 through 15, inclusive, and substitute:

**“(III) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, WITH RESPECT TO BENEFITS FOR PARTIAL HOSPITALIZATION FOR THE TREATMENT OF MENTAL ILLNESS, EMOTIONAL DISORDERS, DRUG ABUSE, AND ALCOHOL ABUSE, THE GREATER OF:**

**1. THE SAME BENEFITS PAYABLE UNDER THE CONTRACT FOR PARTIAL HOSPITALIZATION FOR PHYSICAL ILLNESS; OR**

**2. AT LEAST 60 DAYS OF PARTIAL HOSPITALIZATION COVERED UNDER THE SAME TERMS AND CONDITIONS THAT APPLY TO OUTPATIENT TREATMENT OF PHYSICAL ILLNESSES;**”.

On page 3 in line 29 and on page 4 in line 8, in each instance, strike “HEALTH PLANS” and substitute “CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS”.

On page 4, after line 11, insert:

**“(5) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS REQUIRED UNDER THIS SECTION MUST BE COMPARABLE AS WRITTEN AND IN OPERATION TO, AND APPLIED NO MORE STRINGENTLY THAN, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS FOR PHYSICAL ILLNESSES COVERED UNDER THE CONTRACT.”;**

and in lines 12, 15, and 24, strike “(5)”, “(6)”, and “(7)”, respectively, and substitute “(6)”, “(7)”, and “(8)”, respectively.

### AMENDMENT NO. 3

On page 5, strike in their entirety lines 23 through 25, inclusive; in line 26, strike “(5)” and substitute “(4)”; and after line 27, insert:

**“(5) “LARGE EMPLOYER” MEANS AN EMPLOYER THAT HAS MORE THAN 50 EMPLOYEES AND IS NOT A SMALL EMPLOYER.”.**

On page 6, after line 5, insert:

**“(8) “SMALL EMPLOYER” HAS THE MEANING STATED IN § 15-1201 OF THIS TITLE.”;**

and strike in their entirety lines 26 through 30, inclusive, and substitute:

**“(3) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, WITH RESPECT TO BENEFITS FOR PARTIAL HOSPITALIZATION FOR THE TREATMENT OF MENTAL ILLNESS, EMOTIONAL DISORDERS, DRUG ABUSE, AND ALCOHOL ABUSE, THE GREATER OF:**

**(I) THE SAME BENEFITS PAYABLE UNDER THE CONTRACT FOR PARTIAL HOSPITALIZATION FOR PHYSICAL ILLNESS; OR**

(II) AT LEAST 60 DAYS OF PARTIAL HOSPITALIZATION COVERED UNDER THE SAME TERMS AND CONDITIONS THAT APPLY TO OUTPATIENT TREATMENT OF PHYSICAL ILLNESSES;”.

On page 7, in lines 7 and 28, in each instance, strike “HEALTH PLANS” and substitute “CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS”; after line 31, insert:

“(4) FOR GROUP CONTRACTS COVERING EMPLOYEES OF ONE OR MORE LARGE EMPLOYERS, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS REQUIRED UNDER THIS SECTION MUST BE COMPARABLE AS WRITTEN AND IN OPERATION TO, AND APPLIED NO MORE STRINGENTLY THAN, THE PROCESSES, STRATEGIES, EVIDENTIARY STANDARDS, OR OTHER FACTORS USED TO MANAGE THE BENEFITS FOR PHYSICAL ILLNESSES COVERED UNDER THE CONTRACT.”;

and in line 32, strike “(4)” and substitute “(5)”.

#### AMENDMENT NO. 4

On page 8, in line 7, strike “(5)” and substitute “(6)”; and after line 28, insert:

“15–815.

(a) (1) In this section the following words have the meanings indicated.

(2) “Mastectomy” means the surgical removal of all or part of a breast [as a result of breast cancer].

(3) (i) “Reconstructive breast surgery” means surgery performed as a result of a mastectomy to reestablish symmetry between the two breasts.

(ii) “Reconstructive breast surgery” includes augmentation mammoplasty, reduction mammoplasty, and mastopexy.

(b) This section applies to CONTRACTS ISSUED BY:

(1) insurers and nonprofit health service plans that provide [hospital, medical, or] MEDICAL AND surgical benefits to individuals or groups on an

expense-incurred basis under health insurance [policies] CONTRACTS that are issued or delivered in the State; and

(2) health maintenance organizations that provide [hospital, medical, or] MEDICAL AND surgical benefits to individuals or groups under contracts that are issued or delivered in the State.

(c) [An entity] A CONTRACT subject to this section shall provide coverage for:

(1) reconstructive breast surgery, including coverage for all stages of reconstructive breast surgery performed on a nondiseased breast to establish symmetry with the diseased breast when reconstructive breast surgery is performed on the diseased breast; AND

(2) PHYSICAL COMPLICATIONS OF ALL STAGES OF MASTECTOMY, INCLUDING LYMPHEDEMAS, IN A MANNER DETERMINED IN CONSULTATION WITH THE ATTENDING PHYSICIAN AND THE PATIENT.”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 99 – Senators DeGrange and Astle**

EMERGENCY BILL

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – Required Records**

**SB0099/597072/2**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 99

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “transactions;” insert “providing for the designation of primary law enforcement units;”; and in line 13, strike “additional expenses” and substitute “financial burdens”.

On page 2, in line 9, after “17-1001(g)” insert “and 17-1003”.

AMENDMENT NO. 2

On page 3, in lines 17, 18, 19, and 20, strike “(XVIII)”, “(XIX)”, “(XX)”, and “(XXI)”, respectively.

On page 6, in line 30, strike “SUBSECTION” and substitute “PARAGRAPH”.

On page 7, in line 20, strike “LICENSE TAG” and substitute “REGISTRATION PLATE”.

On page 9, in line 17, strike “(5)” and substitute “(4)”.

On page 10, in line 9, strike “§ 17-1001(E)(2)” and substitute “§ 17-1001(E)(1)(II)”; in line 25, strike “(4)(I)” and substitute “(G)(1)”; in line 29, strike “(II)” and substitute “(2)”; and in line 30, strike “1.” and substitute “(I)”.

On page 11, in lines 1 and 4, strike “2.” and “3.”, respectively, and substitute “(II)” and “(III)”, respectively; in line 6, strike “(III)” and substitute “(3)”; and in lines 13 and 17, strike “(G)” and “(H)”, respectively, and substitute “(H)” and “(I)”, respectively.

AMENDMENT NO. 3

On page 4, in line 14, after “MARKERS;” insert:

7. PROPANE TANKS;

and in line 15, strike “7.” and substitute “8.”.

AMENDMENT NO. 4

On page 5, after line 7, insert:

“17-1003.

(A) A COUNTY OR MUNICIPAL GOVERNING BODY IN THE COUNTY IN WHICH THE LICENSE OF THE JUNK DEALER OR SCRAP METAL PROCESSOR IS HELD SHALL DESIGNATE BY RESOLUTION THE PRIMARY LAW ENFORCEMENT UNIT TO RECEIVE RECORDS IN ACCORDANCE WITH § 17-1011(B) OF THIS SUBTITLE.

(B) IF A MUNICIPAL GOVERNING BODY DESIGNATES A COUNTY POLICE DEPARTMENT OR SHERIFF AS THE PRIMARY LAW ENFORCEMENT UNIT UNDER THIS SECTION, THE COUNTY MAY DESIGNATE THE DEPARTMENT OF STATE POLICE AS THE PRIMARY LAW ENFORCEMENT UNIT.”.

AMENDMENT NO. 5

On page 6, in line 24, after “TO” insert “:

(I);

and in line 28, after “THEM” insert “; OR

(II) A PERSON THAT BUYS SCRAP METAL TO USE AS RAW MATERIAL TO PRODUCE 1,000,000 TONS OF STEEL OR MORE IN THE STATE PER CALENDAR YEAR”.

AMENDMENT NO. 6

On page 8, in line 18, strike “EACH BUSINESS DAY” and substitute “THE FIRST BUSINESS DAY FOLLOWING THE DATE OF THE TRANSACTION”; in line 23, strike “AND”; in line 25, after “\$500” insert “;

4. THE REGISTRATION PLATE NUMBER OF ANY VEHICLE USED BY THE INDIVIDUAL FROM WHOM THE JUNK OR SCRAP METAL IS ACQUIRED;

5. THE NAME AND ADDRESS OF THE INDIVIDUAL FROM WHOM THE JUNK OR SCRAP METAL IS ACQUIRED;

**6. THE DATE OF BIRTH AND DRIVER’S LICENSE NUMBER OF THE INDIVIDUAL FROM WHOM THE JUNK OR SCRAP METAL IS ACQUIRED; AND**

**7. IDENTIFICATION INFORMATION ABOUT THE INDIVIDUAL FROM A VALID STATE-ISSUED PHOTO ID THAT PROVIDES A PHYSICAL DESCRIPTION OF THE INDIVIDUAL, INCLUDING THE SEX, RACE, AGE, HEIGHT, AND WEIGHT OF THE INDIVIDUAL”;**

and in line 28, strike “ANY ADDITIONAL EXPENSE” and substitute “A SUBSTANTIAL FINANCIAL BURDEN”.

**AMENDMENT NO. 7**

On page 10, strike beginning with “ESTABLISHED” in line 23 down through “RELATIONSHIP” in line 24 and substitute “ENTERED A WRITTEN CONTRACT”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 328 – Senators Middleton and Della**

AN ACT concerning

**Hospitals – Financial Assistance and Debt Collection**

**SB0328/747076/1**

BY: Finance Committee

**AMENDMENTS TO SENATE BILL 328**  
**(First Reading File Bill)**

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “and Della” and substitute “Della, Exum, Kelley, Klausmeier, and Pugh”; in line 9, strike “any family member” and substitute “certain family members”; and in line 27, strike “to policy” and substitute “policy to”.

On page 2, in line 2, strike “promptly”; in line 3, after “obligation” insert “within a certain period of time”; and in line 36, after “State” insert “UNDER THE JURISDICTION OF THE COMMISSION”.

#### AMENDMENT NO. 2

On page 3, in line 3, in each instance, strike the bracket; strike beginning with the semicolon in line 6 down through “**HARDSHIP**” in line 9; after line 18, insert:

**“(4) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS PARAGRAPH, THE FINANCIAL ASSISTANCE POLICY REQUIRED UNDER THIS SUBSECTION SHALL PROVIDE REDUCED-COST MEDICALLY NECESSARY CARE TO PATIENTS WITH FAMILY INCOME BELOW 500% OF THE FEDERAL POVERTY LEVEL WHO HAVE A FINANCIAL HARDSHIP.**

**(II) A HOSPITAL MAY SEEK AND THE COMMISSION MAY APPROVE A FAMILY INCOME THRESHOLD THAT IS DIFFERENT THAN THE FAMILY INCOME THRESHOLD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

**(III) IN ESTABLISHING A FAMILY INCOME THRESHOLD THAT IS DIFFERENT THAN THE FAMILY INCOME THRESHOLD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COMMISSION SHALL TAKE INTO ACCOUNT:**

**1. THE MEDIAN FAMILY INCOME IN THE HOSPITAL’S SERVICE AREA;**

**2. THE PATIENT MIX OF THE HOSPITAL;**

**3. THE FINANCIAL CONDITION OF THE HOSPITAL;**

**4. THE LEVEL OF BAD DEBT EXPERIENCED BY THE HOSPITAL;**

**5. THE AMOUNT OF CHARITY CARE PROVIDED BY THE HOSPITAL; AND**

**6. OTHER RELEVANT FACTORS.**;

in lines 19 and 23, strike “(4)” and “(5)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 20, strike “PARAGRAPH” and substitute “PARAGRAPHS”; in the same line, strike “(III)” and substitute “(4)”; in line 24, after “ANY” insert “IMMEDIATE”; and in line 25, after “PATIENT” insert “LIVING IN THE SAME HOUSEHOLD”.

AMENDMENT NO. 3

On page 6, in line 16, after “OF” insert “THE”; and in the same line, after “SERVICE” insert “FOR WHICH THE JUDGMENT WAS AWARDED OR THE ADVERSE INFORMATION WAS REPORTED”.

On page 7, in line 15, strike “PROMPTLY”; and in line 16, after “OBLIGATION” insert “WITHIN 60 DAYS AFTER THE OBLIGATION IS FULFILLED”.

On page 8, in line 10, strike “3” and substitute “2”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 16, 2010.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 137)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #8 CONSENT CALENDAR #1

BILL NO.	SPONSOR	CONTENT	COMMITTEE
SB 40	Sen. Colburn	Dorchester County – Membership of Sanitary Commission	EHE
SB 47	Sen. Colburn	Dorchester County – Alcoholic Beverages – Restaurant Seating Requirement	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 1 were read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 138)

The Bills were then sent to the House of Delegates.

#### THIRD READING CALENDAR (SENATE BILLS) #9

**Senate Bill 3 – Senators Klausmeier, Middleton, ~~and Robey~~ Robey, Colburn, and Dyson**

AN ACT concerning

**Environment – Wetlands and Waterways Program Fees – Aquaculture**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 0      (See Roll Call No. 139)

The Bill was then sent to the House of Delegates.

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment) and Senators  
Harrington and Lenett**

AN ACT concerning

**Commission on Environmental Justice and Sustainable Communities –  
Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 0      (See Roll Call No. 140)

The Bill was then sent to the House of Delegates.

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Horse Industry Fund – Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 34      Negative – 9      (See Roll Call No. 141)

The Bill was then sent to the House of Delegates.

**Senate Bill 81 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – License Suspensions and  
Revocations – Maximum Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 142)

The Bill was then sent to the House of Delegates.

**Senate Bill 82 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Commercial Feed Law – Definitions – Prohibition on Sale**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 143)

The Bill was then sent to the House of Delegates.

**Senate Bill 83 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Department of Housing and Community Development – Group Home  
Financing Program – Refinancing**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 144)

The Bill was then sent to the House of Delegates.

**Senate Bill 84 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission  
– Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 145)

The Bill was then sent to the House of Delegates.

**Senate Bill 88 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Advisory Council**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 146)

The Bill was then sent to the House of Delegates.

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Secretary of Agriculture – Farm Quarantine**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 147)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #10**

**Senate Bill 11 – ~~Senator Conway~~ Senators Conway and Dyson**

AN ACT concerning

**Business Regulation – Returnable Containers – Plastic Secondary Packaging**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 0      (See Roll Call No. 148)

The Bill was then sent to the House of Delegates.

**Senate Bill 13 – Senator Raskin**

AN ACT concerning

**Civil Proceedings – Foreign Defamation Judgments – Enforceability and  
Bases of Personal Jurisdiction**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 149)

The Bill was then sent to the House of Delegates.

**Senate Bill 43 – Senator Haines**

AN ACT concerning

**Public Safety – Board of Boiler Rules – Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 150)

The Bill was then sent to the House of Delegates.

**Senate Bill 46 – ~~Senator Colburn~~ Senators Colburn, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Peters, Raskin, Simonaire, and Stone**

AN ACT concerning

**Vehicle Laws – Registration and Driver’s License Renewal Fees – No Charge for Recipients of Medal of Honor**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 151)

The Bill was then sent to the House of Delegates.

**Senate Bill 51 – ~~Senator Raskin~~ Senators Raskin and Forehand**

AN ACT concerning

**Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 152)

The Bill was then sent to the House of Delegates.

**Senate Bill 61 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Family Law – Criminal History Records Checks – Employees and Employers  
in Facilities and Other Individuals That Care for or Supervise Children**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 153)

The Bill was then sent to the House of Delegates.

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Comprehensive Master Plans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 41      Negative – 0      (See Roll Call No. 154)

The Bill was then sent to the House of Delegates.

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Public Safety and  
Correctional Services) and Senator Harrington**

AN ACT concerning

**Health General – Disease Prevention and Testing – Inmates of Correctional  
Institutions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 0      (See Roll Call No. 155)

The Bill was then sent to the House of Delegates.

**Senate Bill 80 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Office of Student Financial  
Assistance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 156)

The Bill was then sent to the House of Delegates.

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Exempt Institutions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 157)

The Bill was then sent to the House of Delegates.

**Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Criminal Procedure – Expiration Date of Sentences – Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 158)

The Bill was then sent to the House of Delegates.

**Senate Bill 245 – Senator Simonaire**

AN ACT concerning

**School Bus Seat Belt Corrective Language Act**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 0      (See Roll Call No. 159)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 160)

**ADJOURNMENT**

At 12:08 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 12, 2010.

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**Annapolis, Maryland**  
**Friday, February 12, 2010**  
**11:00 A.M. Session**

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The Senate met at 11:09 A.M.

