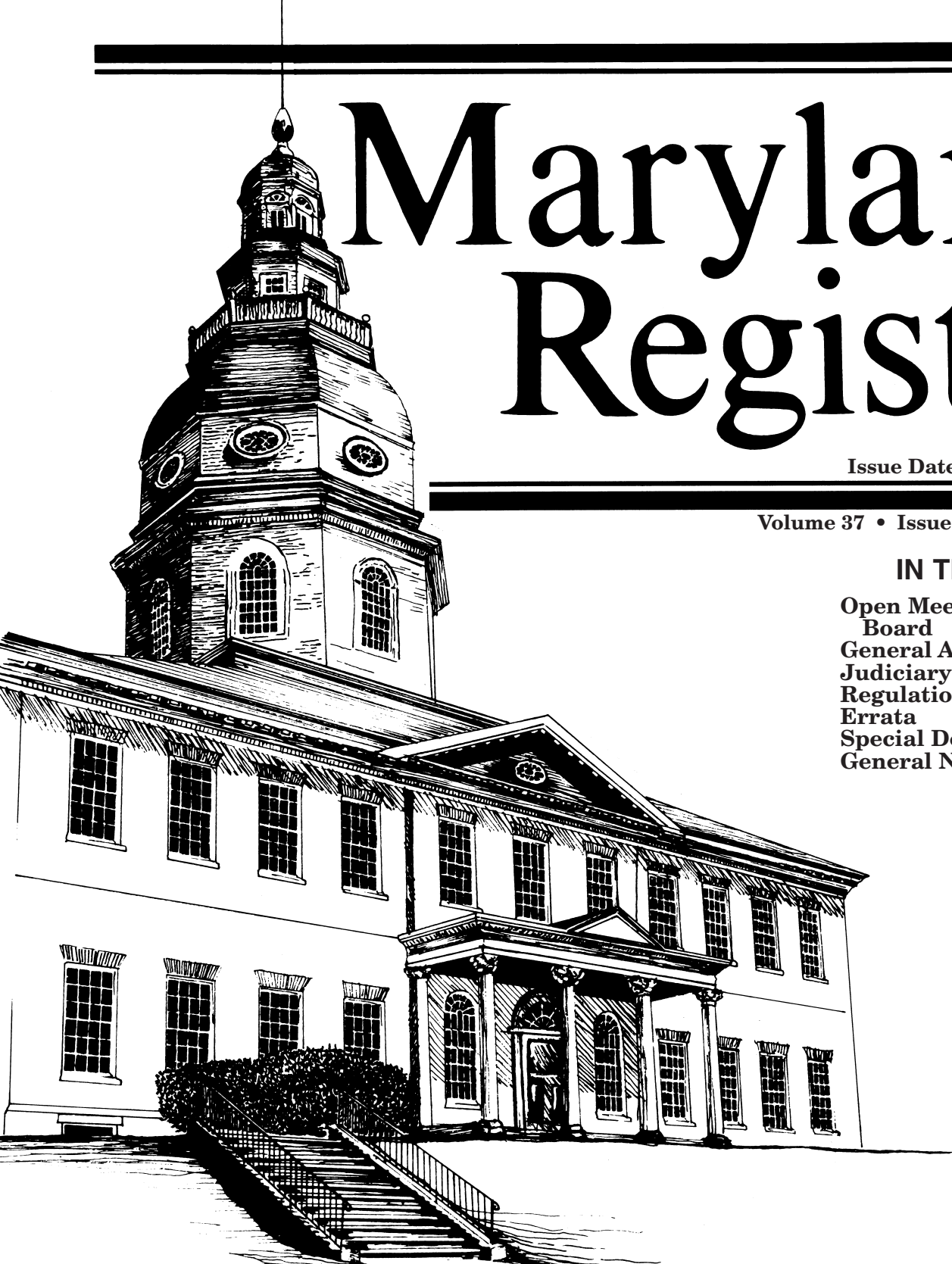

Maryland Register

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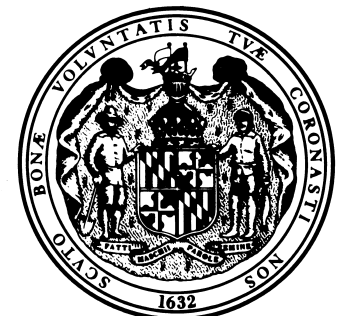
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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before January 25, 2010, 5 p.m.

Pursuant to State Government Article, §7-206, Annotated Code of Maryland, I hereby certify that this issue contains all documents required to be codified as of January 25, 2010.

Gail S. Klakring
Acting Administrator, Division of State Documents
Office of the Secretary of State



Information About the Maryland Register and COMAR

MARYLAND REGISTER

The Maryland Register is an official State publication published every other week throughout the year. A cumulative index is published quarterly.

The Maryland Register is the temporary supplement to the Code of Maryland Regulations. Any change to the text of regulations published in COMAR, whether by adoption, amendment, repeal, or emergency action, must first be published in the Register.

The following information is also published regularly in the Register:

- Governor's Executive Orders
- Governor's Appointments to State Offices
- Attorney General's Opinions in full text
- Open Meetings Compliance Board Opinions in full text
- State Ethics Commission Opinions in full text
- Court Rules
- District Court Administrative Memoranda
- Courts of Appeal Hearing Calendars
- Agency Hearing and Meeting Notices
- Synopses of Bills Introduced and Enacted by the General Assembly
- Other documents considered to be in the public interest

CITATION TO THE MARYLAND REGISTER

The Maryland Register is cited by volume, issue, page number, and date. Example:

- 19:8 Md. R. 815—817 (April 17, 1992) refers to Volume 19, Issue 8, pages 815—817 of the Maryland Register issued on April 17, 1992.

CODE OF MARYLAND REGULATIONS (COMAR)

COMAR is the official compilation of all regulations issued by agencies of the State of Maryland. The Maryland Register is COMAR's temporary supplement, printing all changes to regulations as soon as they occur. At least once annually, the changes to regulations printed in the Maryland Register are incorporated into COMAR by means of permanent supplements.

CITATION TO COMAR REGULATIONS

COMAR regulations are cited by title number, subtitle number, chapter number, and regulation number. Example: **COMAR 10.08.01.03** refers to Title 10, Subtitle 08, Chapter 01, Regulation 03.

DOCUMENTS INCORPORATED BY REFERENCE

Incorporation by reference is a legal device by which a document is made part of COMAR simply by referring to it. While the text of an incorporated document does not appear in COMAR, the provisions of the incorporated document are as fully enforceable as any other COMAR regulation. Each regulation that proposes to incorporate a document is identified in the *Maryland Register* by an Editor's Note. The Cumulative Table of COMAR Regulations Adopted, Amended or Repealed, found online, also identifies each regulation incorporating a document. Documents incorporated by reference are available for inspection in various depository libraries located throughout the State and at the Division of State Documents. These depositories are listed in the first issue of the *Maryland Register* published each year. For further information, call (410) 974-2486.

HOW TO RESEARCH REGULATIONS

Each COMAR title has a Table of Contents and Index. An Administrative History at the end of every COMAR chapter gives information about past changes to regulations. To determine if there have been any subsequent changes, check the "Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed" which is found online at www.dsd.state.md.us/CumulativeIndex.pdf. This table lists the regulations in numerical order, by their COMAR number, followed by the citation to the Maryland Register in which the change occurred. The Maryland Register serves as a temporary supplement to COMAR, and the two publications must always be used together. A Research Guide for Maryland Regulations is available. For further information, call (410) 974-2486.

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Single issues of the Maryland Register are \$5.00 per issue, plus \$2.00 for postage and handling.

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Maryland citizens and other interested persons may participate in the process by which administrative regulations are adopted, amended, or repealed, and may also initiate the process by which the validity and applicability of regulations is determined.

Listed below are some of the ways in which citizens may participate (references are to State Government Article (SG), Annotated Code of Maryland):

- By submitting data or views on proposed regulations either orally or in writing, to the proposing agency (see "Opportunity for Public Comment" at the beginning of all regulations appearing in the Proposed Action on Regulations section of the Maryland Register). (See SG, §10-112)
- By petitioning an agency to adopt, amend, or repeal regulations. The agency must respond to the petition. (See SG §10-123)
- By petitioning an agency to issue a declaratory ruling with respect to how any regulation, order, or statute enforced by the agency applies. (SG, Title 10, Subtitle 3)
- By petitioning the circuit court for a declaratory judgment on the validity of a regulation when it appears that the regulation interferes with or impairs the legal rights or privileges of the petitioner. (SG, §10-125)
- By inspecting a certified copy of any document filed with the Division of State Documents for publication in the Maryland Register. (See SG, §7-213)

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Martin O'Malley, Governor; **John P. McDonough**, Secretary of State; **Gail S. Klakring**, Acting Administrator; **Susan E. Elson**, Deputy Administrator; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online/Marketing Director; **Marcia M. Diamond**, Subscription Manager, COMAR; **Anne deBronkart**, Editor, COMAR Online; **Tami Cathell**, Editor/Help Desk, COMAR and Maryland Register Online.

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Availability of Monthly List of Maryland Documents

The Maryland Department of Legislative Services receives copies of all publications issued by State officers and agencies. The Department prepares and distributes, for a fee, a list of these publications under the title "Maryland Documents". This list is published monthly, and contains bibliographic information concerning regular and special reports, bulletins, serials, periodicals, catalogues, and a variety of other State publications. "Maryland Documents" also includes local publications.

Anyone wishing to receive "Maryland Documents" should write to: Legislative Sales, Maryland Department of Legislative Services, 90 State Circle, Annapolis, MD 21401.

COMAR Online

The Code of Maryland Regulations is available at www.dsd.state.md.us as a free service of the Office of the Secretary of State, Division of State Documents. The full text of regulations is available and searchable. Note, however, that the printed COMAR continues to be the only official and enforceable version of COMAR.

The Maryland Register is also available at www.dsd.state.md.us.

For additional information, visit www.sos.state.md.us, Division of State Documents, or call us at (410) 974-2486 or 1 (800) 633-9657.

REGULATIONS CODIFICATION SYSTEM

Under the COMAR codification system, every regulation is assigned a unique four-part codification number by which it may be identified. All regulations found in COMAR are arranged by title. Each title is divided into numbered subtitles, each subtitle is divided into numbered chapters, and each chapter into numbered regulations.

09.12.01.02D(2)(c)(iii)

Title	Chapter	Section	Paragraph	Subparagraph
Subtitle		Regulation	Subsection	

A regulation may be divided into lettered sections, a section divided into numbered subsections, a subsection divided into lettered paragraphs, and a paragraph divided into numbered subparagraphs.

Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed

This table, previously printed in the Maryland Register lists the regulations, by COMAR title, that have been adopted, amended, or repealed in the Maryland Register since the regulations were originally published or last supplemented in the Code of Maryland Regulations (COMAR). The table is no longer printed here but may be found on the Division of State Documents website at www.dsd.state.md.us.

Table of Pending Proposals

The table below lists proposed changes to COMAR regulations. The proposed changes are listed by their COMAR number, followed by a citation to that issue of the Maryland Register in which the proposal appeared. Errata pertaining to proposed regulations are listed, followed by "(err.)". Regulations referencing a document incorporated by reference are followed by "(ibr)". None of the proposals listed in this table have been adopted. A list of adopted proposals appears in the Cumulative Table of COMAR Regulations Adopted, Amended, or Repealed.

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**CLOSING DATES and ISSUE DATES
through JULY 30, 2010**

ISSUE DATE	Emergency and Proposed Regulations*		
	5:00 p.m.	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
February 26**	February 8	February 17	February 12
March 12	February 22	March 3	March 1
March 26	March 8	March 17	March 15
April 9	March 22	March 31	March 29
April 23	April 5	April 14	April 12
May 7	April 19	April 28	April 26
May 21	May 3	May 12	May 10
June 4**	May 17	May 25	May 21
June 18**	May 27	June 9	June 7
July 2	June 14	June 23	June 21
July 16**	June 28	July 7	July 2
July 30	July 12	July 21	July 19

*Due date for documents containing 25 to 60 pages—48 hours before date shown

Due date for documents exceeding 60 pages—1 week before date shown

**Note closing date changes

***Note issue date change

The regular closing date for Proposals and Emergencies is Monday.

Open Meetings Compliance Board

OPINIONS

Joseph H. Potter

The Open Meetings Compliance Board has considered your complaint that the Council of the Town of Ocean City violated the Open Meetings Act during the course of closed meetings conducted on September 29 and October 20, 2009. For the reasons explained below, we find that no violation occurred.

I

Complaint and Response

According to the complaint, on September 29, 2009, the Ocean City Council closed a meeting to discuss the acquisition of property and to consult with staff and others regarding pending or potential litigation. However, during a public meeting following that session, Councilwoman Mary Knight made “reference to the closed session saying that Council Members were provided information for reviewing as many as 10 contract proposals received for advertising Ocean City Maryland.” The complaint indicated that Councilwoman Knight stated that, beginning October 20, 2009, the Council and others connected with Ocean City tourism would meet in closed session to discuss the proposals.

The complaint alleged that the Council violated the Open Meetings Act on September 29, apparently premised on the belief that discussion exceeded the topic announced in closing the session, and on October 20 because, in the complainant’s view, “the Act does not permit secret discussions by a public body of ‘open bids’ submitted by vendors.”

In a timely response on behalf of the Council, City Solicitor Guy Ayres described the manner by which Ocean City selects an advertising agency to promote the municipality as a resort travel destination. The Town employs a competitive process whereby the Town puts out a request for proposals. The process includes two parts — a written response to a questionnaire and an oral interview and presentation. The Director of Tourism assembled packages of the responses received for the Mayor, Council Members, and City Manager. When the Council assembled for its closed session on September 29, 2009, the assembled packages were in the conference room for the Council Members to review at their leisure. According to the response, “[t]he written responses were neither discussed nor even mentioned in the closed session. The only topics discussed in the closed session of September 29 were the potential acquisition of two properties and consultation with [the City Solicitor] relative to a settlement of a personal injury claim against the town.” The response included the text of the exchange that occurred in the subsequent public session relating to the complainant’s allegation concerning the September 29 session.

According to the response, the October 20 session was closed pursuant to §10-508(a)(14)¹ and involved the oral presentations by competing advertising agencies. The reason for closure was to “avoid competing agencies from learning of the price structure of the others, to allow for negotiations, if the council desired, and to avoid competing agencies from reviewing the other presentations, which would give an unfair advantage, thereby adversely impacting the proposal process.” At a meeting on October 27, 2009, the Council discussed and voted to award the advertising contract in open session.

¹ All statutory references are to the Open Meetings Act, Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

II

Analysis

September 29 Session

Based on the Council’s response, there was no evidence that the Council’s discussion during the closed session on September 29, 2009, extended beyond the topics identified as the Council’s justification for the closed session. The documents related to the advertising procurement were simply in the room available for pickup at the time the Council met in closed session. However, in order to allow us to better evaluate what occurred during the closed meeting, we asked the City Solicitor to provide us with a copy of the minutes of the closed meeting. That document was provided with the understanding that it would be kept confidential.² The minutes are consistent with the Council’s response that the advertising procurement was not discussed. Thus, we find that no violation occurred.

October 20, 2009

Subject to certain procedural requirements, the Open Meeting Act allows a public body to close a meeting in order to conduct a competitive procurement process. The Act provides:

... a public body may meet in closed session or adjourn an open session to a closed session only to:

...

(14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

§10-508(a)(14). Had competing advertising agencies been able to sit through the presentations of their competitors who met with the Council and other members of the evaluation team, the competitive process would have been compromised. In our view, the purpose of the October 20 closed session clearly fit within the permissible scope of §10-508(a)(14). As a result, we find that no violation occurred.

III

Conclusion

In summary, we find that the Council of the Town of Ocean City did not violate the Open Meetings Act on September 29 or October 20, 2009 by improperly considering matters in closed sessions that were required to be discussed in public view. The topics of discussions during the closed sessions were permissible under provisions of the Act.

Open Meetings Compliance Board
Elizabeth L. Nilson, Esquire
Courtney J. McKeldin
Julio Morales, Esquire

cc: Guy R. Ayres, III, Esquire
Honorable Joseph M. Mitrecic

[10-04-34]

² SG §10-502.5(c)(2)(ii) provides that “[t]he [Compliance] Board shall maintain the confidentiality of minutes and any tape recording submitted by a public body that are sealed in accordance with §10-509(c)(3)(ii) of this subtitle.

OPINIONS

December 7, 2009

Gregory S. Brady

The Open Meetings Compliance Board has considered your complaint that the Sport Fish Advisory Commission and Tidal Fish Advisory Commission of the Department of Natural Resources have violated the Open Meetings Act by routinely failing to make copies of minutes available to the public.

For the reasons explained below, we find that the failure to post copies of minutes on a website did not violate the Open Meetings Act. However, the acknowledged failure to produce adequate minutes following certain meetings violated the Act. Furthermore, the failure of the commissions to respond to the complaint in a timely manner violated the Act.

I

Complaint and Response

According to the complaint, the Sport Fish Advisory Commission and Tidal Fish Advisory Commission have repeatedly failed to make the minutes of their meetings available to the public for years. The complaint indicated that you have asked a Department of Natural Resources staff member “for years to get the websites up to date and post the meetings minutes for the public to view.” The complaint indicated that, as of April 25, 2009, minutes had not been posted on the website since March 2008. However, the complaint acknowledged that a summary of a joint commission meeting held February 2009 was available online. The complaint indicated that each commission typically meets six times a year and that the commissions meet jointly several times a year.

Martin Gary of the Fisheries Service, Department of Natural Resources, responded on behalf of both commissions. He indicated that “the concerns . . . were justified, and [DNR staff] have addressed them to make sure the meeting summaries will be available in a timely and through fashion.” An internal e-mail communication attached to the response noted that, at the time of the complainant’s original request for online access to minutes, the Fisheries Services lacked the necessary resources to “create complete and thorough minutes of . . . Commission meetings.” Audio recordings were made and staff would produce meeting summaries, not formal minutes. However, in light of the complainant’s request, the Fisheries Service has taken specific actions. In July 2009, new operational guidelines were approved to require the Department to produce “draft summaries” within 10 working days of each meeting for review by the commissioners. Those summaries would be approved at the next meeting and then posted on the website. In September 2009, the guidelines were modified to require “verbatim transcripts of each meeting” beginning with a joint meeting in October 2009.

According to the response, summaries of prior meetings dating back to January 2008 have been reviewed and some have been posted. However, some of the summaries are “functionally incomplete” and have not been posted. If they were posted, it would be necessary to qualify the posting that the document is incomplete.

A copy of the Maryland Sport and Tidal Fisheries Advisory Commissions Operating Guidelines was also submitted.

