

(C) (D) THE DEPARTMENT MAY SUSPEND OR REVOKE A LICENSE ISSUED UNDER THIS SECTION IF THE NURSING REFERRAL SERVICE AGENCY IS OPERATING IN VIOLATION OF THE REQUIREMENTS OF THIS SUBTITLE.

19-4B-05.

(A) AN INDIVIDUAL MAY NOT OPERATE OR ENGAGE IN, OR ATTEMPT TO OPERATE OR ENGAGE IN, OR HOLD ONE'S SELF OUT AS OPERATING OR ENGAGING IN THE BUSINESS OF A NURSING REFERRAL SERVICE AGENCY UNLESS THE INDIVIDUAL IS LICENSED UNDER THIS SUBTITLE.

(B) (1) AN INDIVIDUAL WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$10,000 FOR ANY SUBSEQUENT OFFENSE.

(2) EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS A SEPARATE OFFENSE.

19-4B-06.

FOR THE PURPOSES OF ANY OTHER PART OF THE CODE PROVISION OF LAW, THE GRANTING OF A LICENSE UNDER THIS SUBTITLE DOES NOT CONSTITUTE A FINDING OF ANY FACT BASED ON WHICH THE LICENSE WAS GRANTED, ON WHICH THE GRANTING OF THE LICENSE WAS BASED AND MAY NOT GIVE RISE TO ANY PRESUMPTION REGARDING THE EXISTENCE OF ANY FACT BASED ON WHICH THE LICENSE WAS GRANTED GRANTING OF THE LICENSE WAS BASED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 27, 2004.

CHAPTER 133

(Senate Bill 565)

AN ACT concerning

Montgomery County - Kensington Community Center Loan of 1993

FOR the purpose of ~~providing that the Board of Public Works has until June 1, 2005, to encumber or expend the proceeds of the Montgomery County - Kensington Community Center Loan of 1993~~ amending Chapter 611 of the Acts of 1993, as amended by Chapter 208 of the Acts of 2002 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and making this Act an emergency measure.