Prayer by Reverend Bryon Brought, Senior Pastor, Calvary United Methodist Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of February 11, 2010 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Madaleno be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 162)

**INTRODUCTION OF BILLS**

**Senate Bill 854 – The President (By Request – Administration) and Senators  
DeGrange, Haines, King, Muse, Robey, and Stone**

AN ACT concerning

**Criminal Procedure – Sex Offenders – Notification and Registration**

FOR the purpose of altering certain requirements relating to the registration of individuals who have committed certain offenses on a certain registry; altering the offenses for which a person can be required to register on a certain registry for committing, attempting to commit, or conspiring to commit; requiring certain persons to register on a certain registry if they have been convicted of certain crimes in certain countries; altering the requirements for registration on a certain registry for a certain person granted probation before judgment; providing that certain requirements for a person to register on a certain registry are to be applied retroactively under certain circumstances; providing for the calculation of a certain term of registration; altering certain requirements for persons under a certain age to register on a certain registry under certain

circumstances; establishing that certain individuals who are under the protection of certain witness protection programs are exempt from certain registration requirements; altering certain time periods relating to certain registration, notice, and reporting requirements; requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring a certain registrant who makes changes in certain identifying information to send a certain notice to a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant leaves the United States under certain circumstances or temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring a certain registrant to provide a digital image instead of a photograph under certain circumstances; requiring a certain registrant to provide a palm print; repealing an exemption from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing certain terms of registration to be reduced under certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include the county where the registrant habitually lives or intends to habitually live; requiring a certain supervising authority to notify the local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; requiring the Department to provide

certain information relating to out-of-state registration status on a certain Internet posting; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; providing that certain provisions of this Act are severable under certain circumstances; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11-701, 11-702, 11-702.1, 11-704 through 11-710, 11-712, 11-713, 11-714, 11-717, 11-718(a), and 11-721 to be under the amended subtitle “Subtitle 7. Sex Offender Registration”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11-703

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Criminal Procedure

Section 11-704.1 and 11-704.2

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 855 – The President (By Request – Administration) and Senators Astle, Conway, Forehand, Frosh, Harrington, Kelley, King, Kramer, Lenett, Madaleno, Middleton, Muse, Peters, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

### **Patient Centered Medical Home Program**

FOR the purpose of requiring the Maryland Health Care Commission to establish a Maryland Patient Centered Medical Home Program under certain circumstances; authorizing certain health insurance carriers to elect to participate in the Program; requiring certain health insurance carriers to participate in the Program; authorizing the Department of Health and Mental Hygiene to require certain managed care organizations to participate in the Program under certain circumstances; authorizing the Commission to authorize a health insurance carrier to implement a single carrier patient centered medical home program; providing for the construction of certain provisions of

this Act; requiring the Commission to adopt certain standards and practices for the Program; requiring the Commission to adopt certain payment methods for the Program; requiring the Commission to adopt certain health care quality and performance measures to be reported to the Commission and to certain carriers; requiring the Commission to consider certain information when developing certain standards; requiring the Commission to consult with certain carriers and primary care practices in developing certain payment methods; establishing certain enrollment procedures for the Program; authorizing the Commission to adopt certain regulations; authorizing certain health insurance carriers to pay a patient centered medical home for certain services, pay certain bonuses and fees, and share certain medical information about certain individuals; requiring certain insurers, nonprofit health service plans, health maintenance organizations, and managed care organizations to comply with certain provisions of this Act pertaining to the Program; defining certain terms; requiring the Commission to retain a consultant or consulting firm to conduct a certain independent evaluation; requiring the Commission to consider certain information in the evaluation; requiring the Commission to report its findings to certain committees; and generally relating to the Maryland Patient Centered Medical Home Program.

BY adding to

Article – Insurance

Section 15–1801 and 15–1802 to be under the new subtitle “Subtitle 18.  
Exemption for a Patient Centered Medical Home Program”

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to

Article – Health – General

Section 19–1A–01 through 19–1A–04 to be under the new subtitle “Subtitle 1A.  
Patient Centered Medical Home Program”

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 856 – The President (By Request – Administration) and Senators Brochin, Haines, Muse, Robey, and Stone**

AN ACT concerning

**Public Safety – Sexual Offender Advisory Board**

FOR the purpose of altering the composition of a certain Sexual Offender Advisory Board; requiring certain members of the Board to have certain expertise; providing for the terms of the appointed members of the Board to be staggered in a certain manner; altering the duties of the Board; requiring the Board to

make a certain report by a certain date; repealing a requirement that the Department of Health and Mental Hygiene provide staff to the Board; making certain conforming changes; and generally relating to the Sexual Offender Advisory Board.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–401  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 857 – Senator Pipkin**

AN ACT concerning

**Queen Anne’s County – County Commissioners – Gaming Permits**

FOR the purpose of repealing a certain limitation on the number of permits to operate gaming devices that the County Commissioners for Queen Anne’s County may issue to an organization in a single year; authorizing the county commissioners to determine the number of permits to issue to an organization in a single year; and generally relating to permits to operate gaming devices in Queen Anne’s County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–2002(a) and 13–2003(a)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–2003(d)(3)  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 858 – Senators Conway, Astle, Brinkley, Brochin, Colburn, Currie, DeGrange, Della, Dyson, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Glassman, Haines, Harrington, Harris, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, McFadden, Middleton, Miller, Munson, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Simonaire, Stone, and Zirkin**

AN ACT concerning

**Maryland Winery Modernization Act**

FOR the purpose of authorizing the Comptroller to issue a farmer's market permit to certain alcoholic beverages licensees; specifying that a permit may be used only at a certain time and place and for certain purposes; limiting the number of permits that the Comptroller may issue; altering the scope of the Class 4 limited winery license; authorizing a licensee to exercise certain privileges under certain conditions, including fermenting and bottling wine, distilling and bottling pomace brandy, providing samples of wine and pomace brandy, and selling or serving certain foods; specifying certain license restrictions in Garrett County; requiring a licensee to file a certain notice with the Comptroller under certain conditions; altering the amount of pomace brandy a licensee is authorized to distill and bottle; authorizing a licensee to purchase a certain amount of bulk wine for a certain purpose; authorizing a licensee to conduct winemaking and packaging activities at certain locations under certain circumstances; requiring that throughout the winemaking process, the licensee maintain ownership of the wine or pomace brandy and ensure that the wine or pomace brandy returns to the location of the limited winery; repealing certain provisions that are inconsistent with this Act; providing that this Act applies to certain licensees; requiring the Comptroller to make a certain report on or before a certain date on the growth of the Maryland wine industry; and generally relating to alcoholic beverages in the State.

BY adding to

Article 2B – Alcoholic Beverages  
Section 2–101(x)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 2–201, 2–205, 11–507, and 11–511  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 859 – Senator Pinsky**

AN ACT concerning

**Agriculture – Commercial Feed – Arsenic Prohibition**

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; and generally relating to the contents of commercial feed.

BY adding to

Article – Agriculture

Section 6–107.3

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 860 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – SEED Recreation 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 Sowing Empowerment and Economic 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 Rules.

**Senate Bill 861 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – La Vida Sana (Healthy Living Farm)**

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 Engaged Community Offshoots, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 862 – Senators Lenett and Harrington**

AN ACT concerning

**Public Pension Fund Protection Act**

FOR the purpose of prohibiting certain persons from making an appearance or communication to the Board of Trustees for the State Retirement and Pension System or any employee of the State Retirement Agency within a certain period of time with the intent to initiate certain actions; requiring the Board of Trustees to adopt certain regulations to require the disclosure of payments to certain persons with regard to the investment of the assets of the State Retirement and Pension System; requiring that certain persons who violate certain regulations are prohibited from making certain investments on behalf of the State Retirement and Pension System for a certain period of time; providing that the Board of Trustees may reduce the period of time that certain prohibitions are in place if certain persons are able to show good cause; prohibiting the Board of Trustees or the Chief Investment Officer for the State Retirement and Pension System from entering certain agreements with certain persons who refuse to agree to certain regulations; providing that the Board of Trustees is not required to take certain actions unless the actions are consistent with the fiduciary responsibilities of the Board of Trustees; requiring certain individuals to make certain disclosures for certain actions taken by the individuals; defining certain terms; and generally relating to the monitoring of actions taken by covered persons, investment managers, or placement agents for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–205.1 through 21–205.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 863 – Senators Lenett, Harrington, King, Madaleno, Pugh, Raskin,  
and Rosapepe**

AN ACT concerning

**Credit Regulation – Loans Secured by Residential Real Property – Late or  
Delinquency Charges and Crediting of Payments**

FOR the purpose of requiring all payments or portions of payments made on a certain consumer loan during a certain grace period to be credited in a certain manner; prohibiting a late or delinquency charge from being charged on a certain consumer loan unless a scheduled payment is not paid in full during the grace period; altering the contents of a notice of intent to foreclose on certain residential property; defining a certain term; and generally relating to late or delinquency charges or penalties and crediting payments on certain loans.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–1008  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1(c)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 864 – Senator McFadden**

AN ACT concerning

#### **Income Tax – Subtraction Modification – Maryland Civil Air Patrol**

FOR the purpose of making certain members of the Maryland Civil Air Patrol eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Civil Air Patrol unless the Maryland Civil Air Patrol maintains certain records and provides certain reports; providing for the effective date and application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Civil Air Patrol.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General

Section 10-208(i-1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 865 – Senators Lenett and Zirkin**

AN ACT concerning

**Education – Student–Athletes – Concussions**

FOR the purpose of requiring the State Department of Education, in collaboration with certain organizations and individuals, to develop and implement a certain program; requiring a certain program to include a certain verification process; requiring county boards of education to provide a certain information sheet to certain individuals; requiring certain individuals to sign certain statements; requiring the Department to create a certain information sheet and acknowledgment statement; requiring the removal from play of certain student–athletes; prohibiting the return to play of certain student–athletes until certain student–athletes receive certain evaluation and clearance; granting certain immunity to certain health care providers, county boards, and youth sports programs under certain circumstances; establishing certain requirements for certain insurance policies; requiring youth sports programs to provide certain information to county boards under certain circumstances; providing that certain grants of immunity do not impair the ability of certain persons to recover certain damages; and generally relating to the development and implementation of a program to provide awareness and training on the nature and risk of concussions.

BY adding to

Article – Education  
Section 7-430  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 866 – Senators King, Conway, Forehand, Frosh, Garagiola, Kramer, Lenett, and Raskin**

AN ACT concerning

**Education – Enrollment – Average Daily Attendance**

FOR the purpose of requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; providing for

the application of this Act; defining certain terms; and generally relating to the calculation of education aid for primary and secondary education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–122(b)(2) and 5–202(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 867 – Senators Muse, Conway, Exum, Forehand, King, Lenett, Peters, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Domestic Violence – Protective Order – Extension**

FOR the purpose of authorizing a court to extend the term of a protective order for a certain period of time under certain circumstances; requiring the court to provide certain notice and a hearing before extending the term of a protective order; requiring the court to consider certain factors in determining the period of extension of a protective order; and generally relating to an extension of a protective order.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–506(i) and (j)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–507  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 868 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Youth Fitness Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of the Fort Washington

Area Recreation Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 869 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Daughter for the Day**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Daughter for the Day, 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.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 651 – Senators Pipkin and Astle**

AN ACT concerning

**Maryland Transportation Authority – Toll Increase – Public Meeting Requirement**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**Senate Bill 773 – Senators Mooney and Colburn**

AN ACT concerning

**Corporate Income Tax – Repeal**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**Senate Bill 833 – The President (By Request – Departmental – Office of the Attorney General) and Senators Astle, Conway, DeGrange, Forehand, Garagiola, Harrington, Kelley, King, Lenett, Miller, Pinsky, Pugh, Raskin, Robey, and Zirkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Circuit Court Judges – Election, Qualifications, and Term of Office**

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

**Senate Bill 841 – Senator Conway**

AN ACT concerning

**Bail Bonds – Surety Bondsmen – Licensure, Regulation, and Financing of Bail Bonds**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 12, 2010

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21401

Dear President Miller:

It is a pleasure to submit the following 2010 Session nomination for confirmation by the Maryland State Senate.

Frederick County Commissioner

**Blaine R. Young**

Appointment

Remainder of a term of 4 years from the General Election of November, 2006

I trust you will find Mr. Young to be well qualified and highly deserving of your support for the office in which he will serve. Biographical information is attached. We will be pleased to furnish any additional information helpful to your review. Your favorable consideration of this nomination is appreciated.

Sincerely,

Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #2**

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Joint Resolution 2 – The President (By Request – Governor’s Salary Commission)**

A Senate Joint Resolution concerning

**Governor’s Salary Commission – Salary Recommendations for Governor and Lieutenant Governor**

**SJ0002/479137/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 4 down through “2011” in line 6 and substitute “rejecting certain recommendations of the Governor’s Salary Commission in accordance with Article II, Section 21A of the Maryland Constitution

for the 4-year term of office beginning January 19, 2011, that address the salaries to be paid to the Governor and Lieutenant Governor”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 7 on page 1 through line 3 on page 2, inclusive.

On page 2, in line 9, strike “For the first year,”; in the same line, after the semicolon insert “and”; strike in their entirety lines 10 through 12, inclusive; in line 14, strike “For the first year,”; in the same line, after the semicolon insert “and be it further”; and strike in their entirety lines 15 through 17, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)**

A Senate Joint Resolution concerning

**Judicial Compensation Commission – Recommendations**

**SJ0004/809437/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 4  
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in line 3, strike “proposing an alteration to” and substitute “establishing”.

On pages 1 and 2, strike in their entirety the lines beginning with line 6 on page 1 through line 8 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike line 12 in its entirety; and in lines 14, 15, 17, 18, 20, 22, and 23, respectively, strike “190,463”, “171,463”, “161,663”, “158,663”, “149,463”, “158,663”, and “136,363”, respectively.

On pages 2 and 3, strike in their entirety the lines beginning with line 25 on page 2 through line 27 on page 3, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Joint Resolution 5 – The President (By Request – General Assembly Compensation Commission)**

A Senate Joint Resolution concerning

**General Assembly Compensation – Recommendations**

**SJ0005/769334/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 5

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “(By Request – General Assembly Compensation Commission)”; in line 2, after “Compensation” insert “Commission”; and strike beginning with the second “the” in line 5 down through the period in line 14 and substitute “certain proposed changes to salaries, in-district travel, out-of-state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out-of-state travel remain at the levels set by the Resolution of the General Assembly Compensation”

Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in-district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; and generally relating to recommendations of the General Assembly Compensation Commission.”.

#### AMENDMENT NO. 2

On page 1, strike beginning with “salary” in line 18 down through “Delegates” in line 20 and substitute “salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly, the allowance for in-district travel, changes to the provisions addressing out-of-state travel, and for changes in the retirement benefits available to legislators in the Legislative Pension Plan”; in line 22, after “2010;” insert “and”; in line 23, strike “1A and 1B” and substitute “1A, 1B, and 2A”; and strike beginning with “salary” in line 25 down through “Delegates” in line 27 and substitute “allowance for salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly and out-of-state travel”.

#### AMENDMENT NO. 3

On page 2, in line 2, after the first “2006” insert a comma; after line 2, insert:

“(c) Item 2C and Section 12 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void and provisions related to the allowance for in-district travel and the optional retirement allowances available to legislators in the Legislative Pension Plan shall be as provided in the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; and

(d) Section 22 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, addressing military service credit for legislators in the Legislative Pension Plan shall be void; and”;

and in line 3, strike “(c)” and substitute “(e)”.

The preceding 3 amendments were read only.

Senator Harris moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Introduction and Remarks by United States Representative Steny Hoyer

### LINCOLN DAY ADDRESS

By Senator Bryan Simonaire

Silence: Silence is often the enemy of justice.

President Abraham Lincoln understood this when he said, *“To stand in silence when they should be protesting makes cowards out of men.”* Lincoln spoke from experience, as he would not be silent in the face of the one of the most explosive and deplorable issues in the history of America: Slavery.

Slavery had been gradually increasing during colonial times as the need for cheap labor in the Southern states changed the plight of many free Africans.

By 1675, American slave ships became prolific on the high seas as the insatiable demand for slaves intersected with the profiteering interest of the plantation owners and the cargo merchants.

By the historic year of 1776, the issue of slavery had become shackled to the very creation of the United States.

In his book entitled *American Creation*, Joseph Ellis stated, *“Virtually all the most prominent founders recognized that slavery was an embarrassing contradiction that violated all the principles the American Revolution claimed to stand for...The triumph was also a tragedy of monumental proportions.”*

Between 1776 and 1860, slavery had increased eightfold, so much that half of the Southern states’ population was enslaved and nearly two thirds of all South Carolinians.

The stage had been set for President Lincoln to change the course of a nation forever, but as a quote from the *Liberator* succinctly summarized, *“No institution in American history has been as divisive, politically and socially, as slavery. Slavery set black against white, North against South, friend against friend. Even within groups of like-minded people, slavery sparked debate, and heated debate at that. Some slave owners*

*preferred to think of slavery as a necessary evil, with an emphasis on the word necessary, while others championed it as a positive good...But the real proof of the divisive quality of slavery is this: In the end, the dispute over slavery led to the only civil war in US history."*

The Civil War was so bloody that it claimed the lives of 645,000 soldiers or approximately 2 percent of the nation's population. In today's terms, that would be equivalent to losing 6 million American soldiers in the Iraq War.

It is hard to imagine the political pressures Abraham Lincoln faced during his presidency, but his internal compass was guided by principle as he once stated, "*Be sure you put your feet in the right place, then stand firm.*" This was not an idle political sound bite, but rather a man quoting from his core beliefs.

Lincoln would stand firm to combat the terrible abuses of slavery that included physical and emotional torment, lack of liberties, family separations and a demoralizing loss of hope.

Public whippings were a frequent and inhumane sight when slaves were caught breaking one of the many oppressive laws placed upon them. Slaves could even have the letter 'R' branded on their cheek for actions associated with a runaway slave.

An eyewitness account of one such punishment was documented by Henrietta Buckmaster in her book entitled *Let My People Go*. The eyewitness, Ms. Esther, would have these images sketched upon her memory forever as she stated, "*I done see one and that enough. They wasn't no fooling about it. A runaway slave from the Henkin's plantation was brought back and there was a public whipping, so's the slaves could see what happens when they tries to get away. The runaway was chained to the whipping post, and I was full of misery when I see the lash cutting deep into the boy's skin. He swell up like a dead horse, but he gets over it, only, he was never no 'count for work no more.*"

While horrific situations like this were occurring in different parts of America, Maryland and her residents were not exempt from aiding the proponents of slavery.

In 1857, the United States Supreme Court ruled on the status of a slave named Dred Scott. The slave had been temporarily transferred to a free state by his owner and then returned back to the state of Missouri where slavery was legal. The legal debate centered on the question of whether Dred Scott was now a free man after living in a free state.

Susan Swain documents the conclusion of the high profile case, "*The chief justice of the United States, Roger B. Taney of Maryland, declared that blacks were not and could not be citizens of the United States; they were never intended to be and they were inherently unequal.*"

Understanding that this mindset greeted Abraham Lincoln's presidency, we see that he had to navigate through very turbulent political waters while dealing with varying views on slavery.

For those that supported slavery, some argued for it under the guise of providence and morality.