II

AnalysisMinutes

When public bodies such as the commissions conduct meetings that are governed by the Open Meetings Act, they must generate minutes of those meetings: “As soon as practicable after a public body meets, it shall have written minutes of its session prepared.” §10-509(b).¹ Absent special circumstances, we have advised that minutes are to be available on a cycle paralleling a public body’s meetings. See, e.g., 6 OMCB Opinions 164, 169 (2009). While a temporary staff shortage might justify a brief delay, resource constraints do not excuse a public body’s obligation under the Act to produce minutes. To constitute minutes of the public body, approval by the body is required. 6 OMCB Opinions 187, 191 (2009).

The minutes of a meeting must reflect each item considered, any action that the public body took on the item, and every recorded vote. § 10-509(c)(1). We have previously advised that each item considered is to be described in sufficient detail so that a member of the public who reviews the minutes can gain an appreciation of the issue under discussion. 6 OMCB Opinions 164, 169 (2009). A transcript is not required. However, a transcript would likely reflect the information required by the Act. Id. While a public body may record its meetings, a recording does not satisfy the obligation to produce written minutes. Id.

The Act makes clear that minutes of a public meeting governed by the Act are public records, open to inspection during ordinary business hours. §10-509(d). Many public bodies now post minutes on a website, a practice we commend. However, there is no requirement under the Open Meetings Act that a public body make a copy its minutes available online.

Given the acknowledgments in the response, it is clear the commissions have not consistently complied with requirements of the Act in terms of producing minutes following their meetings. To the extent the commissions have not done so, the Act was violated. Given the acknowledgments and the change in policy, little would be added by a review of the summaries of individual meetings to determine whether or not they satisfied the minimal requirements of the Act. Although minutes are not usually in the form of a transcript, if the required information is present, the commissions’ decision to produce transcripts of their meetings will satisfy the Act. However, a public body’s failure to post a copy of minutes on a website in itself does not violate the Act.

Response Time

The complaint was initially forwarded to the chairs of the commissions on May 4, 2009, in care of the Department of Natural Resources. Under §10-502.5(c)(2)(i), a public body is required to file a written response to a complaint within 30 days of its receipt. Only after multiple requests to the Department of Natural Resources did we receive a response dated October 15, 2009. The commissions failure to respond to the complaint in a timely manner violated the Act. 5 OMCB Opinions 1, 4 (2006).

¹ All statutory references are to the Open Meetings Act, Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

III

Conclusion

The failure to post copies of minutes on a website did not violate the Open Meetings Act. However, the acknowledged failure to produce adequate minutes following certain meetings violated the Act. Furthermore, the failure of the commissions to respond to the complaint in a timely manner violated the Act.

Open Meetings Compliance Board
Elizabeth L. Nilson, Esquire
Courtney J. McKeldin
Julio Morales, Esquire

cc: Martin L. Gary
Joseph P. Gill, Esquire

[10-04-37]

OPINIONS

December 7, 2009

Honorable Ed DeSaussure

The Open Meetings Compliance Board has considered your complaint that the Mayor and Common Council of the Town of University Park violated the Open Meetings Act in connection with a closed meeting held by the Council on March 23, 2009.¹

For the reasons explained below, we find that the Council violated the Open Meetings Act when it failed to properly document the closed session held March 23, 2009. No minutes were produced and the Council failed to accurately report on the topics of discussion subsequent to the session. The procedures followed by the Council blurred the distinct requirements of the Act with respect to reporting on a closed meeting. We find no violation as to the Act's notice requirements. Given the conflicting viewpoints and limited record, we are unable to reach a decision as to whether the scope of discussions during the closed session was properly confined.²

I

Public Notice

A. Complaint and Response

The complaint alleged that the Council failed to provide proper advance notice of a meeting held on March 23, 2009. In the complainant's view, notice of a meeting "must disclose the topic of discussion in order to allow the public to assess whether the [Council] is following the law." Furthermore, according to the complaint, the Council "gave no ad-

¹ The Town's Common Council consists of seven members and the Mayor. Charter of the Town of University Park, §301, 8 Municipal Charters of Maryland ch. 145. Throughout this opinion, we simply refer to the Council for brevity.

² In submitting the complaints to the Council, we had advised that the Council was not expected to address allegations unrelated to the Open Meetings Act. The Compliance Board has no jurisdiction to interpret statutes other than the Open Meetings Act. See 5 OMCB Opinions 1 n. 2 (2006).

vance written notice as . . . required by [§10-506]." (emphasis in original)³

The complaint further alleged that, subsequent to the meeting, the Council posted on its website notice of the meeting that "misstated the true purpose and subject matter of the [m]eeting." By giving an "insufficient and misleading justification" for the closed session, in the complainant's view, the Council violated the Act. According to the complaint, the notice indicated that the purpose of the closed session was to "discuss personnel matters," when, in fact, "[n]o personnel matters were discussed. . ."

In a timely response on behalf of the Council, Suellen M. Ferguson, Esquire, provided affidavits of Amy Headley, the Clerk for the Town of University Park, as well as John Rogard Tabori, Mayor. Both affidavits acknowledged the desire for a closed meeting involving the Town's participation in the State Retirement and Pension System. Both affidavits said that the date and time for the March 23 meeting was finalized on Friday, March 20, 2009. According to Ms. Headley's affidavit, she posted notice of the meeting on the same date that the meeting time was confirmed in a glass case used for posting such notices located outside the door of Town Hall. Ms. Headley acknowledged that other means of giving notice are sometimes used, but to her knowledge, "the official and required place for the posting of [meeting] notices is in the glass case . . ." Ms. Ferguson indicated that this location has been used since 1985. A copy of the notice was provided with the response. That document referred to an executive session "to discuss personnel matters." However, as indicated in the Mayor's affidavit, the purpose was also to consult with the municipal attorney. However, the response pointed out that the Act does not require that the notice of a meeting reveal the reasons that a meeting might be closed.

As to the notice posted subsequent to the meeting, the response acknowledged that the online posting occurred April 13, 2009. According to the response, the posting "was clearly not for purposes of prior notice." However, the town's practice is to post on its website agendas for meetings that have occurred. The document posted was modified to add "consult with attorney" to reflect the "eventual reasons for closing the meeting." However, in the Council's view, because the Act does not address the posting of an agenda, no violation occurred.

B. Analysis

Before a public body conducts a meeting governed by the Open Meetings Act, "reasonable advance notice" must be provided to the public. §10-506(a). Generally, notice is to be in writing; it must include the date, time, and place of the session and, if appropriate, a statement that part or all of the meeting may be conducted in closed session. §10-506(b). However, a public body is not required to include an agenda as part of the notice. As we previously opined, "[a]lthough many public bodies routinely provide an anticipated agenda for the benefit of the public, a practice we consider commendable, the failure to do so, or a deviation from an agenda, is simply not a violation [of the Act.]" 4 OMCB Opinions 168, 172 (2005). There is no requirement that the notice reflect the purpose of a closed meeting. Thus, even if that information was provided, a variation from the stated purpose could not violate the Act.

³ All statutory references are to the Open Meetings Act, Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

The notice posted outside Town Hall on March 20, 2009, the same date that the time of the March 23 meeting was confirmed, clearly satisfied the notice requirements of the Act. Because the Act does not address the availability of an agenda, the subsequent posting of the modified document under a link captioned “Council Meeting Agendas” raises no issue under the Act.

II

Record of Closed Session

A. Complaint and Response

The complaint alleged that “there was no recorded public resolution giving the reasons and bases for closing the [m]eeting.” (emphasis in original) The complaint noted that a statement “reflecting both the purpose of the closed session and the topics of discussion” is required. According to the complaint, “[n]o such statement was prepared prior to the meeting or made available to the public.”

The complaint further alleged that, after the closed session, the Council “failed to produce a timely and proper public record, with a statement reflecting both the purpose of the closed session and the topics of discussion.” (emphasis in original) According to the complaint, the record “should have been presented at the [Council’s] March 30, 2009 meeting, its next open meeting.” The complaint argued that “the ‘minutes’ form, approved . . . May 18, 2009, provided no meaningful explanation beyond the applicable statutory provisions that justify closure.”

The response indicated that it was not clear upon what provision of the Act the complainant was relying. “There is no legal requirement that a statement or public resolution . . . be made available prior to a meeting.” However, the response did acknowledge that, under §10-508(d), a public body is required to vote to close a meeting and that the presiding officer is required to produce, at the time of closing the meeting, a written statement of the reasons for closure, including a citation to the applicable authority, and a list of topics to be discussed. As to the March 23 session, the response stated that the only people present were the Mayor, council, and attorney. The vote to support closure was unanimous.

The response described the process employed by the Council in connection with closed meetings. A form titled “Record of Executive Session” is used, a copy of which was provided in a supplemental letter from the complainant. According to the response, when the Council convened to vote on closure on March 23, the Mayor “made a written record of who was present, the time, the reasons for the closing (consult with attorney, discuss person specific personnel issues),[.] the topics to be discussed (personnel issues related to pension, legal advice with respect to pension) and the vote to close.” Immediately following the meeting, the Mayor transferred this information to a “Record of Executive Session” form and completed it. The information concerning the vote to open and close were typed in the next day.

As a result of an oversight, the Record of Executive Session was not brought to the April 20 meeting to be appended to the minutes of the March 30 minutes. The closed session minutes were provided at the next meeting. The Mayor’s affidavit makes clear this form serves not only as a “closing form,” but also as the minutes of the closed session.

B. Analysis

The Open Meetings Act requires three distinct records in connection with a closed session. Before a public body goes into a closed session, the presiding officer must complete a

written statement of the reason for closing the meeting, citing the relevant authority under §10-508(a), and listing topics to be discussed. §10-508(d)(2)(ii).⁴ Although we were not provided with a copy of the presiding officer’s original notes recorded at the time the meeting was closed, it appears that the information was adequately captured, consistent with his understanding of the purpose at that time. This statement is a matter of public record, §10-508(d)(4), reflecting the facts in advance of the closed session.

A public body must also keep minutes of a closed session, reflecting, among other information, each item considered. §10-509(b) and (c)(1). Each item ought to be described in sufficient detail to enable the reader to gain an appreciation of the issue under discussion. In 6 *OMCB Opinions* 164, 169 (2009), we addressed the level of detail expected in minutes of a public meeting. While it is true that minutes of a closed meeting ordinarily are not available to the public, closed session minutes are available to the Compliance Board. §10-502.5(c)(2)(ii).⁵ In our view, the minimal information reflected in the “record of executive session” did not qualify as minutes as contemplated by the Act.

Subsequent to a closed session, a public body must include as part of its publicly available minutes a summary of the closed session reflecting each item listed in §10-509(c)(2). Although the information recorded in the written statement produced in advance of a closed session and the subsequent disclosure are similar, they are not identical, and both records must be kept. Given the Council’s admission that, after the closed session convened, no personnel matters were discussed, the “list of topics discussed” was in fact inaccurate, thus, resulting in a violation of the Act. However, given the Council’s explanation why the document was not available on April 20, we decline to find a violation in connection with the delay in the Council’s adoption as part of minutes. *Cf.* 2 *OMCB Opinions* 92, 94 (1999) (while minutes must be prepared in reasonably timely manner, practical considerations may justify some delay).

In summary, the Council’s practice of combining the Act’s advance and subsequent reporting requirements in connection with a closed meeting into a single document and also treating that document as “minutes” blurred the distinct reporting requirements envisioned in the Act.

III

Closed Session Discussions

A. Complaint and Response

The complaint alleged that no personnel matters were considered during the closed session on March 23. Furthermore, according to the complaint, the Council used the occasion to “deliberate on its position’ on a public policy matter and to plan future legislative acts.” (emphasis in original)

The response acknowledged that, once the closed session convened, it became apparent that there was no interest in discussing individual employees, notwithstanding the impression of the Mayor at the time the meeting was closed. However, according to the response, the remainder of discussion was limited to opinions of the Council’s municipal attorney and a request for additional advice.

⁴ In order to close the session, there also must be a motion and vote in support of closure. §10-508(d)(1). However, no “public resolution” is required. *See, e.g.,* 5 *OMCB Opinions* 165, 168 (2007) (“bare-bones motion suffices”).

⁵ If the public body considers the minutes of a closed session sealed, the Compliance Board is required to maintain the document in confidence. §10-502.5(c)(2)(iii).

B. Analysis

Given the Mayor's impression that members of the Council desired to address the status of specific employees when the meeting was closed, we do not find a violation based on the fact such discussions did not materialize. However, as to the scope of discussions, we have differing opinions by two individuals who were both present in the room. Given the limited record of the closed meeting available to us and the contrasting views offered, we decline to reach the merits as to this allegation. See §10-502.5(f)(2) (opinion may state that Compliance Board unable to resolve complaint).

IV

Conclusion

We find that the Council violated the Open Meetings Act when it failed to properly document the closed session held March 23, 2009. No minutes of the closed session were produced and the Council failed to accurately report on the topics of discussion subsequent to the session. Its procedures blurred the distinct requirements of the Act with respect to reporting on a closed meeting. We find no violation as to the Act's notice requirements. Given the conflicting viewpoints and limited record, we are unable to reach a decision as to whether the scope of discussions during the closed session was properly confined.

Open Meetings Compliance Board
Elizabeth L. Nilson, Esquire
Courtney J. McKeldin
Julio Morales, Esquire

cc: Suellen M. Ferguson, Esquire
Honorable John Rogard Tabori

[10-04-38]

OPINIONS

January 21, 2010

Gary E. Coldsmith

The Open Meetings Compliance Board has considered your complaint that the Chesapeake Town Council violated the Open Meetings Act by failing to properly report required information as part of publicly available minutes following a closed session held on August 20, 2009. For the reasons explained below, we find that the summary of the closed session failed to satisfy the disclosure requirements of the Act.

I

Complaint and Response

According to the complaint, during a public meeting on August 20, 2009, the Chesapeake Town Council voted to go into a closed session at 10:00 p.m. in order to consider a personnel matter. As part of the minutes of its next public meeting, the Council reported: "The meeting was closed at 10:00 p.m. for a Closed Executive Session pursuant to [§10-508(a)(1)(i)] to consult with counsel to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction on a motion by Mr. Cumbo. Seconded by Dr. Beaudin, all in favor. The meeting was reopened at

10:21 p.m. . . ."¹ Minutes of August 20, 2009, Meeting, X. New Business, Item 8-7. As described in the complaint, the summary disclosure was "mainly boilerplate" and "contained no listing of the topics of discussion, persons present [or] action taken."

In a timely response on behalf of the Council, Elissa Levan, Esquire, acknowledged that the Council met in closed session on August 20, 2009. According to the response, "[a]s required, the Council included in the minutes of its next open session (i.e., the meeting that resumed at 10:21 that evening) a summary of [its] closed session activity, shown as Item 8-7. . . ." The minutes further disclosed, as reflected in Item 8-8, the substance of the discussion, which included the resignation of the Town Administrator / Town Clerk, appointment of a new Acting Town Administrator, and the appointment of the Assistant Town Clerk as Town Clerk. The response also included a copy of the publicly-available written statement prepared in closing the session.

II

Analysis

A meeting that is governed by the Open Meetings Act can nevertheless be closed to the public for specific reasons enumerated in the Act, provided that certain procedural requirements are followed. One such reason is the need to deal with personnel issues pertaining to specific individuals.

If it is anticipated before the start of a meeting that the meeting will involve a closed session, the Act requires that the public notice of the meeting indicate that, "a part or all of [the] meeting may be conducted in closed session." §10-506(b)(3). Immediately before the start of a closed session, a majority of the members of the public body present must vote in favor of closing the session to the public. §10-508(d)(1) and (2)(i). The presiding officer must complete a written statement that reflects the reason for closure, including the applicable statutory authority under §10-508, and listing the topics to be discussed. §10-508(d)(2)(ii); 5 OMCB Opinions 160 (2007). This statement is a matter of public record that must be available at the time a public body concludes its public session immediately before the start of the closed meeting. §10-508(d)(4); 6 OMCB Opinions 121, 124 (2009). Like any meeting governed by the Act, minutes for a closed meeting must be produced. §10-509(b); however, subject to limited exceptions, the minutes of a closed meeting and any recording of the closed session generally are not available to the public. §10-509(c)(3)(ii).²

Finally, germane to the complaint, following a closed session, a public body is required to make certain information about the closed session public as part of the minutes for its next open session. §10-509(c)(2). Specifically, the public body is required to include as part of publicly-available minutes subsequent to a closed session: (i) a statement of the time, place, and purpose of the closed session; (ii) a record of the vote of each member as to closing the session; (iii) a citation of the authority under the Act for closing the session; and (iv) a listing of the topics of discussion, persons present,

¹ All statutory references are to the Open Meetings Act, Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

² Minutes of a closed session must be made available to the Compliance Board if requested in connection with a complaint. However, the Compliance Board must maintain the confidentiality of the document if the public body considers the document sealed. §10-502.5(c)(2)(ii) and (iii).

and each action taken during the closed session. *Id.* This disclosure requirement is distinct from the written statement required under §10-508(d)(2)(i). 5 *OMCB Opinions* 165, 170 (2007). While the description of the topics discussed certainly is not expected to be so detailed so as to compromise the purpose of the closed session, it must provide some level of information beyond merely parroting the applicable statutory exception. See, e.g., 4 *OMCB Opinions* 76, 77-78 (2004). The description ought to be sufficient to allow the public an opportunity to evaluate whether the topic fit within the cited exception.

Here, the description of the closed session reported under ¶ 8-7 of the minutes failed to satisfy §10-509(c)(2) in that it provided no meaningful description of the topic of discussion. It simply noted that the Council consulted with counsel in connection with some matter within §10-508(a)(1)(i). Nor did it identify who was present in the room during the closed session. (We assume it was not every individual listed as present for the preceding public session.) It is clear from the Council's response that the discussion during the closed session reflected the matters addressed in ¶ 8-8 — the action of the Council after it resumed the public portion of the meeting. But someone looking at the description of the closed session found in the minutes could not be expected to assume that was the case. Had the Council provided a description in its summary of the closed session similar to that offered in its response, it would have clearly satisfied the topic disclosure contemplated by the Act.

III

Conclusion

We find that the Council violated the Act in that the summary of the closed session held on August 20, 2009, as reported in the publicly-available minutes failed to satisfy the disclosure requirements under §10-509(c)(2).

Open Meetings Compliance Board
Elizabeth L. Nilson, Esquire
Courtney J. McKeldin
Julio Morales, Esquire

cc: Honorable Bruce A. Wahl
Elissa D. Levan, Esquire

[10-04-36]

OPINIONS

January 26, 2010

Sveinn C. Storm

The Open Meetings Compliance Board has considered your complaint that the Centreville Town Council and the Town's Planning Commission have violated the Open Meetings Act with respect to their obligations to produce minutes in a timely manner and to document closed sessions.