Again, we are painfully reminded that political leaders and their policies can be woefully misguided if left unchecked, as illustrated in a speech given by the Governor of South Carolina, George MacDuffie, in 1835:

*"They have all the qualities that fit them for slaves, and not one of those that would fit them for freeman. They are utterly unqualified, not only for rational freedom but for self-government of any kind. They are, in all respects, physical, moral, and political, inferior...It is utterly astonishing that any enlightened American ... should suppose it possible to reclaim the African race from their destiny."*

Maybe Abraham Lincoln was thinking of the governor when he was once overheard saying, *"Whenever I hear someone defending or advocating slavery, I feel like trying it on him personally."*

Others justified their support for slavery because of the economical benefits. The Northern States needed the inexpensive cotton harvested by the slaves for their textile mills, while the Southern States required the machinery produced by the North. In the end, slavery became acceptable to many due to the affect it had on their business's bottom line.

Another key factor in promoting slavery was to secure public opinion by redefining and devaluing the life of a slave. Attempts to minimize the worth of human life can be seen throughout America's history, whether it was defining slaves simply as property or denying them full and equal voting rights.

When leaders start playing God by defining when a human life is worthy of legal protection, we should all take a moment to pause and think how history will judge these actions.

The second widely held view of slavery was that of neutrality. This group generally kept silent and hoped to wash their hands of any associated injustices. However, opposition often interprets silence as tacit approval, thereby making them partners of the very acts they wished to be divorced from.

Lastly, there were those that opposed slavery. For example, we saw the courageous acts of Harriet Tubman, often called the Moses of her people, as she escaped from a Maryland Plantation and bravely assisted countless other slaves on their path to freedom.

Many that opposed slavery were common folk without much power in government or business, but they knew the difference between right and wrong and they demanded action.

And true enough, action would ultimately define the presidency of Abraham Lincoln. Indeed, Lincoln once said, *“The probability that we may fail in the struggle ought not deter us from the support of a cause we believe to be just.”*

It would have been politically expedient to avoid the slavery issue outright or at least look for a less controversial compromise.

However, through great deliberation and an immense amount of political courage, Lincoln chose to address the issue head on. A decision that would come at a great cost to him and the country he loved so much.

Nearly 150 years have passed since the bold actions of President Lincoln set our nation on an altered course. The climax of his actions can be seen in the recent election of our first African American President Barrack Obama.

We have come a long way since the days of legalized slavery, but as it has been said, if we do not learn from our history, we are doomed to repeat it.

First, we must realize that the legalization of an issue does not necessarily equate to the morality of an issue, nor absolve our actions associated with an issue.

Secondly, the message surrounding slavery was framed so cunningly that it was willingly accepted by the majority of the public and its political leaders.

The proponents cleverly questioned the value of a slave’s life, so much that African slaves were no longer recognized as “real” humans, but simply as property to be bought and sold in the marketplace.

Lastly, politicians fell in line with the powerful lobbyist of the day when they legitimized this new definition of human life.

Once personhood was forcibly stripped from the Africans, the proponents then swayed public opinion by touting the economic benefits of owning a slave.

Yes, the abolition of slavery is past history, but the underlying strategies that were used to promote the legalization and proliferation of slavery remain intact within Annapolis.

We still have powerful lobbyists pushing their agendas, proponents shrewdly framing their public message and others using legal and medical definitions to prey upon the unprotected.

Therefore, each generation must be vigilant to guard against the abuses to the sacred basis of our humanity. Whether in the 19th or 21st century, diminishing the value of human life will always, will always have catastrophic consequences.

History can be a great teacher and every so often, there are individuals destined for greatness due to the challenges divinely placed upon their paths.

Tonight we honor a man for his courage in the face of great adversity and his willingness to put country and justice before political pursuits. America is a better nation because of his bold actions. We are forever grateful to the man we call our 16th President Abraham Lincoln.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 163)

### **ADJOURNMENT**

At 12:07 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 15, 2010 in memory of Mary Jane Hatcher, mother of Maryland State Trooper Samuel Irby.

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**Annapolis, Maryland**  
**Monday, February 15, 2010**  
**8:00 P.M. Session**

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The Senate met at 8:08 P.M.

Prayer by Stephanie Gioia Ely, sang the “Lord’s Prayer”, guest of the President.

The Journal of February 12, 2010 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 165)

**INTRODUCTION OF BILLS**

**Senate Bill 870 – Senators Haines, Forehand, Harris, Jacobs, Reilly,  
Simonaire, and Stone**

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 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 871 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Academy of Success Community Empowerment Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of the Academy of Success, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 872 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Largo High School PTSA Track Renovation**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$180,000, the proceeds to be used as a grant to the Largo High School Parent Teacher Student Association for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 873 – Senator Middleton**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Charles County – Old Waldorf School Community Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to permit the Board of Directors of the Friends of Old Waldorf School Foundation, Inc. to include funds expended on or after a certain date in the matching fund; and extending the deadline by which the grantee must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA02(AM)

Read the first time and referred to the Committee on Rules.

**Senate Bill 874 – Senators Frosh, Currie, and Miller**

AN ACT concerning

**Judgeships – Circuit Courts and District Court – Creation in Areas of  
Greatest Certified Need**

FOR the purpose of altering the number of resident judges of the circuit court in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; specifying the number of District Court judges to be appointed from certain counties; 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 and 1–603(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 1–602  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 875 – Senator Zirkin**

AN ACT concerning

**Criminal Procedure – Sexual Offender Registry – Written Notice of New  
Electronic Identity Information**

FOR the purpose of requiring a certain sexual offender registrant who establishes a new electronic mail address, computer log-in or screen name or identity, instant-message identity, or electronic chat room identity to provide written notice to the sexual offender registry of the new information within a certain period after establishing the new address, name, or identity; prohibiting a registrant from knowingly failing to provide a certain notice as required under

this Act; providing criminal penalties for a violation of this Act; and generally relating to the sexual offender registry.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–705 and 11–721  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–706  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 876 – Senator Dyson**

AN ACT concerning

#### **St. Mary’s County – Certificated Public School Employees – Service or Representation Fee**

FOR the purpose of authorizing the St. Mary’s County Board of Education to negotiate with the employee organization designated as the exclusive representative for a unit of certain certificated employees as to a service or representation fee for representing nonmember certificated employees in the unit in certain matters; making the Act applicable only to certain employees hired on or after a certain date; and generally relating to negotiations for a service or representation fee for an employee organization that represents certain public school employees in St. Mary’s County.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–407(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 6–407(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 877 – Senator Brinkley**

AN ACT concerning

**Property Tax Assessments – Exterior Physical Inspection of Property  
– Waiver**

FOR the purpose of providing for a waiver, under certain circumstances, of the requirement for the supervisor of assessments for a county to value all real property based on an exterior physical inspection at least once every 3 years; providing for assessments based on certain information during the period of a waiver of the physical inspection requirement; and generally relating to a requirement that the State Department of Assessments and Taxation or the supervisor of assessments value property based on an exterior physical inspection.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–104(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – Property  
Section 8–104(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 878 – Senators Kramer, Astle, DeGrange, Della, Forehand,  
Garagiola, Harrington, Kelley, King, Klausmeier, Madaleno, Peters, and  
Pugh**

AN ACT concerning

**Reverse Mortgage Homeowners Protection Act**

FOR the purpose of authorizing a borrower under a reverse mortgage loan to prepay the loan at any time without penalty; authorizing certain interest rates and interest that is contingent on certain factors in connection with a reverse mortgage loan; authorizing certain costs and fees in connection with a reverse mortgage loan; prohibiting a reduction in the amount or number of periodic advances paid to a borrower under a reverse mortgage loan under certain circumstances; establishing a certain penalty for failing to make certain advances and cure a default under certain circumstances; providing for the circumstances under which a reverse mortgage loan may become due and

payable; specifying when the statute of limitations begins to run in certain actions; requiring that an instrument granting a security interest in certain real property securing a reverse mortgage loan contain a certain statement; prohibiting certain persons from requiring a borrower to purchase an annuity as a condition to obtaining a reverse mortgage loan; prohibiting certain persons from engaging in, or being affiliated with or employing a person who engages in, the sale of certain financial or insurance products; establishing a certain exception; prohibiting certain persons from referring a borrower to any person for the purchase of certain financial or insurance products until after the occurrence of certain events; providing that certain provisions of this Act do not prohibit certain persons from offering to a borrower, or referring a borrower to a person for the purchase of certain financial or insurance products; providing that a person who complies with certain federal laws is deemed to be in compliance with certain provisions of this Act; requiring a lender to provide a borrower with a certain notice, checklist, and list of counseling agencies at the time the borrower completes a certain application; requiring a certain housing counseling agency to provide a borrower with a certain checklist under certain circumstances; prohibiting a certain housing counseling agency from receiving compensation from certain persons; requiring a lender to provide a borrower with a certain summary of the principal terms and conditions of a reverse mortgage loan before closing the loan; prohibiting a lender from making a reverse mortgage loan or assessing any fees unless the lender receives certain documentation; requiring the lender to provide copies of certain documentation to the borrower and to retain the documentation for a certain period; providing for certain penalties for certain violations of this Act; providing for the application of this Act; defining certain terms; and generally relating to reverse mortgage loans.

BY adding to

Article – Commercial Law

Section 12–1201, 12–1202, 12–1205 through 12–1210, 12–1213 through 12–1216, 12–1219 through 12–1221, 12–1224, and 12–1225 to be under the new subtitle “Subtitle 12. Reverse Mortgage Loans”

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 879 – Senator Klausmeier**

AN ACT concerning

**Public Safety – Pool Personnel – Regulation (Connor’s Law)**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations requiring the owners of certain types of swimming pools to have

certain personnel on the premises during the hours that the pool is in operation; and generally relating to the regulation of swimming pools.

BY adding to

Article – Health – General  
Section 20–301.2  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 880 – Senators Forehand and Muse**

AN ACT concerning

**Department of Juvenile Services – Redirection Pilot Program and Plan**

FOR the purpose of establishing the Redirection Pilot Program in the Department of Juvenile Services; providing for the purpose of the Pilot Program; requiring the Department to use an appropriate assessment tool to determine eligibility for certain services for certain children; requiring the Department to seek certain approval from the juvenile court in certain circumstances; requiring the Department to establish a certain advisory council; requiring the Department to contract with an independent consultant to assist in the implementation of the Pilot Program and to make a certain evaluation; requiring the Department to provide the independent consultant with certain data; requiring the Department to inform the Judiciary about the Pilot Program; requiring the Department, in collaboration with the Children’s Cabinet, to develop a certain plan; requiring the plan to address certain methods for the expansion of certain services and certain goals; requiring the Children’s Cabinet to consider certain funding sources in developing the plan; requiring the Department to invite certain representatives to participate in the development of the plan; requiring the Department to ensure that certain individuals have a certain opportunity; requiring the Department to submit certain reports to the General Assembly on or before certain dates; defining certain terms; providing for the termination of this Act; and generally relating to the Redirection Pilot Program and plan in the Department of Juvenile Services.

BY adding to

Article – Human Services  
Section 9–247  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 881 – Senator Brinkley**

AN ACT concerning

**Frederick County – Municipalities – Water and Sewer Classifications**

FOR the purpose of prohibiting a new sewerage or water supply system, an extension of an existing sewerage or water supply system, or a revision or amendment to a county sewer or water plan in Frederick County unless the system is certified by the county planning agency as consistent with certain plans and a municipality is not affected, or the municipal planning agency of an affected municipality reviews the proposed system and makes a certain certification; and generally relating to sewerage and water supply systems in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–506(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 882 – Senators Edwards and Miller**

AN ACT concerning

**Gaming – Video Lottery Terminals**

FOR the purpose of altering a certain requirement that the State Lottery Commission conduct certain hearings; clarifying the authority of the Video Lottery Facility Location Commission to award video lottery operation licenses under this subtitle; altering a certain requirement to allow certain individuals or business entities to enter into certain agreements; clarifying the authority of the State Lottery Commission to issue certain licenses under this subtitle; authorizing the State Lottery Commission to waive a certain requirement for certain investors; altering the time period for certain licenses issued by the State Lottery Commission; altering certain eligibility criteria and disqualifying criteria used by the State Lottery Commission for a video lottery operation license; providing that certain video lottery terminal operations may begin in a temporary facility under certain circumstances; providing for when the term for a video lottery operation license begins; providing that the admissions and amusement tax does not apply to the operation of video lottery terminals; altering certain requirements for a video lottery facility in Allegany County; clarifying that the Video Lottery Facility Location Commission may reissue a video lottery operation license under certain circumstances; defining a certain term; altering certain definitions; making technical changes; and generally relating to the operation of video lottery terminals in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–1A–01, 9–1A–02(d), 9–1A–04(a), 9–1A–05, 9–1A–07, 9–1A–08,  
9–1A–11, 9–1A–13(a), 9–1A–16, 9–1A–20(b), 9–1A–26, 9–1A–27,  
9–1A–33(a), and 9–1A–36

Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–1A–02(a) and (b)

Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 883 – Senators Peters and Currie**

AN ACT concerning

#### **Maryland Small Business Investment Companies**

FOR the purpose of allowing a credit against the insurance premium tax for investments by certain persons in certain companies that make investments in certain qualified businesses in the State; providing for administration of the credit by the Department of Business and Economic Development; establishing certain requirements for initial certification and continued certification of Maryland small business investment companies; providing for applications to the Department for certification as a Maryland small business investment company; prohibiting certain persons from engaging in certain activities relating to a Maryland small business investment company; providing for determinations by the Department as to whether certain investments by Maryland small business investment companies will meet certain requirements; requiring Maryland small business investment companies to provide certain reports and certain audited financial statements to the Department; requiring certain applicants to pay certain nonrefundable application fees; requiring a Maryland small business investment company to pay certain annual renewal fees; providing for annual reviews by the Department of Maryland small business investment companies; providing for decertification of Maryland small business investment companies under certain circumstances; authorizing the Department to impose administrative penalties for certain violations; providing for the recapture of certain tax credits under certain circumstances; providing for the carry forward of certain unused tax credits; providing for the allocation of credits among Maryland small business investment companies; limiting the total designated capital for which premium tax credits may be allowed for all years; limiting the total credits that may be allowed for all participating investors for any year; providing for allocation of the maximum amount of

credits under certain circumstances; authorizing certain investments to be treated in a certain manner for certain purposes under the insurance law; providing for certain treatment of certain tax credits for insurance rate making purposes; providing for the transfer of certain tax credits under certain circumstances; requiring the Department to prepare and submit a certain report; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to an insurance premium tax credit for investments in certain companies making investments in qualified businesses in the State.

BY adding to

Article – Economic Development

Section 6–501 through 6–522 to be under the new subtitle “Subtitle 5. Maryland Small Business Investment Company Tax Credit”

Annotated Code of Maryland

(2008 Volume and 2009 Supplement)

BY adding to

Article – Insurance

Section 6–122

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 884 – Senators Klausmeier and Stone**

AN ACT concerning

**Baltimore County – Bargaining Unit for Public School Employees**

FOR the purpose of altering certain provisions of law relating to the designation of the exclusive representative for certain public school employees in Baltimore County; repealing provisions that authorized Baltimore County to designate as a separate bargaining unit only certain registered nurses in certain schools in the county; prohibiting more than two bargaining units in Baltimore County and requiring each unit to consist of certain employees; and generally relating to bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, without amendments,

Article – Education

Section 6–401(d)(1) and (3)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 6–404  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 885 – Senators Klausmeier and Astle**

AN ACT concerning

**Health – Administrative Service Provider Contracts – Contracting Provider Definition**

FOR the purpose of excluding a medical laboratory, as defined by a certain provision of law, from the definition of “contracting provider” as it concerns provisions of law relating to health maintenance organizations and certain administrative service provider contracts; and generally relating to administrative service provider contracts.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 19–713.2(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 886 – Senator Klausmeier**

AN ACT concerning

**Financial Institutions – Authority to Conduct Savings Promotion Raffles**

FOR the purpose of authorizing a credit union, subject to the approval of the Commissioner of Financial Regulation, to conduct a savings promotion raffle for the exclusive benefit of eligible members of the credit union; specifying the conditions under which a credit union may conduct a savings promotion raffle; exempting a savings promotion raffle from certain provisions of law relating to the award of prizes by chance; authorizing the Commissioner to take certain actions relating to a savings promotion raffle; authorizing a certain credit union to conduct a savings promotion raffle notwithstanding any other provision of the Criminal Law Article; defining certain terms; and generally relating to credit unions and savings promotion raffles.

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 13–305

Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–106  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

BY adding to  
Article – Financial Institutions  
Section 6–716  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 887 – Senators Munson, Astle, Edwards, Exum, Kelley,  
Klausmeier, and Robey**

AN ACT concerning

**Correctional Services – State Correctional Officers’ Bill of Rights**

FOR the purpose of providing for certain rights of a State correctional officer relating to employment, investigation, and discipline under certain circumstances; providing for the procedures for the investigation and interrogation of a State correctional officer; establishing procedures for an application for a show cause order under certain circumstances; establishing a certain limitation on administrative charges against a State correctional officer; providing for procedures for a hearing board conducting an investigation against a State correctional officer; providing for expungement of a record of a formal complaint against a State correctional officer under certain circumstances; providing for certain disciplinary actions against a State correctional officer under certain circumstances; providing that this Act supersedes inconsistent provisions of any other State or local law that conflict with this Act to the extent of the conflict; providing for the effect of this Act in relation to the duties of an appointing authority; prohibiting certain false statements; establishing a criminal penalty for providing a false statement to certain persons; defining certain terms; and generally relating to rights of a State correctional officer.

BY adding to  
Article – Correctional Services  
Section 10–901 through 10–914 to be under the new subtitle “Subtitle 9. State  
Correctional Officers’ Bill of Rights”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 1–101(b) and 11–105  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 888 – Senator Middleton**

AN ACT concerning

**Office of Student Financial Assistance – Public Service Scholarships –  
Student Members of County Boards of Education**

FOR the purpose of authorizing members of the General Assembly to authorize the Office of Student Financial Assistance to award certain scholarship funds to certain applicants; establishing the program of Public Service Scholarships for Student Members of County Boards of Education; establishing the requirements for receiving a Public Service Scholarship; establishing the amount, use, and duration of certain awards; providing for the funding of Public Service Scholarships; and generally relating to the establishment of scholarships for student members of county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–407 and 18–507  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 18–408(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 18–5A–01 through 18–5A–06 to be under the new subtitle “Subtitle 5A.  
Public Service Scholarships for Student Members of County Boards of  
Education”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 889 – Senator Della**

AN ACT concerning

**Baltimore City – Property Taxes – Vacant and Uninhabitable Real Property**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish a separate subclass of real property for property tax purposes consisting of certain vacant and uninhabitable real property; authorizing the Mayor and City Council of Baltimore City to set a special property tax rate for vacant and uninhabitable real property; repealing certain obsolete provisions and obsolete references; defining a certain term; providing for the application of this Act; and generally relating to the taxation of certain vacant and uninhabitable real property in Baltimore City.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 6–302

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

BY adding to

Article – Tax – Property

Section 6–302.1

Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 890 – Senator King**

AN ACT concerning

**Correctional Services – Limitation on Total Number of Diminution Credits –  
Primary Drug, Violent, and Sexual Offenders**

FOR the purpose of providing that a certain provision of law limiting a certain deduction from a term of confinement that can be earned applies to a certain single sentence as well as a certain consecutive or concurrent sentence; reducing the maximum total number of diminution credits that an inmate is allowed for a calendar month if the inmate's term of confinement includes a sentence for certain crimes; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 3–701

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704 and 3–708  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 891 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis High School  
Booster Club Concession Stand**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis High School Sports Booster Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 892 – Senator Kelley**

AN ACT concerning

**Child Abuse and Neglect – Reports and Records – Disclosure to Division of  
Parole and Probation**

FOR the purpose of requiring the disclosure of a report or record of child abuse or neglect to the Division of Parole and Probation in the Department of Public Safety and Correctional Services if the local department of social services has reason to believe that an individual who is living in or has a regular presence in a child's home is a registrant on a sexual offender registry; and generally relating to disclosure of reports and records of child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 1–202  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 893 – Senator Garagiola**

AN ACT concerning

**Maryland Clean Energy Center – Miscellaneous Provisions**

FOR the purpose of altering the quorum requirement for the Maryland Clean Energy Center Board; altering the minimum vote required for the Board to act; designating employees and officials of the Maryland Clean Energy Center as State personnel under the Maryland Tort Claims Act; authorizing employees and retirees of the Maryland Clean Energy Center to participate in the State Employee and Retiree Health and Welfare Benefits Program, and requiring the Maryland Clean Energy Center to pay to the State the Center's share of the cost of the Program; authorizing the Maryland Clean Energy Center to participate in the Employees' Pension System; and generally relating to the Maryland Clean Energy Center.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–809  
Annotated Code of Maryland  
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 12–101(a)(2)(xii) and (xiii)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – State Government  
Section 12–101(a)(2)(xiv)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–511 and 31–102(2)(xxii) and (xxiii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 31–101(a) and (f)  
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 31–102(2)(xxiv)

Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 894 – Senator McFadden**

AN ACT concerning

#### **State Police Retirement System – Special Disability Retirement Allowance – Forfeiture**

FOR the purpose of prohibiting certain members or former members of the State Police Retirement System who commit certain criminal offenses during a certain period of time from applying for a certain disability retirement allowance; requiring the Board of Trustees of the State Retirement and Pension System to temporarily suspend the application process for a certain disability retirement allowance if the member or former member applying for the certain disability retirement allowance has committed certain criminal offenses during a certain period of time; requiring the Board of Trustees to temporarily suspend a certain disability retirement allowance of certain disability retirees of the State Police Retirement System if the disability retirees commit certain criminal offenses during a certain period of time; requiring the Board of Trustees to permanently terminate a certain disability application process of certain members or former members if certain convictions of certain criminal offenses have been upheld; requiring the Board of Trustees to permanently terminate the payment of a certain disability retirement allowance of certain disability retirees if certain convictions of certain criminal offenses have been upheld; providing that certain members or former members may apply for a certain disability retirement allowance or resume the application process for a certain disability retirement allowance if a certain verdict on certain criminal offenses is rendered; providing that certain disability retirees may resume receipt of a certain disability retirement allowance if a certain verdict on certain criminal offenses is rendered; requiring the Secretary of State Police to report certain information to the Board of Trustees; requiring the Board of Trustees to take certain actions immediately after receiving certain information from the Secretary of State Police; defining a certain term; and generally relating to members, former members, and disability retirees of the State Police Retirement System forfeiting certain rights to a special disability retirement allowance following the conviction of criminal offenses.

BY adding to

Article – State Personnel and Pensions  
Section 29–119  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 895 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Employees’ Retirement and Pension Systems – Employer Contributions –  
Baltimore City Sheriff’s Department**

FOR the purpose of requiring Baltimore City to pay certain employer contributions, beginning on a certain date, for certain employees of the Baltimore City Sheriff’s Department who are members of the Employees’ Retirement System or Employees’ Pension System; and generally relating to the payment of employer contributions for members of the Employees’ Retirement System or the Employees’ Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–307(o)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 896 – Senator McFadden**

AN ACT concerning

**State Police Retirement System – Special Disability Retirees –  
Reemployment**

FOR the purpose of providing that only certain disability retirees of the State Police Retirement System are exempt from a temporary suspension of their disability retirement allowance under certain circumstances; prohibiting certain disability retirees of the State Police Retirement System from being rehired by certain employers in certain positions; requiring the Secretary of State Police to provide the Board of Trustees of the State Retirement and Pension System with certain information; providing for a temporary suspension of benefits paid to certain disability retirees under certain circumstances within a certain period of time; providing for the resumption of disability benefits with certain adjustments to the benefits after receipt by the Board of Trustees of certain documentation

from the Secretary of State Police; and generally relating to the reemployment of special disability retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 29–115  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 29–117.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 897 – Chair, Budget and Taxation Committee (By Request –  
Departmental – University System of Maryland)**

AN ACT concerning

**Academic Facilities Bonding Authority**

FOR the purpose of increasing the bonding authority for the University System of Maryland; approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; authorizing the issuance of bonds by the University System of Maryland for financing the projects; providing that certain bonds are not a debt or an obligation of the State or any of its subdivisions; and generally relating to the authority to issue academic facilities bonds.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 19–102(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 898 – Senator Glassman**

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien –  
Balloon Payments**

FOR the purpose of authorizing a credit grantor that makes a certain installment loan secured by a lien on a motor vehicle to a consumer borrower to require the consumer borrower to pay a balloon payment at maturity of the installment loan; and generally relating to installment loans secured by a lien on a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–1003  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 899 – The President (By Request – Administration)**

AN ACT concerning

**Education Reform Act of 2010**

FOR the purpose of altering the probationary period of employment of a certificated employee in a public school system; altering certain procedures related to the probationary period of a certificated employee; requiring a county board of education to evaluate annually a nontenured certificated employee based on established performance evaluation criteria; requiring certain certificated employees to be assigned a mentor and provided additional professional development under certain circumstances; requiring that a performance evaluation of a certificated teacher or principal in a public school system include certain data as a certain component of the evaluation; requiring that a certain component of an evaluation be one of multiple measures; requiring the State Board of Education to adopt regulations to implement certain provisions of this Act; requiring certain classroom teachers and principals working in certain public schools to receive a certain stipend, contingent on the receipt of certain federal funds; defining a certain term; providing for the application of a certain provision of this Act; and generally relating to the employment of certificated employees in a public school system.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–202  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Education  
Section 6–306(b)(5)  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 900 – Senator Astle**

AN ACT concerning

**Title Insurers – Required Reserves**

FOR the purpose of altering a certain percentage of certain premiums for certain title insurance that certain title insurers must originally assign to certain reserves; altering the dates as of which certain reserves shall be calculated in a certain manner; altering the portions and timing of release of certain excess reserves; and generally relating to title insurance and required reserves.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 5–206  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 777 – Senators DeGrange, Kasemeyer, King, Klausmeier,  
McFadden, Munson, Peters, Pugh, Robey, and Zirkin**

AN ACT concerning

**Local Government Funds – Redeposit into Insured Accounts**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**MESSAGE FROM THE HOUSE OF DELEGATES**

**FIRST READING OF HOUSE BILLS**

**House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama**

AN ACT concerning

**International Marriage Brokers – Regulation**

FOR the purpose of requiring an international marriage broker to provide certain information to a recruit; requiring a client of an international marriage broker to provide certain information to the international marriage broker and to affirm that certain information is accurate and complete; requiring an international marriage broker to ~~request~~ conduct a certain criminal history records ~~checks check from the Criminal Justice Information System Central Repository; requiring the Central Repository to process certain State and national criminal history records checks on submission of certain information and fees;~~ prohibiting an international marriage broker from providing services to a certain client or recruit until certain information is received and provided to a recruit; prohibiting an international marriage broker from further dissemination of certain information; authorizing an international marriage broker to disclose certain information only after obtaining certain written consent; providing that a certain international marriage broker shall be deemed to be doing business in the State; establishing penalties for violating this Act; requiring the court to consider certain factors in determining a certain penalty; defining certain terms; and generally relating to international marriage brokers.

BY adding to

Article – Business Regulation

Section 19–601 through 19–607 to be under the new subtitle “Subtitle 6.

International Marriage Brokers”

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 82 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Pilots – Limited Licenses**

FOR the purpose of increasing the vessel draft for which individuals holding certain limited licenses may provide pilotage; making conforming changes relating to the requirements for demonstration of sufficient ability, skill, and experience and to license fees; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 11–403, 11–406, 11–407, and 11–408  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 119 – Chair, Judiciary Committee (By Request – Departmental – State Police)**

AN ACT concerning

**Department of State Police – Firearm Applications – Authority of Secretary**

FOR the purpose of providing that, in addition to the current methods for transferring a firearm application to the Secretary of State Police, a firearm application may be transferred to the Secretary by ~~any other method pre-approved~~ electronic means approved by the Secretary; and generally relating to the Department of State Police and the application to purchase a firearm.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–120  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Joint Resolution 3 – The Speaker (By Request – Governor’s Salary Commission)**

A House Joint Resolution concerning

**Governor’s Salary Commission – Salary Recommendations for Governor and Lieutenant Governor**

FOR the purpose of ~~establishing the salaries to be paid the Governor and Lieutenant Governor, as directed by Article II, Section 21A of the Maryland Constitution, for the 4 year term of office beginning January 19, 2011~~ rejecting certain recommendations of the Governor’s Salary Commission in accordance with

Article II, Section 21A of the Maryland Constitution for the 4-year term of office beginning January 19, 2011, that address the salaries to be paid to the Governor and Lieutenant Governor.

Read the first time and referred to the Committee on Budget and Taxation.

**House Joint Resolution 5 – The Speaker (By Request)**

A House Joint Resolution concerning

**General Assembly Compensation Commission – Recommendations**

FOR the purpose of rejecting certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address certain proposed changes to salaries, in-district travel, out-of-state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out-of-state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in-district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; and generally relating to recommendations of the General Assembly Compensation Commission.

Read the first time and referred to the Committee on Budget and Taxation.

**LAID OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Joint Resolution 5 – The President (By Request – General Assembly Compensation Commission)**

A Senate Joint Resolution concerning

**General Assembly Compensation – Recommendations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

**SJ0005/769334/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 5

(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “(By Request – General Assembly Compensation Commission)”; in line 2, after “Compensation” insert “Commission”; and strike beginning with the second “the” in line 5 down through the period in line 14 and substitute “certain proposed changes to salaries, in-district travel, out-of-state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out-of-state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in-district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; and generally relating to recommendations of the General Assembly Compensation Commission.”.

AMENDMENT NO. 2

On page 1, strike beginning with “salary” in line 18 down through “Delegates” in line 20 and substitute “salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly, the allowance for in-district travel, changes to the provisions addressing out-of-state travel, and for changes in the retirement benefits available to legislators in the Legislative Pension Plan”; in line 22, after “2010;” insert “and”; in line 23, strike “1A and 1B” and substitute “1A, 1B, and 2A”; and strike beginning with “salary” in line 25 down through “Delegates” in line 27 and substitute “allowance for salaries for the President”.

of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly and out-of-state travel”.

AMENDMENT NO. 3

On page 2, in line 2, after the first “2006” insert a comma; after line 2, insert:

“(c) Item 2C and Section 12 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void and provisions related to the allowance for in-district travel and the optional retirement allowances available to legislators in the Legislative Pension Plan shall be as provided in the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; and

(d) Section 22 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, addressing military service credit for legislators in the Legislative Pension Plan shall be void; and”;

and in line 3, strike “(c)” and substitute “(e)”.

The preceding 3 amendments were read only.

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for February 17, 2010.

The motion was adopted.

**THE COMMITTEE ON RULES REPORT #3**

**CONSENT CALENDAR #51**

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 849 – Senator Harrington**

AN ACT concerning

**Procurement – Minority Business Enterprise Directory – List of Contracts**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 850 – Senators Peters and Astle**

AN ACT concerning

**Family Law – Marital Property – Military Pensions**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 851 – Senators Pugh, Forehand, Garagiola, Harrington, Jones, Klausmeier, Lenett, Madaleno, McFadden, Peters, and Raskin**

AN ACT concerning

**Maryland Health Improvement and Disease Prevention Act**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 852 – Senators Stone, Colburn, DeGrange, Dyson, Haines, Jacobs, Mooney, Muse, Peters, and Simonaire**

AN ACT concerning

**Same Sex Marriages – Foreign Jurisdictions – Invalidity**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 853 – Senator Muse**

AN ACT concerning

**Landlord and Tenant – Stay of Eviction – Reasons for Nonpayment Beyond  
Tenant’s Control**

The bill was re-referred to the Committee on Judicial Proceedings.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 166)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #11**

**Senate Bill 7 – Senator Garagiola**

AN ACT concerning

**Business Regulation – State Amusement Ride Safety Advisory Board –  
Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 167)

The Bill was then sent to the House of Delegates.

**Senate Bill 27 – Senator Conway**

SECOND PRINTING

AN ACT concerning

**Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm**

Read the third time and failed for want of a constitutional majority:

Affirmative – 23      Negative – 23      (See Roll Call No. 168)

**Senate Bill 57 – Chair, Finance Committee (By Request – Departmental –  
Insurance Administration, Maryland) and Senators Astle, Della, Exum,  
Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh**

## EMERGENCY BILL

AN ACT concerning

**Health Insurance – Mental Health Benefits – ~~Group Health Plans~~ and  
Medical and Surgical Benefits for Mastectomies – Parity with Federal  
Law**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 169)

The Bill was then sent to the House of Delegates.

**Senate Bill 99 – Senators DeGrange and Astle**

## EMERGENCY BILL

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – Required Records**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 170)

The Bill was then sent to the House of Delegates.

**Senate Bill 328 – Senators Middleton ~~and Della~~, Della, Exum, Kelley,  
Klausmeier, and Pugh**

AN ACT concerning

**Hospitals – Financial Assistance and Debt Collection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 171)

The Bill was then sent to the House of Delegates.

## RECONSIDERATION

Senator Della moved, duly seconded, to reconsider the vote by which the **Senate Bill 27** failed third reading.

Senator Della moved, duly seconded, to make the motion a Special Order for February 18, 2010.

The motion was adopted.

### RECESS

At 8:41 P.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:40 P.M. on Monday, February 15, 2010 to the Old Senate Chamber in honor of George Washington's Birthday Celebration.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Monday, February 15, 2010**

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At 8:42 P.M. the Senate resumed its session.

**Ceremony in Honor of George Washington's Birthday in the Old Senate Chamber**

The Honorable Thomas V. Mike Miller, Jr. President of the Maryland Senate Presiding

**WASHINGTON'S BIRTHDAY ADDRESS**

*George Washington: Businessman*  
by  
**Maryland State Senator Douglas J. J. Peters**

Among his many talents, George Washington was a dedicated businessman, who had a great vision for the future of America and his own private affairs based on his hopes for the westward expansion of the Nation he helped create. His personal business was agriculture, but he knew how to measure the value of land as a trained surveyor, and invested in related industries such as the manufacture of whiskey and the milling of flour.

If you were to do a word search of the transcriptions of Washington's papers at the Library of Congress you would find him mentioning the word 'business' well over 500 times between his first writings in 1741 and his death in 1799. To Washington, the word had two distinct meanings, public and private. We know much about his public business, including the momentous occasion when he resigned his commission as commander in chief in this room, placing the responsibility for shaping the course of the United States in the hands of the civilian authority. Until very recently, however, little attention has been paid to his private business affairs or an in depth look at the meticulous way he sought to improve his family's financial well being. Just last fall, a distinguished group of scholars assembled at Mount Vernon to advise the Washington Papers on how best to bring Washington's vast collection of financial papers on line, and two years ago Mark McNeilly provided his broad interpretation of *George Washington and the Art of Business*.

McNeilly lays the groundwork for a thorough study of Washington as an innovative businessman who applied the following leadership skills honed on his plantation to fashion a new country:

**Hands-on Management**

- Washington inspected his estate at every opportunity when not in public service, giving detailed instructions on projects and getting his hands dirty to ensure his orders were being properly implemented.

### **Ethics**

- He totally rejected overtures to make him king, and intervened to prevent a move towards tyranny
- While entrusted with large sums of money, he never mishandled army funds
- Although tempted by others, he never over-reached his authorized power

### **Situational Leadership**

- At the Battle of Trenton, for example he personally rallied the troops and lead them into battle – Leadership by example
- He fostered free discussion with key officers on how to approach the battle
- He treated the various delegates from each state as equals at the Constitutional Convention,

### **Turnaround Strategy**

- At the Battle of Monmouth, Washington had to act under great pressure. With the battle in jeopardy because of an irresponsible General Lee, He demoted him, took control of the troops and stopped the repeated British assaults

### **Building Alliances**

- Washington knew that Alliances were vital to the success of the Revolution. If America stood alone, Britain would focus all its war efforts and defeat the rebellion
- France was vital to our success. He welcomed Lafayette as a son and pursued a number of strategies to secure financial and military support of the French. In the spring of 1776, money for arms was sent using a fake business as a front to avoid the appearance of France's making a direct challenge to Britain. France's ally Spain also agreed to provide assistance.