For the reasons explained below, we find that the Council and the Planning Commission violated the Open Meetings Act in failing to approve minutes of certain public meetings in a timely fashion. We also find that the Council failed to provide an adequate description of topics discussed as part of publicly available minutes following certain closed sessions.

I

Minutes — In General

A. Complaint and Response

According to the complaint, the Council failed to produce minutes for specified meetings, namely, a work session conducted on June 19, 2008, a public hearing held October 1, 2009, and a meeting held on October 11, 2009, with representatives of the U.S. Army Corps of Engineers. The complaint further alleged that the Council failed to approve minutes for meetings held on September 17, 2009, and October 1, 2009, in a timely manner in that the minutes for these meetings were not available until November 5, 2009.

As to the Planning Commission, the complaint alleged that no minutes were produced for a public hearing held on September 9, 2009, and that minutes were not available for meetings held on August 19 and September 16, 2009, until November 5, 2009.

The complaint also questioned whether minutes for closed sessions held on September 17 and 21, and on October 1, 2009 have ever been approved.¹

Stephen Kehoe, attorney for the Town of Centreville, responded on behalf of both public bodies. As to the Council's work session held on June 19, 2008, the response stated that, before October 5, 2009, the Town Clerk was responsible for producing minutes. The purpose of the work session as to provide feedback to staff on the proposed budget which was adopted the following day. However, the response indicated that, "[i]t is unclear why . . . minutes were not available earlier." As for the public hearing held on October 1, 2009, the response repeated that it was the Town Clerk who was responsible for producing minutes before October 5, 2009, and the delay "may have been the result in the vacancy in the Office of Town Clerk on October 5, 2009."

As to the Council's regular meeting on October 1, 2009, the response indicated that the delay in the availability of minutes "may be attributable to the vacancy in the office of Town Clerk." Although minutes were not available at the next regular meeting on October 15, they were subsequently available. As to the September 17, 2009, meeting, the response was unable to provide a definitive reason why minutes were not available at the next regular meeting. It stated that the Town Manager endeavored to have minutes prepared after the office of Town Clerk became vacant and said that minutes for the September 17 meeting were available November 5, 2009.

As to the alleged Council meeting on October 11, the response indicated that, although the meeting had been announced, no meeting between the Army Corps of Engineers and Council took place. Instead, a single member of the Council met with representatives of the Corps.

In terms of the Planning Commission, the response indicated that it was unclear why minutes were not available sooner following the August 19, 2009, meeting. The Town Clerk had been responsible for producing minutes and, as noted above, that office has been vacant since October 5, 2009. While minutes for the September 16, 2009, meeting were not available at the next regular monthly meeting, according to the response, they were available the following month. Finally, as to the public hearing held September 9, 2009, the response included a copy of a matrix reflecting public comments which was used as a guide in the Commis-

¹ While neither the complaint nor the response make clear whether these sessions involved the Council or the Planning Commission, based on the dates, they appear to relate to the Council.

sion's subsequent discussion on proposed design standards. However, the Commission did not adopt the matrix as minutes of its meeting.

As to the closed meetings held September 17 and 21 and October 1, 2009, the response indicated that minutes were approved on December 16, 2009.

B. Analysis

As to the Council's alleged meeting on October 11, 2009, with representatives of the Army Corps of Engineers, no violation occurred in that minutes were not required because a quorum of the Council never met. Stated otherwise, the Open Meetings Act did not apply to the meeting. However, as to other Council meetings identified in the complaint, minutes were either never produced or, in the complainant's view, not available in a timely manner.

After a public body holds a meeting that is subject to the Open Meetings Act, the public body must have written minutes prepared. §10-509(b). The Act makes no distinction based on the purpose of the meeting, such as whether the meeting involved a public hearing. Cf. 6 *OMCB Opinions* 47, 51 (2008). If the meeting is governed by the Act, minutes are required. *Id.* While a public body certainly may have staff prepare minutes for its review and approval, ultimate responsibility for the preparation of minutes under the Act rests with the public body.

Rather than prescribe an exact time frame by which minutes must be approved, the Open Meetings Act allows some flexibility in that it employs a "as soon as practicable" standard. 6 *OMCB Opinions* at 51. We have long held that, as a general rule, "[t]he cycle of minutes preparation should parallel the cycle of a public body's meetings, with only the lag time needed to draft and review minutes." 2 *OMCB Opinions* 87, 89 (1999). Nevertheless, there may be special circumstances that result in an excusable delay. 5 *OMCB Opinions* 14, 17 (2006). However, we also have previously cautioned that a public body may not rely on insufficient staff or on competing priorities as excuses for not complying with the Act. *Id.*

We understand that a vacancy in the position of Town Clerk disrupted the timely production of minutes. Thus, the delay in the availability of minutes for Council meetings until November 5, 2009, may reasonably be excused for those meetings that occurred during October 2009. However, the lack of minutes and the delay for earlier meetings appears extensive in that the Council regularly meets twice each month. The Council was responsible under the Act for ensuring that minutes were completed for its review and approval. See 4 *OMCB Opinions* 24 (2004).

The Planning Commission regularly meets once each month. For the reason explained above, the delay in producing minutes following its September 16, 2009, meeting is reasonably excusable. But there is less basis for excusing the delay in producing minutes of its August 19, 2009, meeting. As to the public hearing held on September 9, 2009, the Commission did produce a detailed matrix summarizing individuals' testimony. Had the document been approved by the Commission, we simply note that it may well have satisfied the Act's requirement for minutes.

Finally, as to approval of minutes of closed sessions held in September and October 2009 on December 16, 2009, we find no violation. Unlike the delay in approval of publicly available minutes, the public was not prejudiced by the delay involving the closed meetings at issue since such minutes are normally sealed. 4 *OMCB Opinions* 1 (2004).

II

Public Record Following Closed Sessions

A. Complaint and Response

The second allegation in the complaint concerned the subsequent reporting of closed sessions as part of the publicly-available minutes of the Council. The complaint cited the disclosures following ten meetings which, in the complainant's view, "merely repeat[ed] the statutory exception without offering any detail" and consisted of "inadequate boilerplate." For example, the complaint stated that the minutes addressing a closed session held April 22, 2009, indicated that "[t]he Council discussed personnel issues regarding a personnel matter, and received the advice of counsel."²

In response, the municipal attorney provided a synopsis of each closed meeting identified in the complaint and corrected the description of what occurred at one closed meeting. The response noted that in reporting personnel matters, the Council faces a tension between the disclosure requirements under §10-509³ and the privacy considerations under §10-508(a)(1)(ii). According to the response, "[t]he Town has 28 employees. While the Council wishes to provide the public with information about its workings, it does not want to provide such information as to make it apparent which employee or employees were being discussed."

B. Analysis

If a public body closes a meeting under the Open Meetings Act, certain procedures must be followed. Germane to the complaint is the required disclosure following a closed session as part of the public body's publicly available minutes:

If a public body meets in closed session, the minutes for its next open session shall include:

- (i) a statement of the time, place and purpose of the closed session;
- (ii) a record of the vote of each member as to closing the meeting;
- (iii) a citation of the authority under this subtitle for closing the session; and
- (iv) a listing of the topics of discussion, persons present, and each action taken during the session.

§10-509(c)(2).⁴ The purpose of the required disclosure is to assist the public in holding public bodies accountable for their actions during closed sessions. 4 *OMCB Opinions* 24, 25 (2004). To be sure, the summary of the closed session disclosed in publicly available minutes ought not be so detailed so as to defeat the desired confidentiality justifying the closed meeting. But we have repeatedly reminded public bodies that merely paraphrasing the applicable statutory exception is not sufficient. See, e.g., 5 *OMCB Opinions* 139, 145 (2007).

² The complaint provided additional examples concerning closed sessions held on March 19, 23, and 30, May 7 and 21, June 4, August 20, and September 10 and 17, 2009. The level of reported detail for each of these closed sessions was similar.

³ All statutory references are to the Open Meetings Act, Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland.

⁴ While the Act refers to disclosure as part of the minutes of the next public session, we have approved the practice of documenting a closed session as part of the publicly available minutes of a public session the same date under the rationale that the practice results in an earlier disclosure to the public. See, e.g., 4 *OMCB Opinions* 88, 97 (2004).

The response did not dispute that the complaint accurately described the summary of the closed sessions. We find that the description in each session identified in the complaint was legally deficient. The descriptions provided the public with no basis on which to evaluate the identified topic of discussion in light of applicable statutory authority cited as a basis for closure. While we are sensitive to the privacy concerns mentioned in the response, the Act requires a disclosure that provides some detail beyond repeating the statutory justification. In many cases, the synopsis of each closed session offered as part of the Town's response would have been more than adequate had it been included in the minutes and it would not have compromised the Council's purpose of closing the meeting.

III

Minutes of Closed Meetings

A. Complaint and Response

The final allegations in the complaint pertain to the approval of minutes of closed meetings. According to the complaint, minutes of closed sessions have not been approved during public sessions for over two years. In the complainant's view, "[T]his is disturbing since approval of minutes does not fall under any of the permitted reasons for closing a meeting. . ." The complaint continued, "[i]f the minutes are being approved in closed session, than that fact is not being reported as one of the actions taken in the closed session." The complaint identified 49 meetings at issue, dating back to September 20, 2007.

The response simply noted that, before October 5, 2009, it was the responsibility of the Town Clerk to produce minutes and that it was unclear why minutes were not produced. However, "reports of closed sessions are always included in the minutes of the open meetings immediately following the closed session . . ."

B. Analysis

The response does not offer us sufficient detail as to the manner in which minutes of these meetings were approved. To be sure, a public body is required to keep minutes of meetings closed under the Act and approval by the public body is required. As noted above, a delay in such approval is not ordinarily considered a violation if the minutes are to remain sealed. However, if it is accurate that minutes of closed sessions were not approved for a two-year period, that delay appears excessive. But given the limited response as to this issue, we decline to reach a decision. See §10-502.5(f)(2). However, we note, without deciding, that the approval of minutes may well qualify as an administrative function outside the scope of the Open Meetings Act. §10-503(a)(1)(i).

IV

Conclusion

We find that both the Council and the Planning Commission violated the Open Meetings Act in failing to approve minutes of certain public meetings in a timely fashion. Furthermore, we find that the Council violated the Act by failing to provide an adequate description of topics discussed as part of publicly available minutes following certain closed sessions.⁵

Open Meetings Compliance Board
Elizabeth L. Nilson, Esquire
Courtney J. McKeldin
Julio Morales, Esquire

cc: Stephen H. Kehoe, Esquire
Honorable Frank C. Ogens

[10-04-49]

⁵ The complaint requested that we "take actions" on the violations. However, opinions of the Compliance Board are strictly advisory; we have no enforcement authority. §10-502.5(i); 3 OMCB Opinions 328, 333 (2003).

Synopsis No. 1 House

For additional up-to-date information concerning bills introduced in the General Assembly, log on to <http://mlis.state.md.us>. Click on Bill Information and Status. You may then enter a specific bill number for information about that bill. You may also click on Senate Synopsis or House Synopsis for the most recent synopsis list for each house, or click on Synopsis Index for a listing of all bill synopses since the beginning of the legislative session.

- HB0001** Del Love, et al. Income Tax - Military Retirement Income.
- HB0002** Del Montgomery. Public Health - Lyme Disease - Record of Reported Cases.
- HB0003** Del Conaway. Business Regulation - Employees Who Carry Firearms - Protective Body Armor.
- HB0004** Del Conaway. Election Law - United States Senate - Special Election to Fill Vacancy.
- HB0005** Del Braveboy. Corporations and Associations - Low-Profit Limited Liability Companies.
- HB0006** Del F Turner. Property Tax - Notice - 60-Day Appeal.
- HB0007** Del Valderrama. Property Tax Credit - Security Guard Disabled or Killed in Line of Duty.
- HB0008** Del McConkey. Video Lottery Terminals - State Legislators - Prohibited Acts.
- HB0009** Del McConkey, et al. Vehicle Laws - Vehicle Emissions Inspection - Test Performed by Dealers.
- HB0010** Del Manno. Teacher and Employee Pension Sustainability and Solvency Trust Fund.
- HB0011** Del Sophocleus, et al. Student Stigma Act.
- HB0012** Del Sophocleus, et al. Health - Failure to Properly Bury or Dispose of a Body - Penalties.
- HB0013** Dels Haddaway and Eckardt. Criminal Law - Salvia Divinorum and Salvinorin A - Distribution to and Possession by Individual Under 21 Years of Age.
- HB0014** Del George. Gaming - Video Lottery Facilities - Restriction on Location.
- HB0015** Del Haddaway. Criminal Law - Dangerous Dogs - Mandatory Spaying or Neutering.
- HB0016** Del Smigiel. Sales and Use Tax - Exemption - University and College Textbooks.
- HB0017** Del McConkey. Education - Incidents of Bullying, Harassment, or Intimidation - Reports by Principals - Local Law Enforcement Agency.
- HB0018** Del Hubbard. Environment - Lead Wheel Weights - Prohibited.
- HB0019** Del Waldstreicher. Health Insurance - Coverage of In Vitro Fertilization Services.
- HB0020** Del V Turner. Public Service Companies - Termination of Electric or Gas Service - Notice.
- HB0021** Del G Clagett. Maryland Consolidated Capital Bond Loan of 2009 - Frederick County - The John Hanson Memorial.
- HB0022** Del V Turner. Task Force to Study Traffic Accident Clearance Procedures.
- HB0023** Dels Haddaway and Eckardt. Talbot County - Knapps Narrows - Speed Limit.
- HB0024** Del Smigiel. Criminal Law - Plea Agreements - Prohibition of Concurrent Sentences for Child Sexual Offenses.
- HB0025** Del Smigiel. Income Tax - Subtraction Modification - Amounts Received for Agricultural Preservation.
- HB0026** Del Howard. Family Law - Child Custody Orders.
- HB0027** Del Conaway. Automobile Insurance - Use of Territory in Rate Making - Limitation.
- HB0028** Del Braveboy. Condominiums and Homeowners Associations - Reserves and Reserve Studies.
- HB0029** Del Braveboy. Real Property - Condominiums and Homeowners Associations - Priority of Liens.
- HB0030** Del Waldstreicher. Health Insurance - Coverage of In Vitro Fertilization Services.
- HB0031** Del Smigiel. Maryland Constitution - Laws Making an Appropriation Made Subject to Petition Referendum.
- HB0032** Del Kach. Health Insurance - Small Group Market - Cap on Comprehensive Standard Health Benefit Plan.
- HB0033** Del Hubbard. Child Care Articles and Toys Containing Bisphenol-A - Prohibition.
- HB0034** Del Waldstreicher. State Government - Commemorative Month - Hispanic Heritage Month.
- HB0035** Del Hubbard. Environment - Brominated Flame Retardants - Decabrominated Diphenyl Ether - Prohibition.
- HB0036** Del Haddaway, et al. Environment - Bay Restoration Fund - Payments to Contractors.
- HB0037** Del G Clagett. Creation of a State Debt - Frederick County - Way Station.
- HB0038** Del Frush. Motor Vehicles - Disposal Under Indemnity Agreement - Repeal.
- HB0039** Del Braveboy. Education - Public High Schools and Public High School Students - Data Collection System.
- HB0040** Del F Turner. Video Lottery - Costs - Money for Terminals.
- HB0041** Del Kach. Health Insurance - Copayments for In Vitro Fertilization Procedures and Surgical Treatment of Morbid Obesity.
- HB0042** Del Conaway. Real Estate Appraisers - Knowledge of Value of Real Estate - Prohibited.
- HB0043** Del Aumann. State Retirement and Pension System - Military Service Credit - Eligibility.

- HB0044** Del Smigiel. State Spending Procedure - Fiscal Notes.
- HB0045** Del Cane. Dorchester County - Bay Restoration Fee - Lien Against Property.
- HB0046** Del Sossi. Department of Natural Resources - State Boat Act - Auctioneers.
- HB0047** Del Haddaway, et al. Legislative Districting - Resident Delegates by County.
- HB0048** Del Smigiel. Domestic Violence - Requirement to Advise Respondent of Consequences of Final Protective Order.
- HB0049** Del Braveboy. Creation of a State Debt - Prince George's County - Walker Mill Daycare and Training Center.
- HB0050** Del G Clagett. Agriculture - Specialty Fertilizers - Low Phosphorous Fertilizer.
- HB0051** Del G Clagett. Real Property - Installation and Use of Clotheslines on Residential Property.
- HB0052** Del Smigiel. Regulated Firearms - License Issued by Delaware, Pennsylvania, or Virginia - Reciprocity.
- HB0053** Del G Clagett. Environment - Sewage Sludge Utilization Permit - Septage.
- HB0054** Del Braveboy. Real Property - Condominiums - Dispute Settlement Mechanism.
- HB0055** Del Ivey. Homeowner's Insurance - Coverage for Water Damage.
- HB0056** Dels Conway and Mathias. Worcester County - Slot Machines for Nonprofit Organizations.
- HB0057** Del Ali. Subway and Light Rail Operation Safety Act.
- HB0058** Del Smigiel. State Government - Open Meetings Act - Definition of Public Body.
- HB0059** Del Pena-Melnyk. Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland.
- HB0060** Del Smigiel. Criminal Procedure - Violation of Pre-trial or Post-trial Release No Contact Order - Expedited Hearing ("Alexis's Law").
- HB0061** Del V Turner. Correctional Services - Provision, Possession, and Use of Wireless Communication Devices in Correctional Facilities - Penalties.
- HB0062** Del V Turner. Environment - Payment of Cost Differential - Nitrogen Removal Technology.
- HB0063** Del Smigiel. Eminent Domain - Condemnation Proceedings and Limitation on Condemnation Authority.
- HB0064** Del McConkey. Real Property - Residential Mortgages and Deeds of Trust - Foreclosure Sales.
- HB0065** Del Haddaway, et al. International Marriage Brokers - Regulation.
- HB0066** Chr ENV (Dept). Department of Housing and Community Development - Neighborhood Business Development Program - Microenterprise Loans.
- HB0067** Chr HGO (Dept). Senior Prescription Drug Assistance Program - Sunset Extension.
- HB0068** Chr ENV (Dept). Department of the Environment - Grants - Small Businesses and Certified Minority Business Enterprises.
- HB0069** Chr HGO. Insurance - Insurers - Audits, Investments, and Operations.
- HB0070** Chr ENV (Dept). Bay Restoration Fund - Expanded Use of Funds.
- HB0071** Chr HGO (Dept). Senior Prescription Drug Assistance Program - Appointment of Insurance Producers.
- HB0072** Chr ENV (Dept). Department of the Environment - Oil and Gas Production Permits - Fees.
- HB0073** Chr ENV (Dept). Environment - Water Quality Revolving Loan Fund - Use of Funds.
- HB0074** Chr JUD (Dept). Family Law - Maryland Uniform Interstate Family Support Act - Revision.
- HB0075** Chr JUD (Dept). Criminal Law - Escape from Juvenile Facility.
- HB0076** Chr JUD (Dept). Criminal Procedure - Criminal Injuries Compensation Board - Claimant Confidentiality.
- HB0077** Chr JUD (Dept). Criminal Procedure - Criminal Injuries Compensation Board - Claims by Victims Outside the United States.
- HB0078** Chr JUD (Dept). Criminal Law - Contraband - Telecommunication Devices - Penalties.
- HB0079** Chr ECM (Dept). Commercial Law - Credit Services Businesses - Limitation on Fees.
- HB0080** Chr ECM (Dept). State Board for Professional Engineers.
- HB0081** Chr ECM (Dept). State Board of Cosmetologists - Hearing Board.
- HB0082** Chr ECM (Dept). State Board of Pilots - Limited Licenses.
- HB0083** Chr ECM (Dept). Department of Labor, Licensing, and Regulation - State Real Estate Commission - Continuing Education.
- HB0084** Chr ECM (Dept). State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors - Membership.
- HB0085** Chr ECM (Dept). Commissioner of Labor and Industry - Boiler and Pressure Vessel Safety Act.
- HB0086** Chr ECM (Dept). Insurance - Underwriting and Rating - Consumer Rates and Rating.
- HB0087** Chr ECM (Dept). State Fire Marshal - Nongovernmental Electrical Inspectors.
- HB0088** Chr ECM and Chr W&M (Dept). Other Tobacco Products Licenses.
- HB0089** Del O'Donnell. Environment - Wetlands and Waterways Program Fees - Aquaculture.
- HB0090** Del Burns. Same Sex Marriages - Foreign Jurisdictions - Invalidity.