### **Intelligence and Information Networks**

- Washington regularly met with his spies to learn about his enemy. His focus on intelligence was threefold: understanding his enemy, keeping in touch with the mood of the populace and learning about the terrain.
- The same is true with market intelligence. It is comprised of three areas as well. Knowing your competition, understanding the customer and knowing your industry.

Where would Washington be today? A corporate CEO or College President would seem to be a good fit, but I believe he thrived best as a small business owner and would be perfectly content to work on his Mt. Vernon Estate.

Let's take a moment to listen to Washington's own words about business in order to better understand how this towering figure of American History balanced his private world with that of his public responsibilities. Ladies and gentlemen please rise for our first President of the United States George Washington (harpsichord plays hail to the chief)

To lead our army, Washington knowingly left his private business affairs in the hands of others, choosing to serve without pay on condition that he be reimbursed for his expenses. For that he kept a separate set of books and after the war he was compensated by Congress. As to his personal affairs, for the duration of the war he entrusted them to overseers and his cousin, Lund Washington, who resided at Mount Vernon.

*“Let the Hospitality of the House, with respect to the poor, be kept up; Let no one go hungry away. If any of these kind of People should be in want of Corn, supply their necessities, provided it does not encourage them in idleness; and I have no objection to your giving my Money in Charity, to the Amount of forty or fifty Pounds a Year, when you think it well bestowed stowed. What I mean, by having no objection, is, that it is my desire that it should be done. You are to consider that neither myself or Wife are now in the way to do these good Offices. In all other respects, I recommend it to you, and have no doubts, of your observing the greatest Oeconomy and frugality; as I suppose you know that I do not get a farthing for my services here more than my Expenses; It becomes necessary, therefore, for me to be saving at home.”*

While most of his letters to Lund Washington have been destroyed or lost, a few have survived between them, including one in which the General pleads with Lund to stay on:

*I hope no motive, however powerful, will induce you to leave my business, whilst I, in a manner, am banished from home; because I should be unhappy to see it in common hands. For this reason, altho' from accidents and misfortunes not to be averted by human foresight, I make little or nothing from my Estate, I am still willing to increase your wages, and make it worth*

*your while to continue with me. To go on in the improvement of my Estate in the manner heretofore described to you, fulfilling my plans, and keeping my property together, are the principal objects I have in view during these troubles; and firmly believing that they will be accomplished under your management, as far as circumstances and acts of providence will allow, I feel quite easy under disappointments; which I should not do, if my business was in common hands, liable to suspicions*

To which Lund replied, making it clear that he had no intention of leaving.

*“By your letter I should suppose you were apprehensive I intended to leave you. I hope for the future you will entertain a better opinion of me than to believe that while you are encountering every danger and difficulty, at the hazard of your life and repose, giving up all domestic happiness, to serve the public and me among them, that I would attempt to take advantage of you by screwing up my wages or leaving your estate to the care of a stranger.”*

Once the war was over, and Private Citizen Washington returned to Mount Vernon to devote himself to his private affairs, leaving the door open, as he did in his speech in this room, to being called back on the Public's business.

In those years from the winter of 1783 to the elections of 1788, George Washington focused his attention on the private business at hand of improving the farming methods on his estate and managing his properties that were scattered as far away as the Ohio Country. In that regard he had a great vision for the Nation which included making his beloved Potomac navigable over the mountains to the Ohio River. As private citizen he became one of the most effective lobbyists to ever appear before the Maryland House and Senate, securing state financing for the Potomac Canal. Later he would return as President, and again as Private Citizen, to encourage the creation of the Nation's Capital on its banks even to the extent of supporting the idea that Maryland surrender sovereignty over several square miles of its territory to make it happen.

Being a small businessman was not always easy. His employees did not always serve him well. His miller, William Roberts for example, was too fond of the bottle. Just a few weeks before appearing in Annapolis to resign his commission Washington wrote about the importance of his mill and having someone qualified to “manage” it:

*I have received the enclosed from Mr. Lund Washington (who has charge of my business in Virginia) to Colo. Biddle; it was accompanied with the following paragraph to me: “William Roberts would not enter into such articles as I wanted him to sign, altho' he has for several years (since he lived here) signed much the same; he says he is convinced from what is past, he never shall quit drinking, notwithstanding his endeavours to do it; and the restrictions he is laid under in these articles are such that it is not in his nature to keep them; and he has no right (he acknowledges) to be indulged*

*any longer in the manner he has been; therefore he will rent a Mill, and work for himself, being determined never to hire himself again.*

...

*The time being short, no delay can be admitted; I submit to you therefore, the propriety of advertising for a man, which will answer my purpose; the wages I will leave entirely to yourself; or, in other words, I would give the highest that are given, for such a Mill as mine is described to be; or I would even give more, to get a good and skillful man who understands, and will do his duty, without giving me any plague or trouble. There is no Miller in America I would exchange Roberts for, if he could be broke of his abominable drunken and quarrelsome frolicks; the opinion I entertain of his skill, and an unwillingness to part with him, have been the inducements to my keeping him fourteen years, when I ought not to have borne with him for the last seven of them.*

*Having now committed this business absolutely to your management, I shall confide in your endeavours to serve me,*

Keeping the mill going was often on his mind, especially when called away to lobby for the Potomac Company, as was the future of the Nation's Capital City that was named after him. Washington was forever attempting to get his colleagues to work together both in his private and his public life. Often it was his friends that made progress difficult as in the case of laying out and developing the District of Columbia. As he wrote his Maryland associate, Uriah Forrest with a ring of truth that can still be heard today:

*I perfectly agree with you, Sir, "that the City [of Washington] has infinitely more to dread from the discord and want of union among it's friends, than from all the power of it's enemies" and am therefore persuaded, that every considerate person, who is interested in it's establishment, will use his influence to heal differences and promote harmony among those engaged in the execution of the work.*

As a small businessman with interests in real estate, he faced some enormous problems. In the 1780s America encountered one of the worst depressions in its history, that is until more recent times. Washington weathered the storm, but not without difficulties, particularly with his agents in the Ohio Country. In the last year of his presidency he found it necessary to chastise the manager of his Ohio lands and consider withdrawing from the business:

*Having experienced more plague than profit in collecting the rents of my lands in the counties before mentioned. It is my intention to sell both tracts, if I can obtain what I conceive to be the worth of them as leases therefore will impede the sale, I am not disposed at this time, under these circumstances to*

*give any. ... I pray you to write me, as soon as you can, what state my business is in with the Tenants; what sum you have actually received on account of Rent; what you have a prospect of soon receiving; and what is due. In short, I wish to know what the real situation of my affairs as they respect these tracts is.*

He also had some good advice for junior State Senators, which he composed in a letter to his step son John Parke Custis in 1781:

*I do not suppose that so young a Senator, as you are, little versed in political disquisitions can yet have much influence in a populous assembly; composed of Gentn. of various talents and of different views. But it is in your power to be punctual in your attendance (and duty to the trust reposed in you exacts it of you), to hear dispassionately, and determine coolly all great questions. To be disgusted at the decision of questions because they are not consonant to your own ideas, and to withdraw ourselves from public assemblies, or to neglect our attendance at them upon suspicion that there is a party formed who are enimical to our Cause, and to the true interest of our Country, is wrong ... it is the indispensable duty of every patriot to counteract them by the most steady and uniform opposition.*

But enough of my observations on the business philosophy and enterprises of George Washington. Perhaps we should ask him ourselves. General Washington please remind us of the advice that you gave Congress when you resigned your commission in this room, and to answer questions about your business vision for America. General Washington.

*I understand, Senator Peters, that you and your colleagues have some questions for me concerning my thoughts on the future course of the business of our new nation, and my hopes for the future. I stand ready to be of service, and am even willing to return to public office, if that proves to be of use to the country.*

*Growing of marijuana – Robey*

*Visiting the churches – Muse*

*Talk about your farm – Middleton*

*What was conducted at the constitutional convention – Kittleman*

*Why not Baltimore as the capital city? – Pugh*

*Treatment of soldiers – Currie*

Thank you for coming tonight, General. Do you have any words of wisdom that you would like to add?

*If I may, I would like to repeat my address that I gave in this room that afternoon of December 23, 1783:*

*Senate lounge for cherry pie and pictures with the General*

### **ADJOURNMENT**

At 9:28 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 16, 2010.

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**Annapolis, Maryland**  
**Tuesday, February 16, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Reverend Herbert Watson, St. Mark United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 15, 2010 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 174)

**INTRODUCTION OF BILLS**

**Senate Bill 901 – Senator McFadden**

AN ACT concerning

**Inmates – Life Imprisonment – Parole Approval and In Banc Review**

FOR the purpose of repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only by the Governor's approval; allowing a certain individual under certain circumstances to seek in banc review of any point or question relating to a certain conviction or sentence by filing a notice for in banc review after a certain time; and generally relating to sentences of life imprisonment.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 4–305(b) and 7–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Criminal Procedure

Section 8–109  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–109  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 902 – Senator McFadden**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Attorney  
Grievance Commission and the Client Protection Fund of the Bar of  
Maryland – Eligibility for Enrollment and Participation**

FOR the purpose of authorizing certain employees and retirees of the Attorney Grievance Commission and the Client Protection Fund of the Bar of Maryland to enroll and participate in certain benefit options under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring the Attorney Grievance Commission and the Client Protection Fund of the Bar of Maryland to make certain payments to the State for certain costs; requiring the Attorney Grievance Commission and the Client Protection Fund of the Bar of Maryland to make certain determinations about the subsidization of certain employee and retiree benefits; and generally relating to employees and retirees of the Attorney Grievance Commission and the Client Protection Fund of the Bar of Maryland and the State Employee and Retiree Health and Welfare Benefits Program.

BY adding to  
Article – State Personnel and Pensions  
Section 2–515.2 and 2–515.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 903 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Southeast Neighborhood  
Development 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 Southeast 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 Rules.

**Senate Bill 904 – Senator Dyson**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Off-Sale License Quota**

FOR the purpose of prohibiting the Board of License Commissioners of St. Mary’s County from issuing more than a certain number of alcoholic beverages licenses with an off-sale privilege for each unit of a certain number of people in each election district in the county; requiring the Board to maintain the license quota by using the population figures of the most recent federal census; providing for the application of this Act; and generally relating to alcoholic beverages in St. Mary’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–219(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–219(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 905 – Senator Edwards**

AN ACT concerning

**Alcoholic Beverages – Maximum Alcohol Content**

FOR the purpose of prohibiting a person from selling at retail an alcoholic beverage with an alcohol content of a certain percentage or more; providing for a certain penalty; and generally relating to alcoholic beverages.

BY adding to

Article 2B – Alcoholic Beverages

Section 16–505.2

Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 906 – Senator Stone**

AN ACT concerning

#### **Homeowner’s Insurance – Offer of Coverage for Loss Caused by Discharge of Water**

FOR the purpose of requiring certain insurers to offer in writing, at time of application and renewal, to provide coverage for loss that is caused by or results from a discharge of water from a certain system or source; requiring certain insurers to include a certain statement with the offer; providing that if an application or renewal is made by telephone, an insurer is deemed to be in compliance with a certain provision of this Act under certain circumstances; providing that if an application or renewal is made using the Internet, an insurer is deemed to be in compliance with a certain provision of this Act under certain circumstances; providing for the application of this Act; requiring certain insurers to submit certain annual reports to the Maryland Insurance Administration; and generally relating to homeowner’s insurance and offers of coverage for loss caused by a discharge of water.

BY adding to

Article – Insurance

Section 19–213

Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 907 – Senators Stone and Della**

AN ACT concerning

#### **Motor Vehicles – Salvage – Standards and Requirements**

FOR the purpose of prohibiting a person from using certain costs to determine the cost to repair a motor vehicle for highway operation under the motor vehicle salvage program; providing that certain persons that acquire certain nonrepairable motor vehicles may only sell the motor vehicles to certain other persons; limiting the pool of motor vehicles in need of repair for which an insurance company is required to provide certain notice to the Motor Vehicle Administration under certain circumstances; and generally relating to standards and requirements under the motor vehicle salvage program.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–506 and 13–506.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 908 – Senator Stone**

AN ACT concerning

#### **Health Insurance – Coverage for the Treatment of Bleeding Disorders**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain pharmacy care, home nursing services, treatment at a hemophilia treatment center, and clinical laboratory services that an insured's or enrollee's treating physician determines are necessary to prevent, diagnose, or treat a bleeding disorder; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain blood clotting products and to preapprove or preauthorize a prescription for a blood clotting product in a certain manner, under certain circumstances; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide to an insured or enrollee a choice of a certain number of certain full-service home care providers; authorizing the imposition of a copayment or coinsurance requirement or deductible for certain coverage under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to coverage for bleeding disorders under health insurance policies and contracts.

BY adding to  
Article – Health – General  
Section 19–706(cccc)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Insurance  
Section 15–845  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 909 – Senator Stone**

AN ACT concerning

**Correctional Services – Repeat Violent Offenders – Diminution Credits and Parole Eligibility**

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain inmate who has been convicted of a certain second or subsequent crime of violence; eliminating parole eligibility for an inmate who is serving a term of confinement for certain crimes of violence committed on or after a certain date; providing that this Act does not restrict a certain authority of the Governor to pardon or remit a certain sentence; and generally relating to diminution credits and parole eligibility for repeat violent offenders.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702 and 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON FINANCE REPORT #4**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 198 – Senators Glassman, Garagiola, Gladden, Harris, Jacobs, Kasemeyer, Klausmeier, Kramer, Middleton, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Farmer’s Markets – Raw Agricultural Product Sales – Producer Mobile Farmer’s Market License**

SB0198/417973/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 198  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Raw”; and in line 20, strike “raw”.

AMENDMENT NO. 2

On page 2, in line 22, after “PRODUCTS” insert “, AS DEFINED IN § 21-304(D)(1)(III) OF THIS SUBTITLE,”.

AMENDMENT NO. 3

On page 3, in line 15, strike “FRESH”; and in line 18, strike “GRAINS, FLOWERS” and substitute “WHOLE, UNPROCESSED GRAINS, FLOWERS, HERBS, NUTS”.

On page 5, in line 26, strike “WHOLE PRODUCTS” and substitute “PRODUCTS”; in line 27, strike “OR”; in line 28, strike “ANY FARM PRODUCTS” and substitute “PRODUCTS”; and in line 29, after “REGULATION” insert “; OR”

**(3) FARM PRODUCTS THAT HAVE BEEN INSPECTED, LICENSED, OR CERTIFIED FOR FOOD SAFETY BY THE MARYLAND DEPARTMENT OF AGRICULTURE**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 199 – Senators Glassman, Garagiola, Kasemeyer, Klausmeier, Kramer, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Seasonal Farmer's Market Producer Sampling License****SB0199/227972/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 199

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after "licensee;" insert "requiring the Department of Health and Mental Hygiene to adopt certain regulations;".

AMENDMENT NO. 2

On page 2, strike beginning with "A" in line 10 down through "ORDINANCE" in line 11 and substitute "THE DEPARTMENT SHALL ADOPT REGULATIONS"; in line 12, strike "ESTABLISHES" and substitute "ESTABLISH"; in line 13, strike "PROVIDES" and substitute "PROVIDE"; in line 14, strike "ESTABLISHES" and substitute "ESTABLISH"; in line 16, strike "SPECIFIES" and substitute "SPECIFY"; in line 17, after "VALID;" insert "AND

(5) INCLUDE OTHER PROVISIONS THAT ARE NECESSARY TO PROTECT PUBLIC HEALTH AND CONTROL FOODBORNE ILLNESSES.

(E) A COUNTY ISSUING A FARMER'S MARKET PRODUCER SAMPLING LICENSE SHALL ADOPT AN ORDINANCE THAT;

in line 18, strike "(5)" and substitute "(1)"; in line 19, strike "(6)" and substitute "(2)"; in line 20, after "ISSUED;" insert "AND"; in line 21, strike "(7)" and substitute "(3)"; and strike beginning with the semicolon in line 22 down through "ILLNESSES" in line 25.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 236 – Senators Middleton, Kelley, and Klausmeier**

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers’ Compensation  
Insurance – Notice**

**SB0236/307276/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 236  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the second “an” insert “independent”; and in line 5, after “insurance” insert “in a certain manner”.

AMENDMENT NO. 2

On page 2, in line 11, strike “AND INSURANCE PRODUCER, IF ANY”; after line 12, insert:

**“(2) TO THE INDEPENDENT INSURANCE PRODUCER, IF ANY:**

**(I) A COPY OF THE RENEWAL POLICY THAT INCLUDES THE RENEWAL POLICY PREMIUM THROUGH POSTAL OR ELECTRONIC MAIL; OR**

**(II) AT THE SAME TIME AS THE INSURER SENDS THE RENEWAL POLICY TO THE INSURED, A NOTICE OF THE AVAILABILITY OF THE RENEWAL POLICY THROUGH THE INSURER’S ONLINE ELECTRONIC SYSTEM;”;**

and in lines 13 and 16, strike “(2)” and “(3)”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 17, 2010.

The motion was adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 175)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #12**

**Senate Joint Resolution 2 – The President (By Request – Governor’s Salary  
Commission)**

A Senate Joint Resolution concerning

**Governor’s Salary Commission – Salary Recommendations for Governor and  
Lieutenant Governor**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 176)

The Bill was then sent to the House of Delegates.

**Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)**

A Senate Joint Resolution concerning

**Judicial Compensation Commission – Recommendations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 177)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 178)

**ADJOURNMENT**

At 10:42 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 17, 2010.

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**Annapolis, Maryland**  
**Wednesday, February 17, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:01 A.M.

Prayer by Rabbi David Finkelstein, Shores, guest of Senator Mooney.

(See Exhibit A of Appendix III)

The Journal of February 16, 2010 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 180)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 319 – Senators George C. Edwards, Donald F. Munson and Alexander X. Mooney:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Dr. Elizabeth Morgan  
in recognition of

being chosen the 2010 National Superintendent of the Year by the  
American Association of School Administrators for your extraordinary dedication and  
professionalism demonstrated while leading the  
Washington County Board of Education. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 17th day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 181)

**Senate Resolution No. 323 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Boy Scouts of America  
in recognition of  
the 100th Anniversary of Scouting. We commend your vision to prepare the youth in  
America to become responsible, participating citizens and leaders. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 17th day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 182)

**Senate Resolution No. 258 – Senators James Brochin and Katherine Klausmeier:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Students of Towson University  
in recognition of  
the 11th successful Tiger Pride Advocacy Day. We applaud the efforts of Towson  
University's students and gratefully acknowledge your spirit, enthusiasm and  
dedication to your school. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 17th day of February 2010.