- HB0091** The Spkr (Admin). Labor and Employment - Unemployment Insurance - Modernization and Tax Relief Act.
- HB0092** The Spkr (Admin), et al. Labor and Employment - Job Creation and Recovery Tax Credit.
- HB0093** Chr ENV (Dept). Motor Vehicle Administration - Identification Cards and Drivers' Licenses.
- HB0094** Chr JUD (Md Jud Conf). Juvenile Causes - Exceptions - Hearings.
- HB0095** Chr JUD (Dept). Criminal Procedure - Sex Offenders - Notification and Registration.
- HB0096** Del Kullen. Calvert County - Education - Junior Reserve Officer Training Corps Instructors.
- HB0097** Del McConkey, et al. Education - Hearing and Vision Screenings.
- HB0098** Chr ENV (Dept). Department of Natural Resources - Tidal Fish Licenses - Transfer and Suspension.
- HB0099** Del Conway, et al. Legislative Community Initiatives Loan of 2004 - Wicomico County - Wicomico County Library.
- HB0100** Del Feldman. Corporations - Directors - Factors Considered in Best Interests of Corporation.
- HB0101** Dels Feldman and Bronrott. Vehicle Laws - Rules of the Road - Use of Signals When Changing Lanes.
- HB0102** Del Feldman. Campaign Finance - Contributions by Minors.
- HB0103** Dels Lafferty and Malone. Real Property - Mobile Home Parks - Plans for Dislocated Residents.
- HB0104** Dels Robinson and Oaks. Baltimore City - Ivy Family Support Center Loan of 2001.
- HB0105** Del Glenn. Maryland Consolidated Capital Bond Loan of 2008 - Baltimore City - Youth Sports Program Facility.
- HB0106** Del Dumais, et al. Civil Cases - Maryland Legal Services Corporation Fund - Surcharges.
- HB0107** Del Ali, et al. Legislative Voting Sunshine Act.
- HB0108** Del Kelly. Western Maryland Code Home Rule Counties - Police Departments - Local Referendum Required.
- HB0109** Del Ali. Residential Property Tax Disclaimer Act.
- HB0110** Del Eckardt, et al. Dorchester County - Alcoholic Beverages - Clubs - Membership.
- HB0111** Del Eckardt, et al. Charter Counties - Local Laws - Digital Copies.
- HB0112** Del Eckardt, et al. Dorchester County - Alcoholic Beverages License Holders - Fines.
- HB0113** Del Eckardt, et al. Dorchester County - Membership of Sanitary Commission.
- HB0114** Del Nathan-Pulliam, et al. Health Occupations Boards - Revisions.
- HB0115** Del Tarrant, et al. Creation of a State Debt - Baltimore City - Maryland SPCA Adoption Center Expansion.
- HB0116** Del Ali, et al. Credit Card Blacklisting Prevention Act.
- HB0117** Del Kaiser, et al. Creation of a State Debt - Montgomery County - Camp Brighton Woods.
- HB0118** Chr JUD (Dept). Department of Public Safety and Correctional Services - Secretary - Acting Capacity.
- HB0119** Chr JUD (Dept). Department of State Police - Firearm Applications - Authority of Secretary.
- HB0120** Del Kelly, et al. Law Enforcement Officers - Unsubstantiated Complaints - Admissibility.
- HB0121** Del Anderson, et al. Office of the Public Defender - Eligibility for Services - Authorization to Access Agency Records.
- HB0122** Del Anderson, et al. Criminal Procedure - Board of Trustees of the Office of the Public Defender - Modification.
- HB0123** Del Barnes. Jury Duty - Exemption from Service - Election Judge.
- HB0124** Del Barnes. Criminal Procedure - Warrantless Arrest - Violation of Protective Order.
- HB0125** Del Anderson, et al. Baltimore City Public School System - Exclusion from Amount of Bonds Outstanding.
- HB0126** Del Ramirez, et al. Outstanding Arrest Warrants - Drivers' Licenses and Vehicle Registrations.
- HB0127** Del Kipke. Public Health - Food Establishments - Transportation of Perishable Foods.
- HB0128** Del Rosenberg. Criminal Procedure - Petition for Writ of Actual Innocence - Notice of Filing and Hearing.
- HB0129** Dels Benson and Vaughn. Creation of a State Debt - Prince George's County - John E. Feggans Center Renovation.
- HB0130** The Spkr (DLS). State Board for Professional Land Surveyors - Sunset Extension and Program Evaluation.
- HB0131** The Spkr (DLS). State Board of Physical Therapy Examiners - Sunset Extension and Program Evaluation.
- HB0132** The Spkr (DLS). State Board of Examiners in Optometry - Sunset Extension and Program Evaluation.
- HB0133** The Spkr (DLS). State Board of Pilots - Sunset Extension and Program Evaluation.
- HB0134** The Spkr (DLS). State Board of Examiners of Landscape Architects - Sunset Extension and Program Evaluation.
- HB0135** The Spkr (DLS). State Board of Chiropractic and Massage Therapy Examiners - Sunset Extension and Program Evaluation.
- HB0136** The Spkr (DLS). State Board of Plumbing - Sunset Extension and Program Evaluation.
- HB0137** The Spkr (DLS). State Board of Examiners of Nursing Home Administrators - Sunset Extension and Program Evaluation.
- HB0138** Del Waldstreicher, et al. Criminal Injuries Compensation Board - Right to Hearing.

- HB0139** Del Jones, et al. Creation of a State Debt - Baltimore County - Augsburg Lutheran Home of Maryland.
- HB0140** Dels Elliott and Mathias. Bicycles, Mopeds, and Motor Scooters - Minors - Protective Headgear.
- HB0141** Dels Haddaway and Eckardt. Creation of a State Debt - Talbot County - Family Support Center.
- HB0142** Del Reznik, et al. Correctional Services - Prerelease Unit - Inmate Aftercare Plans.
- HB0143** Del Morhaim. Vehicle Laws - Use of Work Zone Speed Control Systems - Presence of Workers Required.
- HB0144** Del Miller, et al. People's Insurance Counsel Division in the Office of the Attorney General - Repeal.
- HB0145** Del Miller, et al. County Income Tax - Transparency.
- HB0146** Del Pena-Melnyk, et al. Creation of a State Debt - Prince George's County - LARS Facility Renovation.
- HB0147** Del Morhaim, et al. Health Insurance - Assignment of Benefits and Reimbursement of Nonpreferred Providers.
- HB0148** Del Minnick, et al. Criminal Procedure - Child Sexual Offenders - Elimination of Diminution Credits and Parole Eligibility.
- HB0149** Chr Calvert County Delegation. Calvert County - Public Facilities Bonds.
- HB0150** The Spkr (Admin). Budget Bill (Fiscal Year 2011).
- HB0151** The Spkr (Admin). Budget Reconciliation and Financing Act of 2010.
- HB0152** The Spkr (Admin). 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.
- HB0153** Del Kullen, et al. Creation of a State Debt - Calvert County - Kellam's Field.
- HB0154** Dels Kullen and O'Donnell. Patuxent River - Oysters - Use of Patent Tongs.
- HB0155** Del Kaiser, et al. Delegate Howard P. Rawlings Educational Excellence Award - Qualifications - Study Abroad Programs.
- HB0156** Del Sossi, et al. Mental Hygiene Administration - Upper Shore Community Mental Health Center - Continued Operation.
- HB0157** Del Anderson (BCA). Criminal Law - Use of Firearm in the Commission of a Crime of Violence or a Felony.
- HB0158** Del Ali, et al. Special Election for U.S. Senate Vacancies Act.
- HB0159** Del Sossi, et al. Criminal Law - Interception of Communication - Immunity from Prosecution.
- HB0160** Del Malone. Maryland Estate Tax - Exclusion for Family Farm Subject to Agricultural Preservation Easements.
- HB0161** Chr JUD (Md Jud Conf). Family Law - Permanency Planning and Guardianship Review Hearings - Consultation with Child.
- HB0162** Del Anderson (BCA). Expedited Partner Therapy Pilot Program - Extension.
- HB0163** Del Miller, et al. Taxpayers' Bill of Rights.
- HB0164** Del Holmes. Drunk and Drugged Driving - Repeat Offenders - Special Registration Plates.
- HB0165** Del Simmons, et al. Criminal Procedure - Offender Registry - Indecent Exposure.
- HB0166** Del Hubbard. Farmer's Markets - Raw Agricultural Product Sales - Producer Mobile Farmer's Market License.
- HB0167** Del Hubbard. Seasonal Farmer's Market Producer Sampling License.
- HB0168** Del Rosenberg, et al. Architectural or Engineering Services - Construction Industry - Indemnity Agreements - Void.
- HB0169** Del Carr, et al. Marilyn J. Praisner Safe and Earth-Friendly Roadway Act.
- HB0170** Del Donoghue. Creation of a State Debt - Washington County - Deafnet Building.
- HB0171** The Spkr (Admin). Creation of a State Debt - Aging School Program - Qualified Zone Academy Bonds.
- HB0172** Del Waldstreicher, et al. Criminal Procedure - Use of Tracking Device by Law Enforcement Officer - Search Warrant.
- HB0173** Del Morhaim, et al. Human Services - Quality Care - Juvenile Facilities.
- HB0174** Del Miller, et al. Maryland Funding Accountability and Transparency Website - State Loans.
- HB0175** Del Reznik, et al. Labor and Employment - Credit Reports and Credit Histories of Applicants and Employees - Limitations on Use by Employers.
- HB0176** Del Hixson, et al. Public Schools - Student Information - Availability to Military Recruiters.
- HB0177** Del Hixson, et al. Maryland Consolidated Capital Bond Loan of 2009 - Easter Seals Inter-Generational Center.
- HB0178** Del McConkey, et al. Anne Arundel County Public Schools - Office Discipline Referrals - Accountability Policy.
- HB0179** Dels Elliott and Krebs. State Board of Nursing - Temporary License - Issuance.
- HB0180** Del Hixson, et al. Financial Institutions - Automated Teller Machines - Video Cameras.
- HB0181** Del Hubbard, et al. Department of Health and Mental Hygiene - Biomonitoring Program - Report.
- HB0182** Del Stifler, et al. Health Insurance - Coverage for Breast Cancer Screening - American Cancer Society Guidelines.
- HB0183** Del Hucker, et al. Creation of a State Debt - Montgomery County - National Labor College Academic Services Building.
- HB0184** The Spkr (Gov Salary Comm). Constitutional Officers - Salaries.

HB0185 Del Kelly. Transportation - Unlawful Signs Along Highways - Enforcement.

HB0186 Del Waldstreicher. Juvenile Services - State Board of Juvenile Services - Established.

HB0187 Del Waldstreicher. Juvenile Services - Juvenile Services Administration - Established.

HB0188 Del Waldstreicher. Department of Juvenile Services Employees - Required Education.

HB0189 Del DeBoy (Chr Jt Audit Com), et al. Office of Legislative Audits - Auditing Local School Systems.

HB0190 Del Malone. Motor Vehicles - Use of Video Display Equipment.

HB0191 Del Malone, et al. Criminal Law - Sale of Novelty Lighters - Prohibition.

HB0192 Dels Malone and Kach. Motor Vehicles - Reading Text Message While Driving - Prohibition.

HB0193 Del Rosenberg. Civil Proceedings - Foreign Defamation Judgments - Enforceability and Bases of Personal Jurisdiction.

HB0194 Del Rosenberg, et al. Juvenile Law - Motor Vehicle Theft and Unauthorized Use - Suspension of Driving Privileges.

HB0195 Del McConkey, et al. Criminal Procedure - Sex Offender Registrants - Required Information on Internet Posting.

HB0196 Del Rosenberg, et al. Maryland Consolidated Capital Bond Loan of 2006 - Baltimore City - Baltimore Clayworks.

HB0197 Chr ECM. State Board of Barbers and State Board of Cosmetologists - Sunset Extension and Revisions.

HB0198 Del Bronrott, et al. Health Insurance - Habilitative Services - Required Coverage.

HB0199 Del Pendergrass, et al. Homestead Property Tax Credit - Eligibility of Employees of the Federal Government Stationed Outside the State.

HB0200 Del Rosenberg, et al. Health Occupations - Morticians and Funeral Directors - Licenses.

HB0201 Del Norman, et al. Motor Vehicles - Renewal of Drivers' Licenses - Contractors for the Armed Forces of the United States.

HB0202 Del Cardin, et al. Uniform Commercial Code - Financing Statements - Termination by Government Employees.

HB0203 Del Cardin, et al. Sales and Use Tax - Exemptions - Veterans' Organizations.

HB0204 Del Norman, et al. Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process.

HB0205 Del Conaway, et al. Creation of a State Debt - Baltimore City - Morgan Mill Renovation.

HB0206 Del Cardin. Unemployment Insurance - Disqualification - Imprisonment for Felony Conviction.

HB0207 Del Frank, et al. Victims of Crime - Burglary and Crimes of Violence - Civil Immunity.

HB0208 Del Schuler, et al. Courts - County Administrative Judge - Responsibilities.

HB0209 Del Vaughn, et al. General Obligation Bonds for Capital Projects - Required Reports.

HB0210 Dels Ali and Glenn. Malfunctioning Traffic Light Act.

HB0211 Del Morhaim. State Government - Open Meetings Act - Notice and Complaints.

HB0212 Del Costa. Maryland Consolidated Capital Bond Loan of 2009 - Anne Arundel County - Southern High School Field House.

HB0213 Dels Olszewski and Kach. Criminal Law - Diminution Credits - Crimes of Violence.

HB0214 Del Pena-Melnyk, et al. Labor and Employment - Wage Payment and Collection Law - Definition of Wage.

HB0215 Dels Nathan-Pulliam and Eckardt. State Board of Nursing - Changes to the Electrology Practice Committee and Licensing Requirements.

HB0216 Del Pena-Melnyk, et al. State Highway Administration - Unauthorized Signs on Highway Rights-of-Way.

HB0217 Del Cardin, et al. Elections - Voter Registration and Voting - Age.

HB0218 Del Elmore, et al. Natural Resources - Oysters - Dredge Devices.

HB0219 Del Bronrott, et al. Office of the Governor - State Drug and Alcohol Abuse Council.

HB0220 Del James. Program Open Space - Local Agricultural Exposition Centers - Authorization.

HB0221 Del Kullen, et al. Maryland Estate Tax - Exclusion for Qualified Agricultural Property.

HB0222 Del Vaughn. Task Force on the Minority Business Enterprise Program and Equity Investment Capital.

HB0223 Montgomery County Delegation. Montgomery County - Maintenance of Effort Waiver MC 14-10.

HB0224 Del Morhaim, et al. Plumbing - Greywater Recycling.

HB0225 Del Ali, et al. Transparency in Legislative Appointments Act.

HB0226 Del Anderson (BCA) and Del McHale. Baltimore City Police Department Death Relief Fund - Procedures and Benefit Amount.

HB0227 Del James. Criminal Law - Gangs - Definition, Underlying Crimes, and Sentencing.

HB0228 Howard County Delegation. Creation of a State Debt - Howard County - Living Farm Heritage Museum Ho. Co. 6-10.

HB0229 Howard County Delegation. Creation of a State Debt - Howard County - Alpha Ridge Park Ho. Co. 10-10.

HB0230 Howard County Delegation. Howard County Ethics Law - Clarifications and Enhancements Ho. Co. 1-10.

- HB0231** Howard County Delegation. Creation of a State Debt - Howard County - Carroll Baldwin Hall Ho. Co. 5-10.
- HB0232** Howard County Delegation. Creation of a State Debt - Howard County - Troy Regional Park Ho. Co. 9-10.
- HB0233** Howard County Delegation. Howard County Public Schools - Funding Accountability and Transparency Act Ho. Co. 12-10.
- HB0234** Howard County Delegation. Creation of a State Debt - Howard County - Symphony Woods Park Ho. Co. 8-10.
- HB0235** Howard County Delegation. Creation of a State Debt - Howard County - Watson Telescope Observatory Ho. Co. 11-10.
- HB0236** Del Malone. Vehicle Laws - Distracted Driving - Prohibition.
- HB0237** Del McConkey, et al. Environment - On-Site Sewage Disposal Systems - Funding Availability.
- HB0238** Del Krebs, et al. Taxpayer Protection Act - State Income Tax CPI Adjustments.
- HB0239** Del King, et al. Commercial Law - Contracts with Automatic Renewal Clauses - Required Notice.
- HB0240** Del Levy, et al. Election Law - Access to Voting Room and Voting Booth by Minors Not Eligible to Vote.
- HB0241** Del Hixson, et al. Income Tax - Net Operating Loss Deductions - Loss from Criminal Fraud or Embezzlement.
- HB0242** Del Hixson, et al. Real Property - Mobile Home Park - Rental Agreement - Term of Payment.
- HB0243** Del Hixson, et al. Fairness in Negotiations Act.
- HB0244** Del Hixson, et al. Tax Compliance and Administration Act of 2010.
- HB0245** Allegany County Delegation. Allegany County - Turkey Hunting - Sundays.
- HB0246** Al Co Deleg and Gar Co Deleg. Allegany County and Garrett County - Deer Hunting on Private Property - Sundays.
- HB0247** Dels Rosenberg and Kaiser. Referendum Fairness Act.
- HB0248** Del Pena-Melnyk. Vehicle Laws - Equine Riding - Helmet Requirement for Minors.
- HB0249** Del Rudolph. Insurance - Premium Increase for Commercial and Workers' Compensation Insurance - Notice.
- HB0250** Del Morhaim, et al. Procurement - Minority Business Enterprises - Reciprocal Certification.
- HB0251** Del Morhaim, et al. State Procurement - Minority Business Enterprises - Electronic Certification Process.
- HB0252** Del Shewell, et al. Vehicle Laws - Exemption from Motor Vehicle Emissions Test and Inspection Requirements - Newer Vehicles.
- HB0253** Dels Schuh and Smigiel. Correctional Services - Diminution Credits - Inmate Serving Sentence for Rape of Minor or First- or Second-Degree Sexual Offense Against Minor.
- HB0254** Dels Schuh and Smigiel. Crimes - Sexual Offenses Against Children - Jessica's Law Enhancement.
- HB0255** Del Rosenberg. Criminal Procedure - Strip Search or Body Cavity Search of an Arrestee - Restrictions.
- HB0256** Del Rosenberg. Vehicle Laws - Alcohol- and Drug-Related Driving Offenses - Transporting Minors - Penalties.
- HB0257** Del Rosenberg. Evidence - Journalist's Testimonial Privileges - Student.
- HB0258** Dels Mathias and Conway. Sex Offenders - Registry Information Expansion and Interstate Data Sharing.
- HB0259** Del Shewell, et al. Drunk or Drugged Driving - Subsequent Offenders - Notation on Driver's License.
- HB0260** Chr APP (Dept). State Personnel - Classification of Positions in the State Personnel Management System.
- HB0261** Del Tarrant. Health - Administrative Service Provider Contracts - Contracting Provider Definition.
- HB0262** Del Kullen, et al. Tattooing, Branding, and Body Piercing - Parental Consent.
- HB0263** Del Tarrant, et al. Creation of a State Debt - Baltimore City - Sandi's Learning Center.
- HB0264** Del Mathias, et al. Criminal Procedure - Warrantless Arrest - Second Degree Assault.
- HB0265** Del Waldstreicher, et al. Criminal Law - Abuse or Neglect of Animal - Increased Penalties.
- HB0266** Dels Rosenberg and Cardin. Voter's Rights Protection Act of 2010.
- HB0267** Del Taylor (Jt Com on UIO), et al. Joint Committee on Unemployment Insurance Oversight - Repeal of Termination Date.
- HB0268** Del Taylor, et al. Minority Business Enterprise Program and Small Business Reserve Program - Architectural and Engineering Services.
- HB0269** Del Kaiser, et al. Child with a Disability - Individualized Education Program.
- HB0270** Del Rice, et al. Alcoholic Beverages - Licensed Restaurants - Extended Hours for Food Service.
- HB0271** Del Rice, et al. Transportation - Public-Private Partnerships - Notice to the General Assembly.
- HB0272** Del King. Classroom Placement - Multiple-Birth Children - Parental Discretion.
- HB0273** Del King. Public Safety - Pool Lifeguards - Regulation (Connor's Law).
- HB0274** Del King. Health Insurance - Benefit Cards - Copayments.
- HB0275** Chr APP (Dept). State Employees - Employee Performance Appraisals - Revisions.
- HB0276** Del Riley, et al. Education - Public School Holidays - Veterans Day.
- HB0277** Howard County Delegation. Howard County - Tax Sales - Auctioneers' Fees Ho. Co. 4-10.

HB0278 Del Hubbard. Maryland Medical Assistance Program - Medical Eligibility for Nursing Facility Level of Care.

HB0279 Dels Robinson and Tarrant. Baltimore City - Park Heights Redevelopment Area - Alcoholic Beverages - Store Opening Hours.

HB0280 Del Robinson, et al. Creation of a State Debt - Baltimore City - Greenmount West Community Resource Center.

HB0281 Del Pena-Melnyk, et al. Commission on Surrogate Parenting.

HB0282 Del Pena-Melnyk. Transportation Projects - Bicycle and Pedestrian Access - Funding and Reporting.

HB0283 Del Waldstreicher, et al. Criminal Law - Sexual Solicitation of a Minor and Human Trafficking - Prohibitions and Proof.

HB0284 Del Smigiel, et al. County Oyster Committees - Public Shellfish Fishery Area - Power Dredging.

HB0285 Del Burns, et al. Criminal Procedure - Sexual Offenders - Notice to Residents.

HB0286 Del Nathan-Pulliam, et al. Creation of a State Debt - Baltimore County - Automotive Vocational Training Center.

HB0287 Del Ali, et al. Sexual Supplement Safety Act.

HB0288 Del Smigiel, et al. Criminal Procedure - Child Sexual Offenders - Monitoring With Global Positioning Satellite Tracking Technology.

HB0289 Del Smigiel, et al. Correctional Services - Child Sexual Offenders - Diminution Credits and Parole.

HB0290 Del Pena-Melnyk, et al. Licensed Physicians - Treatment of Lyme Disease - Discipline.

HB0291 Del King. Maryland Locksmiths Act - Revisions - Definitions and Records Inspection.

HB0292 Del Morhaim. Health Insurance - Uniform Consultation Referral Form - Electronic Transmission.

HB0293 Del Costa. Physical Therapy Offices - Automated External Defibrillators - Training.

HB0294 Del Nathan-Pulliam, et al. Education - Immunizations - Children Entering Seventh Grade or Higher.

HB0295 Del O'Donnell. Natural Resources - Incidental Taking Permit for Endangered Puritan Tiger Beetle - Requirements.

HB0296 Del Stull, et al. State Government - State Soil - Sassafras Soil.

HB0297 Del Stull, et al. Police Training Commission - Membership - Inclusion of Maryland Police Training Directors Association.

HB0298 Del Morhaim, et al. Office of Student Financial Assistance - Service Obligation - Waiver.

HB0299 Del Malone. Vehicle Laws - Distracted Driving - Prohibition.

HB0300 Del Krebs, et al. Fairness in Taxation for Retirees Act.

HB0301 Del O'Donnell, et al. Calvert County and St. Mary's County - Deer Hunting on Private Property - Sundays.

HB0302 Del Nathan-Pulliam, et al. State Board of Nursing - Membership - Nominations for Vacancies.

HB0303 Del Smigiel, et al. Natural Resources - Oyster Harvest - Closure of State Waters.

HB0304 Del Jones, et al. Education - Maintenance of Effort Requirement - Process and Factors.

HB0305 Del Davis, et al. Insurance - Domestic Reinsurers.

HB0306 Del Smigiel, et al. Crimes - Death Penalty - Murder of a Child During a Sexual Offense.

HB0307 Cecil County Delegation. Cecil County - Public Facilities Bond Bill.

HB0308 Del Costa. Physical Therapist Assistants - Direct Supervision.

HB0309 Del Sophocleus, et al. Criminal Law - Use of Firearm in the Commission of a Crime of Violence or a Felony.

HB0310 Del Frank, et al. Election Law - Special Election to Fill Vacancy in the Office of United States Senator.

HB0311 Del Sophocleus, et al. Health - Duty to Report Death - Requirement and Penalties.

HB0312 Del Krebs, et al. Maryland Death Taxes - Family Property Protection Act.

HB0313 Del Costa. Environment - Bay Restoration Fund - Authorized Uses.

HB0314 Del Smigiel, et al. Criminal Procedure - Wiretapping - Evidence of Sexual Offense Against or Sexual Abuse of a Child.

HB0315 Del Sophocleus, et al. Criminal Law - Reckless Endangerment - Use of a Motor Vehicle.

HB0316 Del Sophocleus, et al. Drunk and Drugged Driving - Refusal to Take a Blood or Breath Test - Prohibition.

HB0317 Del Holmes, et al. Maryland Automobile Insurance Fund - Acceptance of Premiums on Installment Basis.

HB0318 Del Sophocleus, et al. Business Regulation - Secondhand Precious Metal Object Dealers.

HB0319 Del Kullen, et al. State Board of Nursing - Nurse Practitioners - Certification Requirements and Authority to Practice.

HB0320 Del Beitzel. Maryland Dormant Mineral Interests Act.

HB0321 Queen Anne's County Delegation. Creation of a State Debt - Queen Anne's County - Kennard High School Restoration.

HB0322 Del Reznik, et al. Elective Franchise - Registration and Voting at Polling Places.

HB0323 Dels Morhaim and Hammen. Health Occupations - Licensure of Physician Assistants.

HB0324 Del Kullen, et al. Patient Referrals - Imaging and Radiation Therapy Services - Accreditation.

- HB0325** Del Donoghue. State Board of Physical Therapy Examiners - Licensure and Regulation.
- HB0326** Del Gaines, et al. Creation of a State Debt - Prince George's County - Community Forklift Facility.
- HB0327** Del Carter, et al. Estates - Disqualification - Conviction for Unlawfully Obtaining Property of Vulnerable Adult or Elderly Individual.
- HB0328** Del Carter, et al. Estates and Trusts - Guardianship - Payment of Expenses After Death of Ward.
- HB0329** Del Carter, et al. Estates and Trusts - Elective Share - Extension of Time for Making Election.
- HB0330** Del Rice, et al. Creation of a State Debt - Montgomery County - Ivymount School Annex Building.
- HB0331** Del Simmons, et al. Family Law - Final Protective Order - Global Positioning Monitoring System.
- HB0332** Del Simmons. Orphans' Court Judges - Qualifications.
- HB0333** Dels Walker and Oaks. State Government - Sickle Cell Anemia Awareness Month.
- HB0334** Dels Walker and Ivey. Public Schools - Physical Education Facilities.
- HB0335** Del Walker. State Board of Education - Financial Literacy Curriculum - Graduation Requirement.
- HB0336** Dels Simmons and Kramer. Family Law - Grounds for Divorce.
- HB0337** Del Carter, et al. Real Property - Effect of Deed Granting Property from Trust or Estate.
- HB0338** Del Sossi, et al. Upper Shore Community Mental Health Center - Early Retirement.
- HB0339** Caroline County Delegation. Caroline County - Orphans' Court Judges - Pensions.
- HB0340** Cecil County Delegation. Cecil County - Board of Electrical Examiners and Licensing of Electricians.
- HB0341** Del Nathan-Pulliam, et al. Department of Legislative Services - Fiscal Notes - Minority Health Impact Assessment.
- HB0342** Del O'Donnell. Public Officials - Chauffeured Transportation Services.
- HB0343** Del O'Donnell. Public Benefits - Requirement of Proof of Lawful Presence.
- HB0344** Del Mizeur, et al. Maryland Open Government Act.
- HB0345** Del Hucker. State Government - State Designations - Review, Evaluation, and Recommendation by the State Archivist.
- HB0346** Del Hucker. Advisory Committee on the Naming of State Facilities, Roads, and Bridges - Repeal.
- HB0347** Del Serafini, et al. Criminal Law - Foreclosed Residential Property - Malicious Destruction of Property and Acts of Graffiti.
- HB0348** Del Pena-Melnyk, et al. Public Institutions of Higher Education - New Design and Substantial Exterior Modification - Notice and Consultation.
- HB0349** Dels Carr and Bronrott. Maryland Efficiency Standards Act - Televisions.
- HB0350** Del Hucker, et al. Education - Early Learning Challenge Fund - Application for Grants.
- HB0351** Del Carr, et al. Chesapeake Bay Restoration Consumer Retail Choice Act of 2010.
- HB0352** Del Kaiser, et al. Education - Maryland Data Warehouse Council.
- HB0353** Del Carter, et al. Baltimore City - Alcoholic Beverages - Beer, Wine, and Liquor Tasting License.
- HB0354** Del Ivey, et al. Public Safety - Possession of Ammunition for Firearms - Penalties.
- HB0355** Dorchester County Delegation. Creation of a State Debt - Dorchester County - Dorchester Center for the Arts Performance Hall.
- HB0356** Del Cane, et al. Forest Product Operators - Standards, Procedures, and Enforcement.
- HB0357** Dorchester County Delegation. Natural Resources - Land Acquisition - Notification and Approval.
- HB0358** Del Anderson (BCA), et al. Criminal Law - Violation of Restriction Against Possession of Firearms - Penalties.
- HB0359** Del James, et al. Procurement - Service-Disabled Veteran Business Enterprise Participation.
- HB0360** Del Haynes, et al. Creation of a State Debt - Baltimore City - Franklin Entrepreneurial and Apprenticeship Center.
- HB0361** Del Haynes, et al. Creation of a State Debt - Baltimore City - Sphinx Club.
- HB0362** Del Griffith, et al. Creation of a State Debt - Capital Area Food Bank.
- HB0363** Del Haynes, et al. Creation of a State Debt - Baltimore City - Baltimore Leadership School for Young Women.
- HB0364** Del Haynes, et al. Creation of a State Debt - Baltimore City - Garrett-Jacobs Mansion Ballroom.
- HB0365** Del Anderson, et al. Criminal Law - Assault - Law Enforcement Officers and Parole and Probation Agents.
- HB0366** Del Krebs, et al. State Property Tax - Homeowner's Property Tax Assessment Cap Reduction.
- HB0367** Del Krebs, et al. Transportation Trust Fund - Dedicated Highway Funds.
- HB0368** Chr APP (Dept). Human Services - Local Departments of Social Services - Audits.
- HB0369** Del Reznik, et al. Creation of a State Debt - Montgomery County - Cinnamon Woods Environmental and Safety Lighting Upgrade.
- HB0370** Dels Rosenberg and Feldman. Labor and Employment - Payment of Wages.
- HB0371** Del Nathan-Pulliam, et al. Stem Cell Research Fund - Sickle Cell Disease - Funding.
- HB0372** Del Barnes, et al. Business Occupations and Professions - Plumbers - Lead-Free Materials.

HB0373 Del Bobo, et al. Campaign Finance - Affiliated Business Entities - Attributions of Contributions.

HB0374 Del Glenn, et al. Baltimore City - Board of School Commissioners - Selection of Members - Local Referendum.

HB0375 Garrett County Delegation. Garrett County - Orphans' Court Judges.

HB0376 Del Norman, et al. Traffic Citations - Notice of Defendant's Right to Elect to Stand Trial - Presence of Police Officer.

HB0377 Del McConkey, et al. Anne Arundel County - Property Tax Payment Deferral - Amounts.

HB0378 Del Kaiser, et al. Election Law - Ballot Issue Committee - Additional Campaign Finance Report.

HB0379 Del Rosenberg, et al. Consumer Protection - Transparency in Consumer Arbitrations Act.

HB0380 Del Simmons. Election Law - Campaign Contributions by Persons Engaged in Gaming Activity in the State.

HB0381 Dels Manno and Rosenberg. Workplace Religious Freedom Act.

HB0382 Del Manno, et al. Income Tax - Credit for Long-Term Care Premiums.

HB0383 Del Krebs, et al. Transportation Trust Fund Protection Act.

HB0384 Dels James and Riley. Task Force to Study Financial Matters Relating to Long-Term Care Facilities - Extension.

HB0385 Del Ali, et al. Smartphone Safety Act.

HB0386 Dels Rosenberg and Haynes. Family Law - Child Support Enforcement - Performance Incentive Model Office.

HB0387 Del Stull, et al. Maryland Teacher Scholarships - Service Obligation - Definition.

HB0388 Del Simmons, et al. Criminal Law - Manslaughter by Vehicle or Vessel - Criminal Negligence.

HB0389 Del Taylor, et al. Creation of a State Debt - Montgomery County - Maydale Nature Center.

HB0390 Del Beitzel. Garrett County - County Commissioners - Commercial Grade Wind Turbines.

HB0391 Del Lafferty, et al. Baltimore County - Towson Commercial Revitalization District - Alcoholic Beverages Licenses - Restaurants.

HB0392 Del Vaughn, et al. Commercial Law - Debt Settlement Services.

HB0393 Del Love, et al. Anne Arundel County - Motorcycle Dealers - Sunday Operations.

HB0394 Del Dumais, et al. Juvenile Services - Programming and Services for Females.

HB0395 Del Barve. Maryland Business Tax Reform Commission - Reporting Requirements.

HB0396 Del Montgomery, et al. Creation of a State Debt - Montgomery County - Sandy Spring Museum.

HB0397 Washington County Delegation. Courts and Judicial Proceedings - Local Government Tort Claims Act - Washington County Community Action Council.

HB0398 Al Co Deleg and Gar Co Deleg. Environment - Oil and Gas Drilling - Wells.

HB0399 Washington County Delegation. Washington County - Alcoholic Beverages - Beer Tasting License.

HB0400 Del Beitzel. Garrett County - Wine Festival License - Qualifications - Hearing and Notice.

HB0401 Allegany County Delegation. Creation of a State Debt - Allegany County - Allegany Museum.

HB0402 Chr ECM (Dept). Collection Agencies - Application and Renewal Fees.

HB0403 Chr ECM (Dept). Office of Cemetery Oversight - Preneed Trust Account - Underfunding.

HB0404 Chr ECM (Dept). Labor and Employment - Wage Payment and Collection - Order to Pay Wages.

HB0405 Chr ECM (Dept). Workers' Compensation - Covered Employees and Employers - Corporate or Limited Liability Company Officer.

HB0406 Chr ECM (Dept). Real Estate Licensees - Services Provided Through Teams.

HB0407 Chr ECM (Dept). State Board of Public Accountancy - Disciplinary Authority.

HB0408 Chr ECM (Dept). State Commission of Real Estate Appraisers and Home Inspectors - Administrative Sanctions - Civil Penalty.

HB0409 Chr ECM (Dept). Home Improvement Commission - Guaranty Fund Jurisdiction.

HB0410 Del Hixson, et al. Education - Statewide Maintenance of Effort Waiver.

HB0411 Del Kach. Statewide Advisory Commission on Immunizations - Membership, Sunset Extension, and Study of HPV Vaccine.

HB0412 Del Feldman. Real Estate Investment Trusts - Miscellaneous Provisions.

HB0413 Del Hixson, et al. Education - Instruction of Blind and Visually Impaired Students - Use of Braille.

HB0414 Charles County Delegation. Creation of a State Debt - Charles County - Jaycees Field of Dreams.

HB0415 Dels Barnes and Ross. Education - Character Education Fund.

HB0416 Del Haddaway, et al. Health Insurance - Definition of Bona Fide Wellness Program.

HB0417 Del Rosenberg, et al. Baltimore City - Orphans' Court Judges - Qualifications.

HB0418 Del Beitzel. Garrett County - Noncertificated Public School Employees - Service Fees.