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 183)

**INTRODUCTION OF BILLS**

**Senate Bill 910 – Senators Lenett and Rosapepe**

AN ACT concerning

### **Comprehensive Energy Plan**

FOR the purpose of requiring the Department of Planning to submit a certain interim report to the Governor and the General Assembly on or before a certain date; requiring the Department to submit a certain Comprehensive Energy Plan to the Governor and the General Assembly on or before a certain date; requiring the Department to solicit and consider input from certain parties in developing the Plan; requiring the Plan to contain certain information and make a certain recommendation; altering the factors that the Public Service Commission is required to consider before making a final decision on an application for a certificate of public convenience and necessity; and generally relating to the Comprehensive Energy Plan.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–207(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–207(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 5–901 to be under the new subtitle “Subtitle 9. Comprehensive Energy Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 911 – Senator Astle**

AN ACT concerning

### **Underground Facilities – Damage Prevention**

FOR the purpose of repealing certain provisions of Maryland’s underground facilities damage prevention laws; expanding the scope of the underground facilities damage prevention laws to apply to an owner or lessee of a private residence who performs an excavation or demolition on the land of the private residence;

establishing the Maryland Underground Facilities Damage Prevention Authority; declaring the intent of the General Assembly that the Authority not be funded through State budget appropriations; providing for the appointment and terms of the members of the Authority; providing for the selection of a chair of the Authority in a certain manner; establishing quorum requirements for the Authority, and requiring the Authority to meet at a certain frequency; providing that a member of the Authority may not receive compensation and is not entitled to reimbursement for expenses; authorizing the Authority to perform certain acts; requiring the Authority to adopt a code of conduct for its members; authorizing the Authority to obtain funding for its operational expenses from certain sources; authorizing the Authority to enforce the underground facilities damage prevention laws by hearing complaints, assessing certain penalties, and reaching a settlement instead of certain penalties; authorizing the Authority to establish certain fees and use the services of a third party to collect certain civil penalties; requiring that a certain hearing before the Authority be conducted in a certain manner; authorizing a person aggrieved by a decision of the Authority to request judicial review of the decision in a certain manner; providing that a record of a hearing conducted by the Authority is not admissible in certain administrative or civil proceedings; requiring the Authority to submit a certain report to the Governor and General Assembly each year; establishing the Maryland Underground Facilities Damage Prevention Education and Outreach Fund as a special, nonlapsing fund to be used for certain purposes; providing for the use and administration of the Fund; requiring a person performing a certain emergency excavation or demolition immediately to notify a certain one-call system to inform certain owners of underground facilities of the excavation or demolition; providing that a person that abuses the emergency demolition procedures in this Act is subject to certain penalties; requiring an owner of underground facilities to be a member of a one-call system and to submit to the one-call system and keep current certain information; requiring a person that intends to perform an excavation or demolition in the State to initiate a certain ticket request with a certain one-call system; providing that a ticket is valid for a certain period; requiring a person that intends to perform an excavation or demolition to repeat a certain notice to the one-call system under certain circumstances; requiring an owner of underground facilities to mark the underground facilities in a certain manner under certain circumstances; requiring an owner to report certain information to an underground facilities information exchange system within a certain period after a certain event; requiring an owner to take certain actions if the owner, for certain reasons, is unable to mark the underground facilities within a certain period; authorizing an owner and person conducting an excavation or demolition to reach a working agreement regarding the schedule for marking an underground facility; providing that a person may begin excavation or demolition only after receiving a certain notice; providing that a person performing an excavation or demolition is responsible for the maintenance of underground facility markings and shall perform the excavation or demolition in a certain manner; requiring a certain person to provide certain notice of certain damage to, or disturbance of, an underground facility; requiring a person to take certain measures if the person

knows or has reason to know of an unmarked underground facility in the area of an excavation or demolition; repealing the authority of a political subdivision or municipal corporation to charge a marking or re-marking fee for the reimbursement of expenses incurred by the political subdivision or municipal corporation in complying with the State's underground facilities damage prevention laws; authorizing a designer to initiate a ticket request with a certain one-call system under certain circumstances; requiring an owner to respond to a ticket requested by a designer in a certain manner within a certain period after receiving a certain notice; providing that an owner or agent of an owner is not liable for inaccurate information provided to a designer in response to a ticket request; increasing certain civil penalties under the underground facilities damage prevention laws; authorizing the Authority to impose certain measures instead of or in addition to certain civil penalties; providing that certain civil penalties may be assessed only by the Authority; providing that a court may assess certain civil penalties and award certain attorney's fees under certain circumstances; providing that the Authority may not assess a certain penalty if a certain action has been brought in a certain venue; altering a provision regarding the disposition of civil penalties and requiring that civil penalties recovered under the underground facilities damage prevention laws be paid into the Fund; providing that employees and officials of the Authority are State personnel under the Maryland Tort Claims Act; altering the definition of underground facility to include stormwater drains after a certain date; requiring an owner of stormwater drains to make a good faith effort to identify the location of the stormwater drains by a certain date; holding an owner harmless under this Act with respect to any stormwater drain the owner could not locate and identify after a good faith effort; providing for a delayed effective date for a certain provision of this Act; defining certain terms and altering certain definitions; making stylistic changes; and generally relating to excavation or demolition near underground facilities and underground facilities damage prevention.

BY repealing

Article – Public Utility Companies

Section 12-107 through 12-110; and 12-201 through 12-203 and the subtitle  
“Subtitle 2. Excavation Near Underground Lines and Structures in  
Montgomery County”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY renumbering

Article – Public Utility Companies

Section 12-104, 12-105, 12-106, 12-111, 12-112, and 12-113, respectively  
to be Section 12-120, 12-121, 12-122, 12-128, 12-134, and 12-135, respectively  
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 12–101 and 12–103 to be under the new part “Part I. Definitions;  
General Provisions”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–102

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Public Utility Companies

Section 12–106 through 12–114 to be under the new part “Part II. Maryland  
Underground Facilities Damage Prevention Authority”; 12–117 to be  
under the new part “Part III. Maryland Underground Facilities Damage  
Prevention Education and Outreach Fund”; 12–123 through 12–127; and  
12–131 to be under the new part “Part V. Designer Requests”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 12–120, 12–121, 12–122, and 12–128 to be under the new part “Part IV.  
Excavation and Demolition”; and 12–135

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–134 to be under the new part “Part VI. Enforcement and Penalties”

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12–101(a)(2)

Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 12–101(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Section 3 of this Act)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 12–101(o)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)  
(As enacted by Section 3 of this Act)

Read the first time and referred to the Committee on Rules.

**Senate Bill 912 – Senators Brinkley, Colburn, Dyson, Edwards, Middleton,  
and Mooney**

AN ACT concerning

**Farmer’s Markets – Sale of Poultry and Rabbits**

FOR the purpose of altering a certain definition to exclude the sale of certain poultry or rabbit products at a farmer’s market from regulation as a food service facility; clarifying that a license is not required to deliver prepackaged food products; providing that a license is not required for certain sales of a poultry product or a rabbit product if the farm on which the product was raised is not subject to certain federal regulation; prohibiting a local jurisdiction from requiring a license for the sale of certain poultry and rabbit products at a farmer’s market; defining certain terms; making conforming changes; making a stylistic change; and generally relating to the sale of raw poultry and rabbits at farmer’s markets.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(h)(2), 21–304, and 21–308(c)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 913 – Senators Jones, Exum, Gladden, Harrington, Muse, Pinsky,  
Raskin, and Rosapepe**

SECOND PRINTING

AN ACT concerning

**Income Tax – Surcharge – Extension**

FOR the purpose of extending to a certain date the applicability of a certain income tax rate on certain income of an individual in excess of a certain amount; and generally relating to the State individual income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a)(3)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 914 – Senators Harrington, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Forest Conservation Fund – Contribution Rates – Priority Funding Areas**

FOR the purpose of altering the rates for contributions required to be made to the Forest Conservation Fund and a local forest conservation fund on the basis of whether a project is inside or outside a priority funding area under certain circumstances; making a clarifying change; defining a certain term; and generally relating to contribution rates for the Forest Conservation Fund.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–1610(a), (c), and (h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 915 – Senator Harrington**

AN ACT concerning

**General Assembly Members – Use of Funds – Grant Writers**

FOR the purpose of authorizing a member of the General Assembly to use certain funds, up to a certain amount, to finance grant writers for nonprofit

organizations under certain circumstances; authorizing two or more members to combine certain funds to finance a grant writer under certain circumstances; and generally relating to the use of funds by members of the General Assembly.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–108  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 916 – Senators Pinsky, Exum, Harrington, Peters, and Rosapepe**

AN ACT concerning

**Prince George’s County – Municipal Corporations – School Zones and Speed Monitoring Systems**

FOR the purpose of authorizing a municipal corporation in Prince George’s county to establish school zones on certain highways; requiring a municipal corporation in the county to be responsible for certain costs related to certain traffic control devices for certain school zones; authorizing a municipal corporation in the county to implement and use a speed monitoring system on certain county highways under certain circumstances; prohibiting the county from unreasonably denying a request from a municipal corporation to implement and use a speed monitoring system on certain county highways; prohibiting the county from placing certain requirements on the implementation and use of a speed monitoring system; requiring the county to state in writing the reasons for any denial of a request made by a municipal corporation for permission to implement and use a speed monitoring system on certain county highways; authorizing a municipal corporation to contest in the circuit court a certain denial of permission by the county; prohibiting a municipal corporation in the county from implementing or using a speed monitoring system in certain school zones unless it has obtained certain approval; and generally relating to school zones and the use of speed monitoring systems in a municipal corporation in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–803.1 and 21–809(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 917 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Marleigh Community Safety and Surveillance System**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$20,000, the proceeds to be used as a grant to the Board of Directors of the Ivy Community Charities of Prince George’s County MD, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 918 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – St. Mary’s School Gymnasium and Multi-Purpose Room**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to St. Mary of the Assumption for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 919 – Senator Edwards**

AN ACT concerning

**Allegany County – Slot Machines for Nonprofit Organizations – Volunteer Fire Departments**

FOR the purpose of adding Allegany County to the list of counties in which certain nonprofit fraternal, religious, and war veterans’ organizations may own and operate a certain number of slot machines under certain circumstances; specifying that in Allegany County, a volunteer fire department may own and

operate slot machines; and generally relating to slot machines in Allegany County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 920 – Senators Kasemeyer and Madaleno**

AN ACT concerning

**Developmental Disabilities Administration – Low Intensity Support Services**

FOR the purpose of requiring the Developmental Disabilities Administration to provide a certain level of funding for low intensity support services for certain individuals on a certain basis; authorizing the Administration to waive the cap on funding for low intensity support services; providing that an individual seeking low intensity support services is not required to submit or complete certain applications; requiring the Administration to deliver low intensity support services in a certain manner; defining a certain term; and generally relating to the Developmental Disabilities Administration and low intensity support services.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 7–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to  
Article – Health – General  
Section 7–717 to be under the new part “Part V. Low Intensity Support Services”  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 921 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Reece Road Community  
Health Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of the People's Community Health Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 922 – Senator Haines**

AN ACT concerning

**Homestead Property Tax Credit for Housing Units at Independent Living  
Retirement Communities**

FOR the purpose of making certain housing units at independent living retirement communities eligible for a certain property tax credit under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the application of a certain property tax credit to certain housing units in certain independent living retirement communities.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(1) through (3) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(a)(4) and (d)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–105(a)(9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 923 – Carroll County Senators**

AN ACT concerning

**Carroll County – Homemade Food Sales – County Parks and Facilities**

FOR the purpose of authorizing a county–owned and county–operated park or facility that is hosting a public festival to offer for sale or sell certain types of homemade–style food under certain circumstances; adding honey to the list of homemade–style food that may be offered for sale or sold under a certain provision of law; and generally relating to homemade food sales in Carroll County.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–305(f)

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 924 – Carroll County Senators**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$35,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of

bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Rules.

**Senate Bill 925 – Carroll County Senators**

AN ACT concerning

**Carroll County – Green Building Tax Credit**

FOR the purpose of altering certain authority for the governing body of Carroll County to grant, by law, a green building tax credit against the county property tax imposed on certain properties on which a person installs certain environmentally friendly technologies; providing for the application of this Act; and generally relating to property tax credits in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–308(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 926 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Sale of Wine for Off–Premises Consumption**

FOR the purpose of authorizing a holder of a Class B beer, wine and liquor license in Carroll County to sell wine under certain circumstances for off–premises consumption; limiting the number of bottles of wine a holder of the license may sell to an individual at one time; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(a)(1) and (h)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 6–201(h)(2)(iii)2.  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–201(h)(2)(iii)3.  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 927 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Sheriff – Salary**

FOR the purpose of altering the annual salary of the Sheriff of Carroll County; providing that the annual salary of the Sheriff of Carroll County shall include certain cost-of-living adjustment increases under certain circumstances; providing that this Act does not apply to the salary or compensation of the Sheriff of Carroll County during a certain term in office; and generally relating to the salary of the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(h)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 928 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – State’s Attorney – Salary**

FOR the purpose of requiring the governing body of Carroll County to adjust the salary of the State’s Attorney for Carroll County to include a certain cost-of-living adjustment under certain circumstances; providing that this Act does not apply to the salary or compensation of the State’s Attorney for Carroll County during a certain term in office; and generally relating to the salary of the State’s Attorney for Carroll County.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 15–407  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 929 – Senator Kasemeyer**

AN ACT concerning

**Estates and Trusts – Transfers – Recordation and Transfer Taxes**

FOR the purpose of altering a certain provision prohibiting the imposition of certain taxes on certain transfers of property by a personal representative or the recordation of certain instruments; prohibiting the imposition of certain taxes on certain transfers of real property or the recordation of certain instruments relating to certain transfers to or from certain trusts; providing certain exemptions under the recordation tax and State transfer tax for instruments of writing relating to certain transfers from an estate and certain transfers to or from certain trusts; defining certain terms; and generally relating to the taxation of certain transfers from an estate and certain transfers to or from certain trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 9–105  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 14–113  
Annotated Code of Maryland  
(2001 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Tax – Property  
Section 12–108(dd) and (ee) and 13–207(a)(22) and (23)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–207(a)(20) and (21)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 930 – Senators Lenett, Harrington, and Madaleno**

AN ACT concerning

**State Government – Silver-Haired Legislature**

FOR the purpose of establishing the Silver-Haired Legislature; establishing the goals of the legislature; providing for the appointment of the members of the legislature; specifying the membership and terms of members of the legislature; requiring the legislature to be a bicameral legislature with each house made up of certain members and modeled after the General Assembly; requiring the legislature to work with the Department of Aging to adopt certain bylaws and procedures, meet once a year to conduct a certain model legislative session, and advise and work with the Governor and the General Assembly regarding the legislature's legislative priorities; authorizing the legislature to use the State House for a certain purpose under certain circumstances; providing for the initial appointment and term of the members; and generally relating to the Silver-Haired Legislature.

BY adding to

Article – State Government

Section 9-2801 to be under the new subtitle “Subtitle 28. Silver-Haired Legislature”

Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 931 – Senators Kelley, Conway, and Exum**

AN ACT concerning

**Common Interest Community Managers – Licensing and Regulation**

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and for meetings of the Board; authorizing the Board to sue in the name of the State, with the approval of the Attorney General, to enjoin certain conduct; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain

fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board before the individual may provide certain management services to common interest communities in the State; establishing certain education and examination requirements for a license; requiring common interest community managers to obtain and maintain a certain fidelity bond or a certain insurance policy; providing for the application, term, renewal, and reinstatement of licenses; requiring common interest community managers to establish a certain code of conduct, provide management services in accordance with written contracts, and establish certain internal accounting controls; requiring a certified public accountant to review or audit certain financial statements in a certain manner; authorizing the Board to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain hearing procedures and rights to judicial review; authorizing a licensed common interest community manager to provide certain management services through certain business organizations if the business organization holds a permit issued by the Board; requiring a partnership, corporation, limited liability company, limited liability partnership, or other form of business organization to hold a permit issued by the Board before the person operates a business through which certain management services are provided to common interest communities; establishing certain requirements for a permit; providing for the application, issuance, scope, renewal, and reinstatement of permits; authorizing the Board to deny, suspend, or revoke a permit or reprimand a permit holder under certain circumstances; prohibiting certain acts; establishing certain criminal penalties; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations, beginning on a certain date; prohibiting certain fees from increasing by more than a certain amount each year; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms and qualifications of the initial members of the Board; providing for the application of this Act; defining certain terms; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community management.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (34), respectively

to be Section 2–108(a)(11) through (35), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(13) through (68), respectively

to be Section 8–403(b)(14) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – Business Occupations and Professions  
Section 4.5–101 through 4.5–602 to be under the new title “Title 4.5. Common  
Interest Community Managers”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY adding to

Article – Business Regulation  
Section 2–106.7, 2–106.8, and 2–108(a)(10)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 932 – Senator Gladden**

AN ACT concerning

#### **Civil Actions – Immunity from Civil Liability – Health Care Providers**

FOR the purpose of providing immunity from civil liability for certain causes of action to a health care provider or an agent or employee of a health care provider who detains or causes the arrest of any person if there is probable cause to believe that the person committed a certain offense involving the theft of property containing certain personal information from the premises of the health care provider; and generally relating to immunity from civil liability for health care providers.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–3501(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–402  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4–301(g)  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 933 – Senators Zirkin and Stone**

AN ACT concerning

**Criminal Procedure – Sexual Offender Registry – Failure to Provide  
Required Information**

FOR the purpose of prohibiting a certain person required to register as a sexual offender from knowingly failing to provide any information required to be included in a registration statement; providing criminal penalties for a violation of this Act; and generally relating to the sexual offender registry.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–706  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–721  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 934 – Senators Zirkin and Stone**

AN ACT concerning

**Criminal Procedure – Sexual Offender Registrants – Internet Posting**

FOR the purpose of requiring rather than authorizing the Department of Public Safety and Correctional Services to post on the Internet a current listing of each sexual offender registrant; requiring certain information about each sexual offender registrant to be posted on the Internet; and generally relating to the posting of information about sexual offender registrants on the Internet.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–706(a)(1) through (7) and (9)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–717  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 935 – Senators Zirkin and Stone**

AN ACT concerning

**Denial or Dismissal of Domestic Violence Petition – Expungement of Records**

FOR the purpose of authorizing a respondent in a certain domestic violence proceeding to file a written request to expunge court records relating to the proceeding under certain circumstances; providing that a certain request for expungement may not be filed within a certain time except under certain circumstances; requiring the court to schedule a hearing on a certain request; requiring the court to provide a certain notice of a certain hearing; requiring the court to order the expungement of all court records relating to the proceeding under certain circumstances; providing a certain exception; requiring certain custodians to notify the court and the respondent of compliance with the order; authorizing access by certain persons to certain expunged records under certain circumstances; defining certain terms; and generally relating to domestic violence and the expungement of certain court records.