HB0419 Del Hucker, et al. Early Child Care and Education Enhancement Program - Annual Report.

HB0420 Chr ENV (Dept). Secretary of Agriculture - Mosquito Control - Enforcement Authority.

- HB0421** Chr ENV (Dept). Department of Agriculture - Advertising Agricultural Products as Locally Grown - Regulatory Authority.
- HB0422** Chr ENV (Dept). Department of the Environment - Lead Paint Renovation Training - Regulatory Authority.
- HB0423** Del Sossi. Life and Health Insurance Guaranty Corporation - Maximum Liability.
- HB0424** Chr JUD (Dept). Crimes - Indecent Exposure and Possession of Child Pornography - Offender Registration.
- HB0425** Chr JUD (Dept). Vehicle Laws - Races and Speed Contests - Enforcement and Penalties.
- HB0426** Chr JUD (Dept). Juvenile Law - Confidentiality of Records - Access by Division of Pretrial Detention and Services.
- HB0427** Chr JUD (Dept). Courts and Judicial Proceedings - Prisoner Litigation Act - Definition of "Civil Action".
- HB0428** Del Beitzel. Creation of a State Debt - Garrett County - Oakland B&O Museum.
- HB0429** Del Oaks. Baltimore City - Alcoholic Beverages Establishments - Weekend Closing Hours.
- HB0430** Del Pena-Melnyk, et al. State Procurement - Purposes and Policies.
- HB0431** Del Waldstreicher, et al. Medical Review Committees - Subpoenas - Medical Records for Mental Health Services.
- HB0432** Del Robinson, et al. Baltimore City - Alcoholic Beverages - Bottle Club Registrations - Transfer.
- HB0433** Del Barnes, et al. Creation of a State Debt - Prince George's County - Laurel Boys and Girls Club.
- HB0434** Del Barnes, et al. Civil Jury Trials - Amount in Controversy.
- HB0435** Dels Kach and Jones. Health Insurance - Reimbursement of Physicians - Services Outside of Office Hours, By Telephone, or Online.
- HB0436** Del Barnes, et al. Courts - Jury Trials in Civil Actions - Amount in Controversy.
- HB0437** Dels Kach and Olszewski. State Government - General Assembly - Posting of Bill and Revised Fiscal Note on Website.
- HB0438** Del Barnes. Vehicle Laws - Prohibition Against Smoking in Vehicle Containing Young Child.
- HB0439** Del Kaiser, et al. Education - Innovative School Scheduling Models - Low-Performing and At-Risk Public Schools.
- HB0440** Del Kaiser. Education - Teachers - National Board Certified Teacher Pilot Program.
- HB0441** Del Frick, et al. Creation of a State Debt - Montgomery County - JFGH Activity Center.
- HB0442** Del Jones, et al. Election Law - Use of Campaign Funds for Meeting and Conference Expenses.
- HB0443** Del Ivey, et al. Inheritance Tax - Exemption - Spouses of Predeceasing Descendants.
- HB0444** Del Cardin. Election Law - Citizens Who Have Not Lived in the United States - Right to Vote.
- HB0445** Del Weir, et al. Vehicle Laws - Off-Highway Recreational Vehicles - Titling.
- HB0446** Del Stein, et al. Telephone Companies - Distribution of Telephone Directories - Customer Opt Out.
- HB0447** Del Stein, et al. Tax Expenditure Report - Internet.
- HB0448** Dels Carter and Vallario. Estates and Trusts - Maryland International Wills Act.
- HB0449** Del Carter. Estates and Trusts - Construction of References in Will or Trust to Federal Estate Tax or Generation-Skipping Transfer Tax.
- HB0450** Del Carter, et al. Baltimore City - 40th and 41st Districts - Park Heights Neighborhood - Alcoholic Beverages Establishments - Opening Hours.
- HB0451** Del Elmore. Somerset County - Alcoholic Beverages - Sales to Underage Drinkers - Local Caterer's License Created.
- HB0452** Washington County Delegation. Washington County - Office of the County Attorney.
- HB0453** Washington County Delegation. Washington County - Emergency Communications Center - Polygraph Examinations.
- HB0454** Washington County Delegation. Washington County - Aid to Manufactories.
- HB0455** Del McConkey, et al. Task Force to Study the Residential Property Foreclosure Process.
- HB0456** Del Ramirez, et al. Mortgage Foreclosure Bankruptcy Exemption.
- HB0457** Del Glenn, et al. Crimes - Elder Abuse or Neglect - Increased Penalties and Restrictions on Pretrial Release (The John H. Taylor Act).
- HB0458** Washington County Delegation. Washington County - County Contributions to Private or Cooperative Public Improvement Projects.
- HB0459** Del Healey, et al. State Licensing Agencies - Justification Statements Required for Fee Increases Proposed by Regulations

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- SB0001** Sen Peters, et al. Income Tax - Military Retirement Income.
- SB0002** Sen Conway. Task Force on the Minority Business Enterprise Program and Equity Investment Capital.
- SB0003** Sen Klausmeier, et al. Environment - Wetlands and Waterways Program Fees - Aquaculture.
- SB0004** Sens Klausmeier and Glassman. Gaming - Slot Machines - Ownership and Operation by Eligible War Veterans' Organizations.
- SB0005** Sen Muse. Public Safety - Police Training Commission - SWAT Team Activation and Deployment.
- SB0006** Sen Muse. Elective Franchise - Registration and Voting at Polling Places.

- SB0007** Sen Garagiola. Business Regulation - State Amusement Ride Safety Advisory Board - Membership.
- SB0008** Sen Colburn. Environment - Bay Restoration Fund - Payments to Contractors.
- SB0009** Sen DeGrange. Health - Duty to Report Death - Requirement and Penalties.
- SB0010** Sen Conway. Baltimore City - Board of School Commissioners - Selection of Members - Local Referendum.
- SB0011** Sen Conway. Business Regulation - Returnable Containers - Plastic Secondary Packaging.
- SB0012** Sen Garagiola. Creation of a State Debt - Montgomery County - Cabin John Park Tai Chi Court.
- SB0013** Sen Raskin. Civil Proceedings - Foreign Defamation Judgments - Enforceability and Bases of Personal Jurisdiction.
- SB0014** Sen Muse. Criminal Procedure - Search Warrant Application - Copy Filed with State's Attorney.
- SB0015** Sen Muse. Motor Vehicle Insurance - Use of Credit History in Rating Policies.
- SB0016** Sen Colburn. Legislative Districting - Resident Delegates by County.
- SB0017** Sen Colburn. Criminal Law - Salvia Divinorum and Salvinorin A - Distribution to and Possession by Individual Under 21 Years of Age.
- SB0018** Sen Raskin, et al. Vehicle Laws - Manufacturers, Distributors, and Factory Branches - Benefits to Employees of Dealers.
- SB0019** Sen Lenett. Vehicle Laws - Use of Wireless Telephone While Driving - Prohibitions.
- SB0020** Sen Colburn. Environment - Bay Restoration Fund - Authorized Uses.
- SB0021** Sens Robey and Raskin. Criminal Law - Animal Cruelty - Penalties and Conditions of Sentencing.
- SB0022** Sen Muse. Criminal Law - Prohibitions on Wearing, Carrying, or Transporting Firearms - Exceptions.
- SB0023** Sen Mooney. Energy Companies - Net Energy Metering - Credit Transfers.
- SB0024** Sen Kasemeyer. Creation of a State Debt - Howard County - Symphony Woods Park.
- SB0025** Sens Forehand and Frosh. Estates and Trusts - Property Held as Tenants by the Entireties - Transfer to Trust.
- SB0026** Sen Miller, et al. Maryland Constitutional Convention - Sense of the Voters.
- SB0027** Sen Conway. Health Insurance - Benefits for In Vitro Fertilization - Donor Sperm.
- SB0028** Sens Lenett and Raskin. Election Law - Voter Qualifications - Individuals Under Guardianship for Mental Disability.
- SB0029** Sen Astle. Department of Natural Resources - Preparation of Fishery Management Plans - Authority.
- SB0030** Sen Muse. Criminal Procedure - Search Warrant - Deployment of SWAT Team.
- SB0031** Sen Lenett. Maryland Communities for a Lifetime Commission.
- SB0032** Sen Forehand. Maryland Consolidated Capital Bond Loan of 2007 - Montgomery County - Public Safety Memorial.
- SB0033** Sen Haines. Natural Resources - Right to Hunt, Fish, and Harvest Wild Game.
- SB0034** Sen Middleton (Jt Com on UIO), et al. Joint Committee on Unemployment Insurance Oversight - Repeal of Termination Date.
- SB0035** Sen Colburn. Department of Natural Resources - State Boat Act - Auctioneers.
- SB0036** Sen Colburn. Dorchester County - Bay Restoration Fee - Lien Against Property.
- SB0037** Sen Colburn. Department of Natural Resources - Oysters - Patent Tongs and Power Dredges.
- SB0038** Sen Muse. State Finance and Procurement - Maryland Environmental Service - Small Business Reserve Program.
- SB0039** Sen Haines. State Government - Meetings of Governing Bodies - Actions Before Convening.
- SB0040** Sen Colburn. Dorchester County - Membership of Sanitary Commission.
- SB0041** Sen Colburn. Dorchester County - Alcoholic Beverages - Clubs - Membership.
- SB0042** Sens Colburn and Pipkin. Caroline County - Orphans' Court Judges - Pensions.
- SB0043** Sen Haines. Public Safety - Board of Boiler Rules - Membership.
- SB0044** Sen Haines. Criminal Law - Use of Firearm in the Commission of a Crime of Violence or a Felony.
- SB0045** Sen Haines. Motor Vehicles - Registration Plates - "Home of Our National Anthem".
- SB0046** Sen Colburn. Vehicle Laws - Registration and Driver's License Renewal Fees - No Charge for Recipients of Medal of Honor.
- SB0047** Sen Colburn. Dorchester County - Alcoholic Beverages - Restaurant Seating Requirement.
- SB0048** Sen Colburn. Talbot County - Knapps Narrows - Speed Limit.
- SB0049** Sen Colburn. Vehicle Laws - Vehicle Approaching Emergency or Police Vehicle - Duty to Change Lane or Slow Down.
- SB0050** Sen Mooney. Electric Companies - Net Energy Metering.
- SB0051** Sen Raskin. Vehicle Laws - Bicycles, EPAMDs, and Motor Scooters - Rules of the Road.
- SB0052** Chr FIN (Dept). Department of Disabilities - Maryland Commission on Disabilities - Duties and Responsibilities.

- SB0053** Chr FIN (Dept). Workers' Compensation - Average Weekly Wage - Militia.
- SB0054** Chr FIN (Dept). Business and Economic Development - Maryland Economic Adjustment Fund.
- SB0055** Chr FIN (Dept). Business and Economic Development - Maryland Military Installation Council - Sunset Repeal, Membership, and Terms.
- SB0056** Chr FIN (Dept). Health Insurance - Medicare Supplement Policies - Repeal of Requirement to Offer Plan I.
- SB0057** Chr FIN (Dept). Health Insurance - Mental Health Benefits - Group Health Plans.
- SB0058** Chr FIN (Dept). Workers' Compensation - Division of Rehabilitation Services - Unpaid Work-Based Learning Experiences.
- SB0059** Chr B&T (Dept). Agricultural Land Transfer Tax - Distribution and Use of Revenue.
- SB0060** Chr EHE (Dept). Commission on Environmental Justice and Sustainable Communities - Membership.
- SB0061** Chr JPR (Dept). Family Law - Criminal History Records Checks - Employees and Employers in Facilities and Other Individuals That Care for or Supervise Children.
- SB0062** Chr EHE (Dept). Maryland Horse Industry Fund - Fees.
- SB0063** Chr B&T (Dept). Transit-Oriented Development - Pledge and Use of Tax Increment Revenues - Operations and Maintenance Funding.
- SB0064** Chr B&T (Dept). Maryland Research and Development Tax Credit - Sunset Extension.
- SB0065** Chr B&T (Dept). Maryland Veterans Trust Fund - Income Tax Checkoff.
- SB0066** Chr JPR (Dept). Vehicle Laws - Length of Vehicles - Saddle-Mount and Full-Mount Combinations.
- SB0067** Chr JPR (Dept). Vehicle Laws - Issuance of Temporary Registration Plates by Dealers - Transmission of Information and Record Keeping.
- SB0068** Chr JPR (Dept). State Government - Human Relations - Closed-Captioning Activation Required.
- SB0069** Chr EHE (Dept). Woodland Incentives Program - Prohibition on Use of Federal Funds - Repeal.
- SB0070** Chr EHE (Dept). Department of Natural Resources - Vessel Noise - Limitation.
- SB0071** Chr EHE (Dept). Procurement - Small Business Reserve Program - Sunset Extension.
- SB0072** Chr EHE (Dept). Maryland Militia - Membership.
- SB0073** Chr EHE (Dept). Maryland Emergency Management Agency - Director.
- SB0074** Chr EHE (Dept). Education - Comprehensive Master Plans.
- SB0075** Chr EHE (Dept). Education - Nonpublic School Employees - Criminal Convictions.
- SB0076** Chr EHE (Dept). Education - Disruptive Youth - Funding.
- SB0077** Chr EHE (Dept). Health General - Disease Prevention and Testing - Inmates of Correctional Institutions.
- SB0078** Chr EHE (Dept). Washington Cemetery Board of Trustees.
- SB0079** Chr EHE (Dept). Office of the Deaf and Hard of Hearing - Responsibilities.
- SB0080** Chr EHE (Dept). Maryland Higher Education Commission - Office of Student Financial Assistance.
- SB0081** Chr EHE (Dept). State Board of Veterinary Medical Examiners - License Suspensions and Revocations - Maximum Penalties.
- SB0082** Chr EHE (Dept). Maryland Commercial Feed Law - Definitions - Prohibition on Sale.
- SB0083** Chr EHE (Dept). Department of Housing and Community Development - Group Home Financing Program - Refinancing.
- SB0084** Chr EHE (Dept). Tidal Fisheries Advisory Commission - Sport Fisheries Advisory Commission - Membership.
- SB0085** Chr JPR (Dept). Vehicle Laws - Electronic Transmission of Title Information by Dealers.
- SB0086** Chr JPR (Dept). Correctional Services - Medication for Chronic or Acute Medical Condition - Waiver of Liability.
- SB0087** Chr EHE (Dept). Education - Physical Education and Athletic Programs for Students with Disabilities - Reporting Requirements.
- SB0088** Chr EHE (Dept). Environment - Controlled Hazardous Substance Advisory Council.
- SB0089** Chr JPR (Dept). Maryland Commission on Human Relations - Name Change.
- SB0090** Chr EHE (Dept). Secretary of Agriculture - Farm Quarantine.
- SB0091** Chr EHE (Dept). Maryland Higher Education Commission - Exempt Institutions.
- SB0092** Chr EHE (Dept). Department of Natural Resources - Boating Safety Requirements.
- SB0093** Chr EHE (Dept). Agriculture - Pest Control - Fees and Registration.
- SB0094** Chr EHE (Dept). Department of Agriculture - Weights and Measures - Registration Fees.
- SB0095** Chr EHE (Dept). Maryland Agricultural Land Preservation Foundation - Farmland Preservation Partnership Program.
- SB0096** The Pres (DLS - Code Rev). Washington Suburban Sanitary Commission.
- SB0097** Sen Mooney. Public Defender Board of Trustees - Composition.
- SB0098** Sen Mooney. Income Tax - Film Production Activity Credit.
- SB0099** Sens DeGrange and Astle. Junk Dealers and Scrap Metal Processors - Required Records.

SB0100 Sen Muse. Maryland Consolidated Capital Bond Loan of 2008 - Prince George's County - Forest Heights Municipal Building.

SB0101 Sen Stone. Public Health - Peanut Warning - Vending Machines.

SB0102 Sen Stone. Election Law - Campaign Advertisements - Closed Captioning.

SB0103 The Pres (DLS). State Board of Examiners of Landscape Architects - Sunset Extension and Program Evaluation.

SB0104 The Pres (DLS). State Board of Chiropractic and Massage Therapy Examiners - Sunset Extension and Program Evaluation.

SB0105 Sen Miller. Creation of a State Debt - Calvert County - Kellam's Field.

SB0106 The Pres (Admin), et al. Labor and Employment - Job Creation and Recovery Tax Credit.

SB0107 The Pres (Admin). Labor and Employment - Unemployment Insurance - Modernization and Tax Relief Act.

SB0108 Chr JPR (Md Jud Conf). Juvenile Causes - Exceptions - Hearings.

SB0109 Chr JPR (Md Jud Conf). Criminal Procedure - Expiration Date of Sentences - Repeal.

SB0110 Sens Lenett and Pugh. Labor and Employment - Job and Financial Privacy Protection Act.

SB0111 Chr JPR (Md Jud Conf). District Court - Locations.

SB0112 Sen Stone. Baltimore County - Property Tax Credit - Rosewald Beach Civic League.

SB0113 Sens Kelley and Gladden. Baltimore City - Ivy Family Support Center Loan of 2001.

SB0114 Sen Gladden. Voter's Rights Protection Act of 2010.

SB0115 Sen Gladden. Maryland Consolidated Capital Bond Loan of 2006 - Baltimore City - Baltimore Clayworks.

SB0116 Sen Gladden. Criminal Procedure - Use of Tracking Device by Law Enforcement Officer - Search Warrant.

SB0117 Sen Pugh. Creation of a State Debt - Baltimore City - Morgan Mill Renovation.

SB0118 Sens Zirkin and Stone. Courts - Jury Trials in Civil Actions - Amount in Controversy.

SB0119 Sens Zirkin and Stone. Civil Jury Trials - Amount in Controversy.

SB0120 Sens Gladden and Conway. Baltimore City - Alcoholic Beverages - Beer, Wine, and Liquor Tasting License.

SB0121 Sen Middleton. Election Law - Access to Voting Room and Voting Booth by Minors Not Eligible to Vote.

SB0122 Sens Brochin and Stone. Baltimore County - Towson Commercial Revitalization District - Alcoholic Beverages Licenses - Restaurants - Minimum Capital Investment and Transfers.

SB0123 Sen Brochin, et al. Criminal Procedure - Victim's Compensation - Temporary Lodging for Domestic Violence Victims.

SB0124 Sen Brochin, et al. Vehicle Laws - Use of Work Zone Speed Control Systems - Presence of Workers Required.

SB0125 Sen Brochin, et al. Criminal Procedure - Strip Search or Body Cavity Search of an Arrestee - Restrictions.

SB0126 Sen Exum. Prince George's County - Alcoholic Beverages - Multiple Special Licenses.

SB0127 Sen Exum. Creation of a State Debt - Prince George's County - John E. Feggans Center Renovation.