BY adding to  
Article – Family Law  
Section 4–512  
Annotated Code of Maryland  
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 936 – Senator Kramer**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Muslim Community Center  
Youth Multipurpose Facility**

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 and the Board of Trustees of the Muslim Community 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 funds for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 937 – Senator Garagiola**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Montgomery County –  
Button Farm Historic Preservation and Rehabilitation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to extend the date by which the Board of Directors of The Menare Foundation, Inc. must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01)(BG) and Item (ZA02)(AQ)

Read the first time and referred to the Committee on Rules.

**Senate Bill 938 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

FOR the purpose of authorizing certain nonprofit organizations in Carroll County to conduct a gaming contest that is a card game, card tournament, or casino night;

authorizing the county commissioners to issue a permit to conduct a gaming contest; specifying certain conditions under which a permit holder may conduct a gaming contest; restricting a permit holder from conducting more than a certain number of gaming contests in a calendar year; specifying the purposes for which certain proceeds may be used; specifying the time when a gaming contest may be conducted; requiring a participant to use wagering tokens for wagering under certain conditions; prohibiting a permit holder from taking certain actions; requiring a permit holder to submit to the Sheriff's Office a certain financial report within a certain time; authorizing the county commissioners to adopt certain regulations; imposing certain penalties; defining certain terms; and generally relating to card games, card tournaments, and casino nights in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906 and 13–909  
Annotated Code of Maryland  
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 939 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Forehand and Haines**

AN ACT concerning

**Energy Performance Contracts – Financing – State Energy Performance Contract Loan of 2010**

FOR the purpose of authorizing the financing of energy performance contracts by capital lease or general or special obligation bonds authorized by the General Assembly; providing for the timely payment of principal and interest on bonds and capital leases used to finance energy performance contracts; authorizing the issuance of \$200,000,000 in general obligation bonds to finance State energy performance contracts; and generally relating to the financing of energy performance contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 12–301  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 940 – Senators DeGrange, Jacobs, Muse, and Stone**

AN ACT concerning

**Vehicle Laws – Parking for Individuals with Disabilities – Zoning**

FOR the purpose of making certain provisions related to exceptions to local zoning ordinances for compliance with the Maryland Accessibility Code applicable to certain local jurisdictions; clarifying that a local jurisdiction is required to provide an exception to local zoning ordinances when necessary to bring an existing parking lot into compliance with Maryland Accessibility Code requirements for parking spaces for individuals with disabilities; providing that a person may comply with Maryland Accessibility Code requirements governing certain disabled parking spaces by restriping the parking lot; requiring a local jurisdiction to grant an exception to certain local zoning ordinances for certain parking lots under certain circumstances; requiring that a certain exception process be used for compliance with certain provisions of the Maryland Accessibility Code for certain development; making certain technical corrections; and generally relating to local zoning ordinances governing parking for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.03, 2.13, and 4.04(c)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–202(a) through (c)  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1006  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Joint Resolution 5 – The President (By Request – General Assembly Compensation Commission)**

A Senate Joint Resolution concerning

**General Assembly Compensation – Recommendations**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

**SJ0005/769334/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE JOINT RESOLUTION 5  
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “(By Request – General Assembly Compensation Commission)”; in line 2, after “Compensation” insert “Commission”; and strike beginning with the second “the” in line 5 down through the period in line 14 and substitute “certain proposed changes to salaries, in–district travel, out–of–state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out–of–state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in–district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; and generally relating to recommendations of the General Assembly Compensation Commission.”.

AMENDMENT NO. 2

On page 1, strike beginning with “salary” in line 18 down through “Delegates” in line 20 and substitute “salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly, the allowance for in–district travel, changes to the provisions addressing out–of–state travel, and for

changes in the retirement benefits available to legislators in the Legislative Pension Plan"; in line 22, after "2010;" insert "and"; in line 23, strike "1A and 1B" and substitute "1A, 1B, and 2A"; and strike beginning with "salary" in line 25 down through "Delegates" in line 27 and substitute "allowance for salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly and out-of-state travel".

AMENDMENT NO. 3

On page 2, in line 2, after the first "2006" insert a comma; after line 2, insert:

"(c) Item 2C and Section 12 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void and provisions related to the allowance for in-district travel and the optional retirement allowances available to legislators in the Legislative Pension Plan shall be as provided in the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; and

(d) Section 22 of Item 3A of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, addressing military service credit for legislators in the Legislative Pension Plan shall be void; and";

and in line 3, strike "(c)" and substitute "(e)".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SJ0005/973327/1**

BY: Senator Harris

AMENDMENTS TO SENATE JOINT RESOLUTION 5, AS AMENDED  
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SJ0005/769334/1) in the second to the last line of Amendment No. 1, after “void;” insert “providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to require that certain members, retirees, or beneficiaries of members or retirees are subject to a forfeiture of certain benefits if the member or retiree committed certain crimes during a certain period of time; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to provide that certain members, retirees, or beneficiaries of certain members or retirees are only entitled to a return of certain member contributions, plus interest;”.

#### AMENDMENT NO. 2

On page 2 of the bill, before line 3, insert:

“(e) In accordance with the authority granted under Article III, Section 15 of the Maryland Constitution, the General Assembly recommends adding Item 4 of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, to read as follows:

#### Item 4

(a) Benefits provided under Item 3A of this Resolution may not be paid and are not payable to any member of the Legislative Pension Plan, or the member’s beneficiary, if the member is convicted of or enters a plea of nolo contendere to any crime that is a felony, or that is a misdemeanor related to the member’s public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution.

(b) A retiree of the Legislative Pension Plan and the retiree’s beneficiary are subject to a forfeiture of benefits under subsection (a) of this item if the retiree is receiving benefits under Item 3A of this Resolution at the time the retiree is convicted of a crime described in subsection (a) of this item.

(c) If a member or retiree is subject to a forfeiture of benefits under subsections (a) or (b) of this section, the member, retiree, or beneficiary of a member or retiree is only entitled to a return of the member’s or retiree’s accumulated

contributions, plus interest, less any benefit payments already made under Item 3A of this Resolution; and”.

### AMENDMENT NO. 3

On page 2 of the Budget and Taxation Committee Amendments, in the last line of Amendment No. 3, strike “(e)” and substitute “(f)”.

The preceding 3 amendments were read and adopted.

Senator Harris moved, duly seconded, to make the Bill a Special Order for February 18, 2010.

The motion was rejected by a roll call vote as follows:

Affirmative – 14      Negative – 32      (See Roll Call No. 184)

### FLOOR AMENDMENT

#### **SJ0005/793126/1**

BY: Senator Harris

### AMENDMENTS TO SENATE JOINT RESOLUTION 5, AS AMENDED (First Reading File Joint Resolution)

#### AMENDMENT NO. 1

On page 1 of the Budget and Taxation Committee Amendments (SJ0005/769334/1), in Amendment No. 1, strike beginning with the first “the” in line 6 down through the second “and” in line 7; in the second to last line of Amendment No. 1, after “void;” insert “providing that the provisions addressing the salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; providing that the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, be amended to reduce the salaries of the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly by a certain amount in a certain year;”;

#### AMENDMENT NO. 2

On page 2 of the Budget and Taxation Committee Amendments in the first line of Amendment No. 2, strike “1A, 1B, and”; and strike beginning with “salaries” in line 2 down through “and” in line 4.

### AMENDMENT NO. 3

On page 2 of the bill, before line 3, insert:

“(e) Items 1A and 1B of the Resolution of the General Assembly Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, addressing the salaries for the President of the Senate, the Speaker of the House of Delegates, and the members of the General Assembly, shall be void; and

(f) In accordance with the authority granted under Article III, Section 15 of the Maryland Constitution, the General Assembly recommends amending Items 1A and 1B of the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, to read as follows:

#### Item 1A

Each member of the General Assembly, except the President of the Senate and the Speaker of the House of Delegates, shall receive an annual salary as follows, payable in twelve monthly installments each year:

(1) Forty-two thousand six hundred thirty dollars (\$42,630) during calendar year 2011;

(2) Forty-three thousand five hundred dollars (\$43,500) during calendar year 2012;

(3) Forty-three thousand five hundred dollars (\$43,500) during calendar year 2013; and

(4) Forty-three thousand five hundred dollars (\$43,500) for the period which includes calendar year 2014 and that portion of January 2015 preceding the commencement of the next term of office.

#### Item 1B

The President of the Senate and the Speaker of the House of Delegates shall each receive an annual salary as follows, payable in twelve monthly installments each year:

(1) Fifty-five thousand three hundred seventy dollars (\$55,370) during calendar year 2011;

(2) Fifty-six thousand five hundred dollars (\$56,500) during calendar year 2012;

(3) Fifty-six thousand five hundred dollars (\$56,500) during calendar year 2013; and

(4) Fifty-six thousand five hundred dollars (\$56,500) for the period which includes calendar year 2014 and that portion of January 2015 preceding the commencement of the next term of office; and”.

AMENDMENT NO. 4

On page 2 of the Budget and Taxation Committee Amendments, in the last line of Amendment No. 3, strike “(e)” and substitute “(g)”.

The preceding 4 amendments were read and rejected by a roll call vote as follows:

Affirmative – 15      Negative – 31      (See Roll Call No. 185)

Read the second time and ordered prepared for Third Reading.

**Senate Bill 70 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Vessel Noise – Limitation**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

**SB0070/793820/3**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 70

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “suppression;” insert “requiring the Department to issue a warning for a certain violation;”.

AMENDMENT NO. 2

On page 3, strike beginning with “A” in line 1 down through “both” in line 5 and substitute:

**“(I) FOR A FIRST VIOLATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE A PERSON A WARNING.**

**“(II) FOR A REPEAT VIOLATION OF THIS SECTION, A PERSON IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING:**

**1. FOR A SECOND OFFENSE, \$500; AND**

**2. FOR A THIRD OR SUBSEQUENT OFFENSE, \$1,000 OR IMPRISONMENT OF 30 DAYS OR BOTH”.**

The preceding 2 amendments were read and adopted by a roll call vote as follows:

Affirmative – 28      Negative – 19      (See Roll Call No. 186)

FLOOR AMENDMENT

**SB0070/383129/1**

BY: Senator Jacobs

AMENDMENTS TO SENATE BILL 70

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon, insert “requiring the Natural Resources Police Force to enforce a certain provision of law; prohibiting a Natural Resources police officer from boarding a docked vessel for a certain purpose without a warrant;”.

AMENDMENT NO. 2

On page 2, after line 33, insert:

**“(F) (1) THE NATURAL RESOURCES POLICE FORCE SHALL ENFORCE THIS SECTION.**

**(2) A NATURAL RESOURCES POLICE OFFICER MAY NOT BOARD A DOCKED VESSEL TO ENFORCE THIS SECTION WITHOUT A WARRANT.”.**

On page 3, in lines 1 and 9, strike “(f)” and “(g)”, respectively, and substitute “**(G)**” and “**(H)**”, respectively.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 7      Negative – 40      (See Roll Call No. 187)

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 188)

**ADJOURNMENT**

At 11:25 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 18, 2010.

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**Annapolis, Maryland**  
**Thursday, February 18, 2010**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

Prayer by Bishop Paul A. Wells, New Revival Kingdom Church, guest of Senator Currie.

(See Exhibit A of Appendix III)

The Journal of February 17, 2010 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 193)

**INTRODUCTION OF BILLS**

**Senate Bill 941 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Forestville Military  
Academy Track**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$180,000, the proceeds to be used as a grant to the Forestville Military Academy High School PTA for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 942 – Senators Pugh, Forehand, Harrington, Kelley, Klausmeier,  
Kramer, Madaleno, McFadden, and Muse**

AN ACT concerning

**Public Service Commission – Customer Education on Customer Choice**

FOR the purpose of requiring an electric company that provides standard offer service to include certain information in a certain manner and at certain intervals about certain electricity supply options available to a customer; requiring the Public Service Commission to educate consumers about customer choice in accordance with a certain provision of law; requiring the Commission to host a certain section on its website related to customer choice; requiring the website to include certain information; requiring the Commission to maintain a certain secure portal on its website to receive certain information from certain electricity suppliers; requiring certain electricity suppliers to submit certain information to the Commission through the secure portal at certain intervals; requiring the Commission to work with certain media outlets to develop and air certain public service announcements related to customer choice; requiring the Commission to recover certain costs in accordance with a certain provision of law; requiring the Commission to submit a certain report to the General Assembly by a certain date; requiring the Commission to convene a certain workgroup for a certain purpose; providing for the membership of the workgroup; requiring the Commission, by regulation or order, to establish certain requirements for certain information provided to customers by electricity suppliers based on certain recommendations; requiring the Commission to consult with the Maryland Energy Administration and the Office of People’s Counsel for a certain purpose; defining a certain term; and generally relating to customer choice.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–510(c)(1) and (2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–510(c)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–510.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 943 – Senators Pugh and Garagiola**

AN ACT concerning

**Credit Regulation – Mortgage Brokers – Charges**

FOR the purpose of authorizing mortgage brokers to charge borrowers for the actual cost of certain services or goods required to complete a loan application process; and generally relating to fees that may be charged by mortgage brokers.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–804  
Annotated Code of Maryland  
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 944 – Senator Klausmeier**

AN ACT concerning

**Department of State Police – Police Employees – Residency Requirements**

FOR the purpose of altering the residency requirements for police employees of the Department of State Police; and generally relating to residency requirements of employees of the Department of State Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 2–402  
Annotated Code of Maryland  
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 945 – Senator Middleton**

**EMERGENCY BILL**

AN ACT concerning

**Condominiums and Homeowners Associations – Governing Documents –  
Overriding Restrictions Against Rental of Home**

FOR the purpose of establishing that a provision in a certain governing document of a condominium or a homeowners association that restricts the right of a unit owner in a condominium or a homeowner in a homeowners association from renting their residential property is null and void for a certain period of time;

stating the intent of the General Assembly; providing for the termination of this Act; making this Act an emergency measure; and generally relating to overriding governing documents that restrict the rental of residential property in condominiums and homeowners associations.

BY repealing and reenacting, without amendments,

Article – Real Property

Section 11–104(a) and (c), 11B–105(a)(3) and (b)(6), and 11B–106(a)(3) and (b)(5)

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

BY adding to

Article – Real Property

Section 11–104.1 and 11B–106.2

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 946 – Senator McFadden**

AN ACT concerning

#### **State Retirement and Pension System – Deceased Retiree’s Retirement Application – Retiree’s Mental Incapacity**

FOR the purpose of requiring a medical board for the State Retirement and Pension System to authenticate certain applications by certain surviving spouses of certain retirees; authorizing certain surviving spouses of certain retirees to submit certain applications to the Board of Trustees of the State Retirement and Pension System for a return of certain employee contributions plus interest; requiring certain surviving spouses of certain retirees to include a certain certification of mental incapacity with certain applications to the Board of Trustees; requiring that a certain certification of mental incapacity be completed by certain physicians and include certain information; providing that the completion of a certain certification of mental incapacity in a certain manner shall be considered to validate certain conclusions; requiring the Board of Trustees to make certain payments to certain surviving spouses of certain retirees if the medical board and Board of Trustees make certain verifications; requiring the Board of Trustees to adopt certain regulations; providing for the application of this Act; and generally relating to the review of a deceased retiree’s retirement application by the medical board for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–126  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 947 – Senator Edwards**

AN ACT concerning

**Allegany County – Property Tax Credit – WMHS Braddock Hospital Facility**

FOR the purpose of authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property; providing for a certain limitation on the tax credit; authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to provide, by law, for certain provisions relating to the property tax credit; providing for the application of this Act; and generally relating to property tax credits for certain property in Allegany County.

BY adding to  
Article – Tax – Property  
Section 9–302(l)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 948 – Senator Raskin**

AN ACT concerning

**Child Abuse and Neglect – Disclosure of Information**

FOR the purpose of requiring a director of a local department of social services or the Secretary of Human Resources to disclose certain information concerning child abuse and neglect under certain circumstances; altering the circumstances under which certain information concerning child abuse and neglect is required to be disclosed; requiring the State’s Attorney to notify the local director or the Secretary within a certain period of time after the conclusion of a certain

investigation or prosecution under certain circumstances; requiring the local director or the Secretary to make a certain disclosure within a certain period of time after notification by the State's Attorney; repealing a requirement that the Secretary consult with a certain law enforcement agency before disclosing certain information concerning child abuse and neglect; requiring the local director or the Secretary to disclose certain information; prohibiting the local director and the Secretary from disclosing the names of certain individuals; and generally relating to the disclosure of information concerning child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 1–203  
Annotated Code of Maryland  
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 949 – Senators Raskin, Harrington, Lenett, and Madaleno**

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 Rules.

**Senate Bill 950 – Senator Brinkley**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2009 – Frederick County – The John Hanson Memorial**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to change the location of the John Hanson Memorial to the City of Frederick.

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item ZA03 (AH)

Read the first time and referred to the Committee on Rules.