SB0128 Sen Pugh, et al. Education - High School Diploma - GED Options Program.

SB0129 Sen Pugh, et al. International Marriage Brokers - Regulation.

SB0130 Sen Pugh, et al. Procurement - Minority Business Enterprises - Reciprocal Certification.

SB0131 Sen Pugh, et al. State Procurement - Minority Business Enterprises - Electronic Certification Process.

SB0132 Sen Pugh. Creation of a State Debt - Baltimore City - Maryland SPCA Adoption Center Expansion.

SB0133 Sen Pugh, et al. Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process.

SB0134 Sen Simonaire, et al. State Government - Commemorative Day - Young Heroes Day.

SB0135 Sen Kelley. Criminal Procedure - Petition for Writ of Actual Innocence - Notice of Filing and Hearing.

SB0136 Sen Dyson. Creation of a State Debt - St. Mary's County - United States Colored Troops Memorial Monument.

SB0137 Chr JPR (Md Jud Conf). Family Law - Permanency Planning and Guardianship Review Hearings - Consultation with Child.

SB0138 Sen Della. Maryland Consolidated Capital Bond Loan of 2006 - Baltimore City - Peale Museum.

SB0139 Sens Madaleno and Miller. Property Tax - Exemption for Disabled Veterans and Surviving Spouses - Definition.

SB0140 The Pres (Admin). Budget Bill (Fiscal Year 2011).

SB0141 The Pres (Admin). Budget Reconciliation and Financing Act of 2010.

SB0142 The Pres (Admin). 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.

SB0143 The Pres (Gov Salary Comm). Constitutional Officers - Salaries.

SB0144 The Pres (DLS). State Board of Examiners of Nursing Home Administrators - Sunset Extension and Program Evaluation.

SB0145 The Pres (DLS). State Board of Examiners in Optometry - Sunset Extension and Program Evaluation.

SB0146 The Pres (DLS). State Board of Physical Therapy Examiners - Sunset Extension and Program Evaluation.

- SB0147** The Pres (DLS). State Board for Professional Land Surveyors - Sunset Extension and Program Evaluation.
- SB0148** The Pres (DLS). State Board of Pilots - Sunset Extension and Program Evaluation.
- SB0149** The Pres (DLS). State Board of Plumbing - Sunset Extension and Program Evaluation.
- SB0150** Sens Pinsky and Harrington. Creation of a State Debt - Prince George's County - Community Forklift Facility.
- SB0151** Sens Pinsky and Harrington. Prince George's County - Alcoholic Beverages - Class B-AE (Arts and Entertainment) License.
- SB0152** Sen Glassman, et al. Harford County - Sheriff's Office - Power to Enforce Noise Control Laws.
- SB0153** Sen Glassman, et al. Harford County - Liquor Control Board Membership - Nomination Process.
- SB0154** Sen Jones. Creation of a State Debt - Baltimore City - Southwest Senior and Community Multipurpose Center.
- SB0155** Sen Glassman, et al. Maryland Estate Tax - Exclusion for Family Farm Subject to Agricultural Preservation Easements.
- SB0156** Sen Brochin, et al. Environment - Recycling - Apartment Buildings and Condominiums.
- SB0157** Sens Brochin and Raskin. Election Law - Special Election to Fill Vacancy in the Office of United States Senator.
- SB0158** Sens Brochin and Muse. Foreclosures - Unpaid Water and Sanitary Charges - Prohibition.
- SB0159** Sen Jacobs, et al. Vehicle Laws - Emergency and Police Vehicle and Personnel Protection Act.
- SB0160** Sen Simonaire, et al. Triple Tax Relief Act.
- SB0161** Sens Simonaire and Reilly. Anne Arundel County Public Schools - Office Discipline Referrals - Accountability Policy.
- SB0162** Sen Forehand, et al. Creation of a State Debt - Montgomery County - Garrett Park Community Center.
- SB0163** Sen Conway. State Board of Pharmacy - Wholesale Distributors - Accreditation and Reciprocity.
- SB0164** Sen Conway. Advisory Committee on the Naming of State Facilities, Roads, and Bridges - Repeal.
- SB0165** Sen Conway. Health Occupations - Therapy Management Contracts - Repeal of Sunset.
- SB0166** Sen Conway. State Government - State Designations - Review, Evaluation, and Recommendation by the State Archivist.
- SB0167** Sen Lenett, et al. Regulated Firearms - Application for Dealer's License - Record-Keeping and Reporting Requirements.
- SB0168** Sen Raskin. Maryland Consolidated Capital Bond Loan of 2009 - Easter Seals Inter-Generational Center.
- SB0169** Sen Raskin. Vehicle Laws - Rules of the Road - Use of Signals When Changing Lanes.
- SB0170** Sen Jacobs, et al. Child Protection from Predators Act.
- SB0171** Sen Peters, et al. Procurement - Service-Disabled Veteran Business Enterprise Participation.
- SB0172** Sen Kelley. Creation of a State Debt - Baltimore County - Augsburg Lutheran Home of Maryland.
- SB0173** Sen McFadden (BCA). Baltimore City Police Department Death Relief Fund - Procedures and Benefit Amount.
- SB0174** Sen Glassman. Charter Counties - Local Laws - Digital Copies.
- SB0175** Sen McFadden. Baltimore City - Highway User Revenues - Authorized Use.
- SB0176** Sen McFadden. Family Law - Family Day Care Homes and Child Care Centers - Inspections.
- SB0177** Sen McFadden (BCA). Expedited Partner Therapy Pilot Program - Extension.
- SB0178** Sen McFadden. Creation of a State Debt - Baltimore City - Collington Square Community Kitchen.
- SB0179** Sen McFadden. Baltimore City Public School System - Exclusion from Amount of Bonds Outstanding.
- SB0180** Sen McFadden. Business Regulation - Prepaid Mobile Phones and Prepaid Refill Cards - Retail Sales.
- SB0181** Sen Brochin. Health Insurance - Child Dependents - Qualifying Age Limit.
- SB0182** Sen Exum. Prince George's County - Alcoholic Beverages - Drive-Through Purchase Facilities.
- SB0183** Sen Pugh, et al. Correctional Services - Prerelease Unit - Inmate Aftercare Plans.
- SB0184** Sen Kelley, et al. Real Property - Condominiums - Dispute Settlement Mechanism.
- SB0185** Sen Kelley, et al. Election Law - Use of Campaign Funds for Meeting and Conference Expenses.
- SB0186** Sen Kelley, et al. Criminal Law - Electronic Harassment of a Minor.
- SB0187** Sen Lenett. Maryland False Claims Act.
- SB0188** Sen Simonaire, et al. Criminal Procedure - Sex Offender Registrants - Information on Internet Posting.
- SB0189** Sen Simonaire, et al. Vehicle Laws - Reckless and Negligent Driving - Penalties for Death or Serious Bodily Injury.
- SB0190** Sen Lenett, et al. Seniors Tax Relief Act.
- SB0191** Sen Lenett, et al. Weapon-Free Higher Education Zones.
- SB0192** Sen Colburn. Criminal Law - Dangerous Dogs - Mandatory Spaying or Neutering.
- SB0193** Sen Colburn. Dorchester County - Electric Transmission Privilege Tax.
- SB0194** Sen Colburn. Dorchester and Wicomico Counties - Alcoholic Beverages - Pub-Brewery and Micro-Brewery Licenses.

SB0195 Sen Colburn. Wicomico County - Alcoholic Beverages - Micro-Brewery Licenses.

SB0196 Sen Colburn. Wicomico County - Alcoholic Beverages Act of 2010.

SB0197 Sens Glassman and Jacobs. Income Tax - Subtraction Modification - Community Emergency Response Team (CERT).

SB0198 Sen Glassman, et al. Farmer's Markets - Raw Agricultural Product Sales - Producer Mobile Farmer's Market License.

SB0199 Sen Glassman, et al. Seasonal Farmer's Market Producer Sampling License.

SB0200 Sen Edwards. Wind-Powered Electric Generating Facilities - Decommissioning and Restoration - Surcharge, Bond, or Other Security, and Fund.

SB0201 Sen Exum, et al. Prince George's County - Alcoholic Beverages - Appeal of Order to Close Place of Business.

SB0202 The Pres (Admin). Creation of a State Debt - Aging School Program - Qualified Zone Academy Bonds.

SB0203 Sens Madaleno and Brinkley. Family Education Savings Account Act - Subtraction Modification for Contributions.

SB0204 Sen Pinsky, et al. Student Stigma Act.

SB0205 Sen Jones (Chr JtCMPF), et al. State Treasury - Permissible Investments of State Money.

SB0206 Sen Jones. Creation of a State Debt - Baltimore City - Franklin Entrepreneurial and Apprenticeship Center.

SB0207 Sens Jones and Currie. Maryland Consolidated Capital Bond Loan of 2009 - Baltimore City - Kennedy Krieger Institute.

SB0208 Sen Jones (Chr JtCMPF), et al. State Treasurer - Permissible Investments - Linked Deposit Program.

SB0209 Sen Kelley. Motor Vehicle Air Bags - Consumer Protection and Reporting Requirements.

SB0210 Sen Kelley, et al. General Assembly - Fiscal Notes - Analysis of Long-Term Savings.

SB0211 Sen Kelley, et al. Identity Fraud Crimes - Restitution.

SB0212 Sen Mooney. Residential Property - Prohibited Restrictions on Exercise of Free Speech.

SB0213 Sen Frosh, et al. Child Care Articles and Toys Containing Bisphenol-A - Prohibition.

SB0214 Sens Frosh and Madaleno. Notaries Public - Application - Recommendation and Approval.

SB0215 Sen Frosh, et al. High Performance Buildings Act - Applicability to Recipients of State Aid.

SB0216 Sen Frosh, et al. Campaign Finance - Affiliated Business Entities - Attribution of Contributions.

SB0217 Sen Stone. Maryland Locksmiths Act - Exemptions - Repossession of Property.

SB0218 Sen Simonaire. State Government - Joint Committee on the Chesapeake and Atlantic Coastal Bays Critical Area - Membership.

SB0219 Sen Brochin, et al. Criminal Procedure - Criminal Injuries Compensation Board - Claimant Confidentiality and Eligibility.

SB0220 Chr B&T (Md Jud Conf). Circuit Court Real Property Records Improvement Fund - Funding.

SB0221 Sen Currie. Tax Credits for Qualifying Employees with Disabilities - Sunset Repeal.

SB0222 Sen Colburn. Oyster Sanctuaries - Authority to Designate.

SB0223 Sen Colburn. Dorchester County - County Transfer Tax - Repeal of Sunset Provision.

SB0224 Sen King, et al. Real Property - Restrictions - Clotheslines or Other Similar Laundry Drying Devices.

SB0225 Sen King, et al. Libraries - Collective Bargaining.

SB0226 Sen Glassman. Criminal Law - Sale of Novelty Lighters - Prohibition.

SB0227 Sen DeGrange, et al. Division of Correction and Division of Parole and Probation - Reports and Records - Immigration Status.

SB0228 Sen Mooney. Environment - Incinerator Permits - Conditions for Issuance.

SB0229 Sen Garagiola, et al. Blue Ribbon Commission on Maryland Transportation Funding.

SB0230 Sen Conway, et al. Education - Instruction of Blind and Visually Impaired Students - Use of Braille.

SB0231 Sens Kelley and Forehand. Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

SB0232 Sen Brinkley, et al. Property Tax - Homestead Tax Credit - Extension to Second Property.

SB0233 Sen Glassman, et al. Program Open Space - Local Agricultural Exposition Centers - Authorization.

SB0234 Sen Robey, et al. High Performance Buildings Act - Applicable to Community College Capital Projects.

SB0235 Sen Robey, et al. Real Property - Mobile Home Parks - Plans for Dislocated Residents.

SB0236 Sen Middleton, et al. Insurance - Premium Increase for Commercial and Workers' Compensation Insurance - Notice.

SB0237 Sen Zirkin. Sales and Use Tax - Exemptions - Veterans' Organizations.

SB0238 Sen Astle, et al. Maryland Automobile Insurance Fund - Use of Fund Moneys and Property - Prohibitions.

SB0239 Sen Pugh, et al. Education - Age of Compulsory Attendance - Exemptions.

SB0240 Sen Conway, et al. Election Law - Petition Signatures.

- SB0241** Sen Conway. State Board of Nursing - Changes to the Electrology Practice Committee and Licensing Requirements.
- SB0242** Sen Gladden. Baltimore City - Alcoholic Beverages - Prohibition Against Underage Individuals in Liquor Stores.
- SB0243** Sen Gladden. Housing - Discrimination Based on Source of Income - Prohibitions.
- SB0244** Sen Gladden. Crimes - Elder Abuse or Neglect - Increased Penalties and Restrictions on Pretrial Release (The John H. Taylor Act).
- SB0245** Sen Simonaire. School Bus Seat Belt Corrective Language Act.
- SB0246** Sen Pugh. Creation of a State Debt - Baltimore City - Sandi's Learning Center.
- SB0247** Sen Glassman, et al. Hazardous Material Response Team Employees - Death Benefits and Funeral Expenses - Local Government Agencies.
- SB0248** Sen Frosh, et al. Civil Cases - Maryland Legal Services Corporation Fund - Surcharges.
- SB0249** The Pres (DLS - Code Rev). Public Utilities and Washington Suburban Sanitary Commission - Cross-References.
- SB0250** Sen Simonaire, et al. Health - Medical Procedures - Ultrasound Options.
- SB0251** Sen Astle. Anne Arundel County - Motorcycle Dealers - Sunday Operations.
- SB0252** Sen Frosh, et al. Child Support Guidelines - Revision.
- SB0253** Sen Jones. Creation of a State Debt - Baltimore City - Sphinx Club.
- SB0254** Sen Jones. Ethics - General Assembly - Governmental Employment.
- SB0255** Sen Stone, et al. Criminal Law - Assault - Law Enforcement Officers and Parole and Probation Agents.
- SB0256** Sen Harrington, et al. Public Schools - Physical Education Facilities.
- SB0257** Sen Forehand, et al. Vehicle Laws - Disposition of Traffic Citations.
- SB0258** Sen Forehand, et al. Elections - Special Elections - Voting by Mail.
- SB0259** Sen Dyson, et al. Calvert, Charles, and St. Mary's Counties - Deer Hunting.
- SB0260** Sens Brochin and Stone. Sex Offenders - Homeless and Temporary Residents - Registration and Reporting Requirements.
- SB0261** Sen Forehand, et al. Criminal Law - Sexual Solicitation of a Minor and Human Trafficking - Prohibitions and Proof.
- SB0262** Sen DeGrange. Income Tax - U.S. Government Employees' Foreign Earned Income.
- SB0263** Sen DeGrange. Creation of a State Debt - Maryland Affordable Housing Trust.
- SB0264** Sen Muse, et al. State Board of Education - Financial Literacy Curriculum - Graduation Requirement.
- SB0265** Sen Exum, et al. Assisted Living Programs - Elevator Installation - Exemption.
- SB0266** Sen Conway. State Board of Nursing - Membership - Nominations for Vacancies.
- SB0267** Sen Kramer, et al. Creation of a State Debt - Montgomery County - Camp Brighton Woods.
- SB0268** Sen Kelley. Creation of a State Debt - Baltimore County - Automotive Vocational Training Center.
- SB0269** Sen Simonaire. Maryland Consolidated Capital Bond Loan of 2009 - Anne Arundel County - Historical Free-town Renovation.
- SB0270** Sens Simonaire and Reilly. Anne Arundel County - Board of Education and School Board Nominating Commission - Open Meetings and Public Records.
- SB0271** Sens Simonaire and Reilly. Anne Arundel County - Property Tax Payment Deferral - Eligibility.
- SB0272** Sens Simonaire and Reilly. Anne Arundel County - Property Tax Payment Deferral - Amounts.
- SB0273** Sen Brochin, et al. Vehicle Laws - Leaving the Scene of an Accident Resulting in Death - Penalty.
- SB0274** Sen McFadden (BCA). Criminal Law - Violation of Restriction Against Possession of Firearms - Penalties.
- SB0275** The Pres (Admin), et al. Education - Maryland Longitudinal Data System.
- SB0276** The Pres (Admin), et al. Real Property - Residential Property Foreclosure Procedures - Foreclosure Mediation.
- SB0277** The Pres (Admin), et al. Renewable Energy Portfolio Standard - Solar Energy.
- SB0278** The Pres (Admin), et al. Smart, Green, and Growing - Maryland Sustainable Growth Commission.
- SB0279** The Pres (Admin), et al. Maryland False Health Claims Act of 2010.
- SB0280** The Pres (Admin), et al. Criminal Procedure - Sexual Offenders - Lifetime Supervision.
- SB0281** The Pres (Admin), et al. Motor Vehicle Excise Tax - Tax Credit for Electric Vehicles.
- SB0282** The Pres (Admin), et al. Off-Shore Wind Generation - Qualified Submerged Renewable Energy Lines.
- SB0283** The Pres (Admin), et al. Higher Education Investment Fund - Tuition Stabilization and Funding.
- SB0284** The Pres (Admin), et al. Collective Negotiations by Family Child Care Providers.
- SB0285** The Pres (Admin), et al. Smart, Green, and Growing - The Sustainable Communities Act of 2010.
- SB0286** The Pres (Admin), et al. Governor's P-20 Leadership Council of Maryland.
- SB0287** The Pres (Admin), et al. Maryland Clean Energy Incentive Act of 2010.
- SB0288** Sen Edwards. Maryland Dormant Mineral Interests Act.

SB0289 Sen Edwards. Allegany County and Garrett County - Turkey Hunting - Sundays.

SB0290 Sen McFadden. Maryland Consolidated Capital Bond Loan of 2008 - Maryland Independent College and University Association - Sojourner-Douglass College.

SB0291 Sen Conway. Health Occupations Boards - Revisions.

SB0292 Sen Raskin, et al. Elections - Voter Registration and Voting - Age.

SB0293 Sen Raskin, et al. Elections - Permanent Absentee Ballot List.

SB0294 Sen Glassman. Vehicle Laws - Distracted Driving - Prohibition.

SB0295 Sen Jones. Creation of a State Debt - Baltimore City - Garrett-Jacobs Mansion Ballroom.

SB0296 Sens Jones and Miller. Creation of a State Debt - Baltimore City - Baltimore Leadership School for Young Women.

SB0297 Sen Simonaire, et al. Election Law - Notices to Candidates - Mailing.

SB0298 Sen Simonaire, et al. Crimes - Harassment - Prohibitions and Penalties.

SB0299 Sen Pugh. Creation of a State Debt - Baltimore City - Greenmount West Community Resource Center.

SB0300 Sen Peters, et al. Unemployment Insurance - Contributions - Installment Payment Option.

SB0301 Sen Edwards. Garrett County - County Commissioners - Commercial Grade Wind Turbines.