**Senate Bill 951 – Senators Conway, Frosh, Harrington, Kelley, McFadden, Muse, Pugh, and Stone**

AN ACT concerning

**Maryland Medical Assistance Program – Orthodontic Care – Reimbursement**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt a certain reimbursement procedure for orthodontic care provided to certain Maryland Medical Assistance Program recipients; defining a certain term; and generally relating to reimbursement for orthodontic care under the Maryland Medical Assistance Program.

BY adding to

Article – Health – General  
Section 15–114.2  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 952 – Senators Conway, Currie, Dyson, Exum, Frosh, Harrington, Harris, Jones, Kelley, King, Lenett, Madaleno, McFadden, Muse, and Pugh**

AN ACT concerning

**Residential Home Sales – Disclosure of Utility Consumption**

FOR the purpose of requiring a vendor of single family residential property to include certain utility information for a certain time period in a certain listing; requiring the vendor to submit certain utility information to the Maryland Association of Realtors under certain circumstances; requiring the vendor to provide to the purchaser, before signing a sales contract, certain materials and certain utility information; requiring the Maryland Association of Realtors to develop and maintain a certain website; requiring the website developed under this Act to publish certain utility information; providing for the scope of this Act; defining certain terms; providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,  
Article – Real Property

Section 1–101(l) and (n)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

BY adding to  
Article – Real Property  
Section 10–702.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 953 – Senators Exum, Edwards, and Kittleman**

AN ACT concerning

**Workers’ Compensation – Death Benefits – Dependency**

FOR the purpose of altering the authority of the Workers’ Compensation Commission to make certain determinations of dependency; altering a provision of law that specifies that certain surviving spouses and individuals are not entitled to certain death benefits; altering the provisions relating to the calculation of death benefits for individuals who are wholly or partly dependent; requiring an employer or its insurer to pay certain death benefits to certain dependents for a certain period of time; specifying the calculation of certain death benefits; specifying the minimum amount of certain death benefits; specifying the minimum amount of time for the payment of certain death benefits; providing an exception to the time limitation for certain dependents who are incapable of self-support under certain circumstances; providing for the termination of certain death benefits under certain circumstances; providing an exception to the termination of certain death benefits for certain children under certain circumstances; providing the amount of death benefits to certain dependents who are neither a dependent spouse nor a dependent child; providing for an annual adjustment in a certain manner of a certain death benefit; specifying that the Commission has continuing jurisdiction under certain circumstances; increasing the amount of certain funeral expenses that the employer or its insurer is required to pay; making stylistic changes; and generally relating to workers’ compensation death benefits for dependents of covered employees.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–678  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment

Section 9–679, 9–680, 9–681, 9–683, and 9–689  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY repealing

Article – Labor and Employment  
Section 9–682  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Labor and Employment  
Section 9–682  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 954 – Senator Exum**

AN ACT concerning

#### **State Units – Contracts – Reporting Requirements – Reports**

FOR the purpose of requiring certain units that contract with certain residential programs or group homes to collect data concerning certain certification as a minority–owned, woman–owned, or disability–owned business and certain suspensions or revocations of licensure; requiring certain units to submit a certain annual report to the Governor’s Office of Minority Affairs; and generally relating to reporting requirements for contracts with residential programs or group homes.

BY adding to

Article – State Finance and Procurement  
Section 15–112  
Annotated Code of Maryland  
(2009 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 955 – Senators Exum, Garagiola, Gladden, Kelley, and Peters**

AN ACT concerning

#### **Workers’ Compensation – Uninsured Employers’ Fund – Uninsured Employer Assessments**

FOR the purpose of increasing the amount of assessments that the Workers' Compensation Commission imposes against uninsured employers and directs as payment into the Uninsured Employers' Fund; and generally relating to assessments imposed on employers that have failed to secure workers' compensation insurance.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–1005  
Annotated Code of Maryland  
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 956 – Carroll County Senators**

AN ACT concerning

#### **Creation of a State Debt – Carroll County – Carroll County Agriculture 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 Carroll County Agriculture Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

### **Senate Bill 957 – Senator Miller**

AN ACT concerning

#### **Calvert County – Special Taxing Districts**

FOR the purpose of providing that any funds remaining in a special taxing district established in Calvert County under certain authority at the termination of the special taxing district may be applied to certain future special taxing districts or returned to owners of property in the special taxing district in a certain manner; and generally relating to funds remaining in a special taxing district established in Calvert County under certain authority at the termination of the special taxing district.

BY repealing and reenacting, without amendments,  
The Public Local Laws of Calvert County

Section 4-103(c)  
Article 5 – Public Local Laws of Maryland  
(2002 Edition and May 2008 Supplement, as amended)

BY adding to  
The Public Local Laws of Calvert County  
Section 4-103(d)  
Article 5 – Public Local Laws of Maryland  
(2002 Edition and May 2008 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

**Senate Bill 958 – Senator Miller**

AN ACT concerning

**Calvert County – Noise Control Ordinance**

FOR the purpose of authorizing the County Commissioners of Calvert County to enact an ordinance adopting environmental noise standards, sound level limits, and certain noise controls under certain circumstances, authorizing the Calvert County Sheriff's Office to enforce the ordinance, and providing that a violation of the ordinance is a civil offense subject to a certain fine; and generally relating to noise control in Calvert County.

BY adding to  
The Public Local Laws of Calvert County  
Section 13-101 to be under the new title "Title 13. Noise Control"  
Article 5 – Public Local Laws of Maryland  
(2002 Edition and May 2008 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

**Senate Bill 959 – Senator Miller**

AN ACT concerning

**State Retirement and Pension System – Local Employer Contributions  
– Educators and Educational Staff**

FOR the purpose of providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System;

altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; defining certain terms; and generally relating to the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 960 – Senators Brinkley, Glassman, and Kittleman**

AN ACT concerning

**Property Tax Exemption – Farm or Agricultural Property Subject to an Easement**

FOR the purpose of providing a State property tax exemption for certain property that is actively used for farm or agricultural purposes and is subject to an easement or other interest that is conveyed or assigned to certain entities; providing for the application of this Act; and generally relating to a State property tax exemption for certain property.

BY adding to  
Article – Tax – Property  
Section 7–308  
Annotated Code of Maryland  
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 961 – Senators Forehand and Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Rockville Fitness Center  
and Exercise Room Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$240,000, 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 Rules.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 18, 2010

**Transportation, Department of**

1. Beverley K. Swaim-Staley District 33  
960 Stable Court  
Davidsonville, MD 21035

Secretary of Department of Transportation; appointed to serve at the pleasure of the Governor

**Chiropractic and Massage Therapy Examiners, State Board of**

2. Daniel J. Kraus District 16  
7502 Leesburg Place  
Bethesda, MD 20817

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve remainder of four years from October 1, 2008

**Community Health Resources Commission, Maryland**

3. Enrique E. Martinez-Vidal District 14  
18640 Queen Elizabeth Drive  
Brookeville, MD 20833

Member of the Maryland Community Health Resources Commission; appointed to serve a term to expire June 30, 2010

**Economic Development Commission, Maryland**

4. Richard Bernstein District 37  
5820 Deepwater Drive  
Oxford, MD 21654

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2007

5. William E. Kirwan District 11  
3112 Old Court Road  
Baltimore, MD 21208

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2009

6. Ronald R. Peterson District 35  
1403 Lytham Court  
Bel Air, MD 21015

Member of the Maryland Economic Development Commission; appointed to serve remainder of the term of three years from July 1, 2009

7. Alan D. Wilson District 5  
18 Loveton Circle  
Sparks, MD 21152

Member of the Maryland Economic Development Commission; appointed to serve remainder of a term of three years from July 1, 2009

#### **Environmental Sanitarian Registration, State Board of**

8. Juan Gutierrez District 8  
4 Tameron Place  
Rosedale, MD 21237

Member of the State Board of Environmental Sanitarian Registration; appointed to serve remainder of a term of five years from July 1, 2007

#### **Higher Education Commission, Maryland**

9. Eyituoyo V. Ebigbeyi District 11  
6 Christian Lynn Court Road  
Randallstown, MD 21133

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2009

10. Patrice Alexander Ficklin District 23  
13201 Martha's Choice Circle  
Bowie, MD 20720

Member of the Maryland Higher Education Commission; appointed to serve remainder of a five year term from July 1, 2006

#### **Higher Education Labor Relations Board, Maryland**

11. Benfred B. Alston District 10  
1220 Redcliffe Road  
Catonsville, MD 21228

Member of the Maryland Higher Education Labor Relations Board; appointed to serve remainder of a six year term from July 1, 2009

12. Holly Fechner District 20  
7213 Spruce Avenue  
Takoma Park, MD 20912

Member of the Maryland Higher Education Labor Relations Board; appointed to serve remainder of a six year term from July 1, 2004

### **Industrial Development Financing Authority, Maryland**

13. Sean W. Glynn, Esq. District 15  
11723 Split Tree Circle  
Potomac, MD 20854

Member of the Maryland Industrial Development Financing Authority; appointed to serve remainder of a term of five years from July 1, 2008

### **Infants and Toddlers, Interagency Coordinating Council for**

14. Brenda H. Gardner, Ph.D. District 13  
12208 Linden Linthicum Lane  
Clarksville, MD 21029

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2009

15. Amy Tetteh Griffin District 26  
5800 Rayburn Drive  
Temple Hills, MD 20748

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2009

16. Rosemary King Johnston District 8  
8 White Spruce Court  
Baltimore, MD 21234

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2007

**Judicial Disabilities, Commission on**

17. Julie R. Rubin District 46  
2327 Boston Street, Unit 14  
Baltimore, MD 21224

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from February 12, 2009

**Maryland Economic Development Corporation Board of Directors**

18. Scott E. Dorsey District 7  
10631 Pot Spring Road  
Cockeysville, MD 21030

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve remainder of a term of four years from July 1, 2008

**Maryland School for the Blind, Board of Directors of the**

19. Lorraine A. Costella, Ph.D. District 13  
5387 Graywing Court  
Columbia, MD 21045

Member of the Board of Directors of the Maryland School for the Blind; appointed to serve remainder of a term of three years from July 1, 2007

**Morgan State University Board of Regents**

20. Franklin L. Edmonds District 99  
10414 Samaga Drive  
Oakton, VA 22124

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2009

21. Dallas R. Evans District 30  
P.O. Box 4543  
Annapolis, MD 21403

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2009

22. Linda J. Gilliam, D.M.D. District 99  
Brandywine Plaza West, 1521 Concord Pike, Suite 303  
Wilmington, DE 19803

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2009

### **Morticians and Funeral Directors, State Board of**

23. Robert H. Bradshaw, Jr. District 38  
4435 Beechwood Place  
Crisfield, MD 21817

Member of the State Board of Morticians and Funeral Directors; reappointed to serve a term of four years from July 1, 2009

24. Jeelani Gulam District 24  
4234 Glenn Dale Road  
Bowie, MD 20720

Member of the State Board of Morticians and Funeral Directors; appointed to serve a term of four years from July 1, 2009

### **Parole Commission, Maryland**

25. David R. Blumberg District 41  
5405 Falls Road Terrace  
Baltimore, MD 21210

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2010

26. Mattie R. Meehan District 36  
P.O. Box 92  
Still Pond, MD 21667

Member of the Maryland Parole Commission; appointed to serve a term of six years from January 1, 2010

27. William Chappelle Simpson, Sr. District 25  
4600 Keppler Place  
Temple Hills, MD 20748

Member of the Maryland Parole Commission; appointed to serve remainder of a six year term from January 1, 2009

**Psychologists, State Board of**

28. Robert A. Brown, Ph.D. District 12  
10069-4 Windstream Drive  
Columbia, MD 21044

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2009

29. Alan L. Marcus, Ph.D. District 14  
2805 Fountain Grover Terrace  
Olney, MD 20832

Member of the State Board of Psychologists; appointed to serve a term of four years from July 1, 2009

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Indian Affairs, Commission on**

- S-1. Auriel A. Fenwick District 23  
2008 Clearwood Drive  
Mitchellville, MD 20721

Member of the Commission on Indian Affairs; reappointed to serve a term of three years from July 1, 2009

- S-2. Wanda Y. Lee District 6  
1702 Bayard Avenue  
Baltimore, MD 21222

Member of the Commission on Indian Affairs; reappointed to serve a term of three years from July 1, 2009

**Infants and Toddlers, Interagency Coordinating Council for**

S-3. Elizabeth Kelley District 4  
7687 Anvil Drive  
Frederick, MD 21701

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2009

S-4. Joyce C. Pollard District 45  
2030 E. Lanvale Street  
Baltimore, MD 21213

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2008

**Morgan State University Board of Regents**

S-5. Laurence Levitan District 15  
11426 Georgetown Drive  
Potomac, MD 20854

Member of the Morgan State University Board of Regents; reappointed to serve a term of six years from July 1, 2009

**Occupational Therapy Practice, State Board of**

S-6. Jocelind Julien District 12  
5142 Homecoming Lane  
Columbia, MD 21044

Member of the State Board of Occupational Therapy Practice; reappointed to serve a term of four years from July 1, 2009

**Parole Commission, Maryland**

S-7. Obie Patterson District 26  
2502 Kingsway Road  
Fort Washington, MD 20744-3323

Member of the Maryland Parole Commission; reappointed to serve a term of six years from January 1, 2010

## Local Nominees

**Please Note:** Local Nominees are not required to appear before the Senate Executive Nominations Committee.

### Baltimore City Community College, Board of Trustees for

- L-1. Charmaine V. Pope District 10  
2107 Meadowview Drive  
Baltimore, MD 21207

Member of the Board of Trustees for Baltimore City Community College; appointed to serve a term of one year from July 1, 2009

### Baltimore County Community College, Board of Trustees

- L-2. Stephen J. Nolan, Esq. District 12  
303 Ivy Church Road  
Timonium, MD 21093

Member of the Board of Trustees of Baltimore County Community College; appointed to serve remainder of a term of five years from July 1, 2009

### Calvert County Board of License Commissioners

- L-3. Marshall S. Gibson, Jr. District 29  
13620 Kersey Way, P.O. Box 1264  
Solomons, MD 20688

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years from June 6, 2009

- L-4. J. Allen Swann District 27  
7742 Swan Lane  
Owings, MD 20736

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2009

- L-5. Maurice E. Wood District 29  
5050 Hallowing Point Road  
Prince Frederick, MD 20678

Member of the Calvert County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2009

**Frederick County Board of County Commissioners**

- L-6. Blaine R. Young District 4  
3922 Millstone Circle  
Monrovia, MD 21770

Member of the Frederick County Board of County Commissioners; appointed to serve remainder of a term of four years from the General Election of November, 2006

**Montgomery Community College Board of Trustees**

- L-7. Gloria Aparicio Blackwell District 17  
53 Appleseed Lane  
Gaithersburg, MD 20878

Member of the Montgomery Community College Board of Trustees; appointed to serve a term of six years from July 1, 2008

- L-8. Leslie S. Levine, Ph.D. District 16  
7401 Helmsdale Road  
Bethesda, MD 20817

Member of the Montgomery Community College Board of Trustees; appointed to serve remainder of a term of six years from July 1, 2009

- L-9. Marsha S. Smith District 14  
2204 Eaglesham Court  
Olney, MD 20832

Member of the Montgomery Community College Board of Trustees; appointed to serve remainder of a six year term from July 1, 2004

**Somerset County Board of License Commissioners**

- L-10. Van B. Muir, Jr. District 38  
30742 Perry Road  
Princess Anne, MD 21853

Member of the Somerset County Board of License Commissioners; reappointed to serve a term of two years from June 1, 2009

- L-11. Robert W. Murphey  
12010 Sherree Lane  
Princess Anne, MD 21853
- District 38

Member of the Somerset County Board of License Commissioners; appointed to serve remainder of a term of two years from June 1, 2009

### **St. Mary's County Alcoholic Beverage Board**

- L-12. Linda Palchinsky  
45866 Beechwood Place  
Lexington Park, MD 20653
- District 29

Member of the St. Mary's County Alcoholic Beverage Board; reappointed to serve a term of four years from January 1, 2010

### **Wicomico County Board of Elections**

- L-13. Marva P. Greene  
630 Terrapin Lane  
Salisbury, MD 21804
- District 38

Member of the Wicomico County Board of Elections; appointed to serve remainder of four years from June 4, 2007

### **Worcester County Liquor Control Board**

- L-14. William L. Wilkinson  
102 South Church Street  
Snow Hill, MD 21863
- District 38

Member of the Worcester County Liquor Control Board; reappointed to serve a term of four years from June 1, 2009

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 19, 2010.

The motion was adopted.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 27 – Senator Conway**

AN ACT concerning

**Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm**

STATUS OF BILL: QUESTION IS ON THE MOTION TO RECONSIDER THE VOTE BY WHICH THE BILL FAILED FOR WANT OF A CONSTITUTIONAL MAJORITY.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 194)

**Senate Bill 27 – Senator Conway**

SECOND PRINTING

AN ACT concerning

**Health Insurance – Benefits for In Vitro Fertilization – Donor Sperm**

STATUS OF BILL: The Bill is on Third Reading.

Senator Middleton moved, duly seconded, to make the Bill a Special Order for February 19, 2010.

The motion was adopted.

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #13**

**Senate Bill 198 – Senators Glassman, Garagiola, Gladden, Harris, Jacobs, Kasemeyer, Klausmeier, Kramer, Middleton, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Farmer's Markets – ~~Raw~~ Agricultural Product Sales – Producer Mobile  
Farmer's Market License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 195)

The Bill was then sent to the House of Delegates.

**Senate Bill 199 – Senators Glassman, Garagiola, Kasemeyer, Klausmeier,  
Kramer, Mooney, Raskin, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**Seasonal Farmer's Market Producer Sampling License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 196)

The Bill was then sent to the House of Delegates.

**Senate Bill 236 – Senators Middleton, Kelley, and Klausmeier**

AN ACT concerning

**Insurance – Premium Increase for Commercial and Workers' Compensation  
Insurance – Notice**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 197)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 198)

**ADJOURNMENT**

At 10:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Friday, February 19, 2010.