SB0302 Sen Glassman. Commercial Law - Equipment Dealer Contract Act - Outdoor Power Sports Equipment.

SB0303 Sen Kittleman. Labor and Employment - Exemption from Covered Employment - Home Care Workers.

SB0304 Sen Munson. Maryland Consolidated Capital Bond Loan of 2007 - Washington County - Chesapeake and Ohio Canal National Historical Park.

SB0305 Sen Munson. Public Safety - Emergency Medical Services Provider Killed in Performance of Duty - Flag Benefit for Family.

SB0306 Sen Stoltzfus. Worcester County - Liquor Control Board - Ethics.

SB0307 Sen Stoltzfus. Worcester County - Real Property - Recording.

SB0308 Sen Conway, et al. Health Occupations - Licensure of Physician Assistants.

SB0309 Sen Kelley, et al. Uniform Power of Attorney Act.

SB0310 Sen Kasemeyer, et al. Education - Maintenance of Effort Requirement - Process and Factors.

SB0311 Sen Miller, et al. Chesapeake Conservation Corps.

SB0312 Sen Lenett, et al. Labor and Employment - Credit Reports and Credit Histories of Applicants and Employees - Limitations on Use by Employers.

SB0313 Sen King, et al. Health Insurance - Annual Preventive Care.

SB0314 Sen Garagiola, et al. Health Insurance - Assignment of Benefits and Reimbursement of Nonpreferred Providers.

SB0315 Sen Raskin, et al. Public Ethics Laws - Elected Local Officials and Board of Education Members - Requirements.

SB0316 Sen DeGrange, et al. Sex Offenders - Registry Information Expansion and Interstate Data Sharing.

SB0317 Sen McFadden, et al. State Retirement and Pension System - Retirees and Beneficiaries of Retirees - Annual Retirement Allowance Adjustments.

SB0318 Sen Kramer, et al. Income Tax Checkoff for Developmental Disabilities.

SB0319 Sen Miller, et al. African American Heritage Preservation Program.

SB0320 Sen Stone. Income Tax - Credit for Long-Term Care Premium.

SB0321 Sen Stone. The Delegate John Arnick Electronic Communications Traffic Safety Act of 2010.

SB0322 Sen Stone. Motor Vehicles - Use of Video Display Equipment.

SB0323 Sen Jones (Chr Jt Audit Com), et al. Office of Legislative Audits - Auditing Local School Systems.

SB0324 Sen Glassman. Motor Vehicles - Approaching Emergency Vehicles and Personnel.

SB0325 Sen Conway (Chr EHE). State Board of Dental Examiners - Sunset Extension and Revisions.

SB0326 Sen Conway (Chr EHE). Environment - State Board of Waterworks and Waste Systems Operators - Sunset Extension and Revisions.

SB0327 Sen Conway (Chr EHE). State Board of Barbers and State Board of Cosmetologists - Sunset Extension and Revisions.

SB0328 Sens Middleton and Della. Hospitals - Financial Assistance and Debt Collection.

SB0329 Sen Zirkin. Domestic Violence - Requirement to Advise Respondent of Consequences of Final Protective Order.

SB0330 Sen Zirkin, et al. Human Services - Quality Care - Juvenile Facilities.

SB0331 Sen Madaleno. Jury Duty - Exemption from Service - Election Judge.

SB0332 Sen Frosh, et al. Creation of a State Debt - Montgomery County - Ivymount School Annex Building.

SB0333 Sens Mooney and Frosh. Environment - Permits to Construct Incinerators - Limitation on Issuance near National Parks.

SB0334 Sen Rosapepe. Public Institutions of Higher Education - New Design and Substantial Exterior Modification - Notice and Consultation.

SB0335 Sen Simonaire, et al. Criminal Law - "Student Protection Act of 2010".

- SB0336** Sen King, et al. Maryland Business Tax Reform Commission - Reporting Requirements.
- SB0337** Sen Frosh. Estates and Trusts - Construction of References in Will or Trust to Federal Estate Tax or Generation-Skipping Transfer Tax.
- SB0338** Sen Frosh. Estates and Trusts - Elective Share - Extension of Time for Making Election.
- SB0339** Sen Frosh. Estates and Trusts - Guardianship - Payment of Expenses After Death of Ward.
- SB0340** Sen Frosh. Estates and Trusts - Maryland International Wills Act.
- SB0341** Sen Frosh. Real Property - Effect of Deed Granting Property from Trust or Estate.
- SB0342** Sen Frosh, et al. Natural Resources - Oyster Poaching - Hearing.
- SB0343** Sen Stone, et al. Vehicle Laws - Accidents Resulting in Death - Appearance in Court for Traffic Citations.
- SB0344** Sen Glassman. Motor Vehicles - Medium Speed Vehicles - Requirements and Prohibitions.
- SB0345** Sen Kelley, et al. Condominiums and Homeowners Associations - Reserves and Reserve Studies.
- SB0346** Sen Garagiola, et al. Tobacco Products - Tax Stamps - Regulations.
- SB0347** Sen Jones (Chr JtCMPF), et al. Political Subdivisions - Financial Reports.
- SB0348** Sen Jones (Chr JtCMPF), et al. Capital Debt Affordability.
- SB0349** Sens Forehand and Madaleno. Local Correctional Facilities - Sentenced Inmates.
- SB0350** Sen Currie. Maryland Transit Administration - Transit-Oriented Development - Expansion of Geographic Area.
- SB0351** Sen Currie. Prince George's County - Kettering Largo Boys & Girls Club Storage Facility Loan of 2001.
- SB0352** Sen Currie. Creation of a State Debt - Capital Area Food Bank.
- SB0353** Sen Lenett, et al. Environment - Brominated Flame Retardants - Decabrominated Diphenyl Ether - Prohibition.
- SB0354** Sen Pinsky, et al. Corporate Income - Combined Reporting - Pension Sustainability Trust Fund.
- SB0355** Sen Pinsky, et al. Energy Companies - Net Energy Metering - Payment for Accrued Generation Credit.
- SB0356** Sen Harrington, et al. Public Health - Chain Restaurants - Nutrition Information Labeling.
- SB0357** Sen Harrington. Health Occupations - Wellness Practitioners - Exemption from Licensure as Physicians.
- SB0358** Sens Muse and Brochin. Health Care Malpractice - Expression of Regret or Apology - Inadmissibility.
- SB0359** Sen Lenett, et al. Agriculture - Fertilizers and Pesticides - Release Reporting.
- SB0360** Sens Astle and DeGrange. Education - Offenses Reportable to School Authorities.
- SB0361** Sen Astle. Natural Resources - Local Forest Conservation Funds - Use of Money.
- SB0362** Sen Astle. Natural Resources - Suspension of Hunting Licenses and Privileges.
- SB0363** Sens Astle and Simonaire. Environment - Use of Coal Combustion By-Products for Reclamation - Bond Requirements.
- SB0364** Sens Astle and Simonaire. Environment - Coal Combustion By-Products - Permits.
- SB0365** Sen Astle, et al. Criminal Law - Gang Activity - Jurisdiction over Juvenile Offenders.
- SB0366** Sen Astle, et al. Education - Public Charter School Facility Revolving Loan Fund.
- SB0367** Sen Della. Creation of a State Debt - Baltimore City - Museum of Industry.
- SB0368** Sen Della. Department of Transportation - Repeal of Secretary's Authority to Abolish Employee Positions.
- SB0369** Sen Della. Maryland Port Commission - Membership.
- SB0370** Sen Della. Pharmacies - Delivery of Controlled Dangerous Substances.
- SB0371** Sen Della. Fines for Parking Violations - Late Fees - Restrictions in Baltimore City.
- SB0372** Sen Della. Property Tax - Tax Sales - Notice to Foreclose Right of Redemption.
- SB0373** Sen Della. Property Tax - Tax Sales - Complaint to Foreclose Right of Redemption.
- SB0374** Sen Della. Baltimore City - Video Lottery Facility - Local Development Council - Membership.
- SB0375** Sen Della. Video Lottery Facilities - Local Impact Grants - Residential Parking Permit Costs.
- SB0376** Sen Della. Baltimore City - Consumption of Alcoholic Beverages - Unlicensed Restaurants.
- SB0377** Sen Della. Baltimore City - Alcoholic Beverages - Class C Licensees to Reimburse Board for Costs.
- SB0378** Sen Della. Baltimore City - 46th District - Alcoholic Beverages - Issuance or Transfer of Licenses Prohibited in Certain Precincts - Food Sales.
- SB0379** Sen Rosapepe. Prince George's County - City of Laurel - Tax Rebate for Local Bus Service.
- SB0380** Sen Rosapepe. Maryland Consolidated Capital Bond Loans of 2007 and 2008 - Prince George's County - Historic Laurel Mill Ruins.
- SB0381** Sen Rosapepe. Creation of a State Debt - Prince George's County - LARS Facility Renovation.
- SB0382** Sen Conway, et al. Marine Contractors - Licensure and Regulation - Wetland Permits and Authorizations.
- SB0383** Sen Mooney. Public Health - Frederick County - Dogs in Outdoor Dining Areas.

SB0384 Sen Mooney. Labor and Employment - Job Creation and Recovery Tax Credit.

SB0385 Sen DeGrange, et al. Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit.

SB0386 Sen Jacobs, et al. Victims of Crime - Burglary and Crimes of Violence - Civil Immunity.

SB0387 Sen Edwards. Garrett County - Noncertificated Public School Employees - Service Fees.

SB0388 Sen Edwards. Creation of a State Debt - Allegany County - Allegany Museum.

SB0389 Sen Edwards. Creation of a State Debt - Garrett County - Oakland B&O Museum.

SB0390 Sen McFadden. Baltimore City - Marriage License Fee - Increase.

SB0391 Sens McFadden and Munson. Correctional Officers' Retirement System - Membership - Correctional Case Management Specialist.

SB0392 Sen McFadden. Creation of a State Debt - Baltimore City - Mount Pleasant Family Life Center.

SB0393 Sen McFadden. Creation of a State Debt - Baltimore City - Fine Arts Center for Archbishop Curley High School.

SB0394 Sen Exum, et al. Municipalities - Authority to Enter into Agreements with Other Municipalities.

SB0395 Sen Brochin, et al. Correctional Services - Diminution Credits - Inmate Serving Sentence for Rape of Minor or First- or Second-Degree Sexual Offense Against Minor.

SB0396 Sen Middleton. Maryland Estate Tax - Payment Deferral for Qualified Agricultural Property.

SB0397 Sen Pipkin, et al. Health Care Freedom Act of 2010. .

SB0398 Sen Raskin, et al. Courts - County Administrative Judge - Responsibilities.

SB0399 Sen Raskin, et al. Real Property - Abatement of Nuisance - Prostitution.

SB0400 Sen Pugh, et al. No Representation Without Population Act.

SB0401 Sen Pugh, et al. Maryland Automobile Insurance Fund - Acceptance of Premiums on Installment Basis.

SB0402 Sen Klausmeier, et al. Physicians - Professional Liability Insurance Coverage - Notification and Posting Requirements.

SB0403 Sen Pinsky, et al. Education - Maintenance of Effort - Penalty.

SB0404 Sen Stone, et al. Criminal Law - Death Penalty - Evidence.

SB0405 Sen Stone, et al. Criminal Procedure - Sexually Violent Offender in Need of Commitment.

SB0406 Sen Kramer, et al. Fairness in Taxation for Retirees Act.

SB0407 Sen King, et al. Maryland Open Government Act.

SB0408 Sen Peters, et al. Public Health - Disposition of Remains - Armed Forces Members.

SB0409 Sen Peters, et al. Property Tax - Annual Reassessment.

SB0410 Sen Peters, et al. Education - Public School Holidays - Veterans Day.

SB0411 Sen Middleton, et al. Defense of Dwelling or Place of Business - Civil Immunity.

SB0412 Sen Pugh, et al. Teacher Certification - Career Professionals.

SB0413 Sen Pugh, et al. Property Tax Credit - Replacement Home Purchased After Acquisition of Dwelling for Public Use.

SB0414 Sen Pugh, et al. Vehicle Laws - Equine Riding - Helmet Requirement for Minors.

SB0415 Sen Mooney, et al. State Government - Commemorative Month - Hispanic Heritage Month.

SB0416 Sens Lenett and Kittleman. Maryland Condominium Act and Maryland Homeowners Association Act - Proposed Budget - Notice.

SB0417 Sen Lenett, et al. Elective Franchise - Registration and Voting at Polling Places.

SB0418 Sen Lenett. Labor and Employment - Maryland Wage and Hour Law - Damages.

SB0419 Sen Lenett. Labor and Employment - Maryland Wage and Hour Law - Criminal Penalties.

SB0420 Sen Colburn, et al. Environment - Stormwater Management - New Development and Redevelopment Projects.

SB0421 Sen Colburn. Election Law - Delay in Replacement of Voting Systems.

SB0422 Sen Colburn. Dorchester County - Choptank River - Soft-Shell Clam Harvesting.

SB0423 Sen Colburn. Legislative Community Initiatives Loan of 2004 - Wicomico County - Wicomico County Library.

SB0424 Sen Colburn. Creation of a State Debt - Dorchester County - Blackwater National Wildlife Refuge.

SB0425 Sen Colburn. Creation of a State Debt - Dorchester County - Dorchester Center for the Arts Performance Hall.

SB0426 Sen Colburn. Creation of a State Debt - Dorchester County - Dorchester County Family YMCA.

SB0427 Sen Colburn. Creation of a State Debt - Talbot County - Family Support Center.

SB0428 Sen Stone, et al. Real Property Tax Assessments - Market Declines - Assessment Notices.

SB0429 Sens Kelley and Conway. Maryland Medical Assistance Program - Medical Eligibility for Nursing Facility Level of Care.

SB0430 Sen Kelley. Corporations and Associations - Low-Profit Limited Liability Companies.

COMMISSION ON JUDICIAL DISABILITIES

NOTICE OF PUBLIC CHARGES AND HEARING IN THE MATTER OF JUDGE ROBERT C. NALLEY

CJD 2009-087

The Commission on Judicial Disabilities, State of Maryland, will hold a hearing to consider charges brought against Judge Robert C. Nalley in the above-captioned case on April 28, 2010, beginning at 10 a.m. The place of the hearing is in Courtroom 1 of the Court of Special Appeals of Maryland, Robert C. Murphy Courts of Appeal Building, 361 Rowe Boulevard, Annapolis, Maryland. The hearing is open to the public.

The charges and the response by Judge Nalley are available for inspection at the Office of the Commission, 100 Community Place, Crownsville, Maryland 21032-2026.

For further information, contact Gary J. Kolb, Executive Secretary, (410) 514-7044.

[10-04-48]

ADMINISTRATIVE OFFICE OF THE COURTS

Notices

Subject: Notice of Funding Availability — Special Project Grants
Date: Issue Date: January 28, 2010/ Applications due March 15, 2010.
Add'l Info: The Maryland Judiciary receives state funding each year to enhance the courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for Special Project Grants. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs which increase access to justice and enhance the experience of families and children involved with Maryland's legal system. More information is available at www.courts.state.md.us/family/grantadmin.html.
Contact: Kelly Franks 410-260-1722

Subject: Notice of Funding Availability — TPR/Permanency Grants
Date: Issue Date: January 28, 2010/ Applications due March 15, 2010.

Add'l Info: The Maryland Judiciary receives state funding each year to enhance the circuit courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for Termination of Parental Rights (TPR)/ Permanency Special Projects Grants. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs and/or projects that facilitate the elimination of barriers to timely permanency and assist the courts in processing Child in Need of Assistance (CINA) and related Guardianship and Adoption cases. More information is available at www.courts.state.md.us/family/grantadmin.html.

Contact: Kelly Franks 410-260-1722

Subject: Notice of Funding Availability — CASA Grants

Date: Issue Date: January 28, 2010/ Applications due March 15, 2010.

Add'l Info: The Maryland Judiciary receives state funding each year to enhance the circuit courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for CASA Grants. The grants, designed to improve the management of family law cases and support a spectrum of services to families involved in the legal system are administered by the DFA. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs which enhance the experience of families and children involved with Maryland's legal system. More information is available at www.courts.state.md.us/family/grantadmin.html.

Contact: Kelly Franks 410-260-1722

[10-04-53]

Notices

Subject: Notice of Funding Availability —
Special Project Grants

Date: Issue Date: January 28, 2010
/Applications due March 15, 2010.

Add'l Info: The Maryland Judiciary receives state funding each year to enhance the courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for Special Project Grants. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs which increase access to justice and enhance the experience of families and children involved with Maryland's legal system. More information is available at www.courts.state.md.us/family/grantadmin.html.

Contact: Kelly Franks 410-260-1722

Subject: Notice of Funding Availability —
TPR/Permanency Grants

Date: Issue Date: January 28, 2010
/Applications due March 15, 2010.

Add'l Info: The Maryland Judiciary receives state funding each year to enhance the circuit courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for Termination of Parental Rights (TPR)/Permanency Special Projects Grants. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs and/or projects that facilitate the elimination of barriers to timely permanency and assist the courts in processing Child in Need of Assistance (CINA) and related Guardianship and Adoption cases. More information is available at www.courts.state.md.us/family/grantadmin.html.

Contact: Kelly Franks 410-260-1722

Subject: Notice of Funding Availability —
CASA Grants

Date: Issue Date: January 28, 2010
/Applications due March 15, 2010.

Add'l Info: The Maryland Judiciary receives state funding each year to enhance the circuit courts' ability to provide a fair and efficient forum for resolving domestic and juvenile matters. The Department of Family Administration (DFA) at the Administrative Office of the Courts (AOC) is requesting applications for CASA Grants. The grants, designed to improve the management of family law cases and support a spectrum of services to families involved in the legal system are administered by the DFA. Subject to the provision of funds for Fiscal Year 2011, grants will be awarded to applicable programs which enhance the experience of families and children involved with Maryland's legal system. More information is available at www.courts.state.md.us/family/grantadmin.html.

Contact: Kelly Franks 410-260-1722

[10-04-54]

COURT OF APPEALS OF MARYLAND

SCHEDULE

Thursday, March 4, 2010

Bar Admissions

AG 46 (2008 T.) Attorney Grievance Commission of Maryland v. Bruce Edward Goodman
No. 122 State of Maryland v. Terris Terrell Lockett
No. 70 RRC Northeast, LLC v. BAA Maryland, Inc.
No. 77 Anthony Jerome Miller v. State of Maryland
No. 80 Catalyst Health Solutions, Inc., f/k/a Healthextras, Inc. v. Martin A. Magill

Friday, March 5, 2010

No. 93 Kevin P. Clark v. Mayor Martin O'Malley
No. 94 Natasha Clark v. Mayor Martin O'Malley
No. 83 Chuckie Donaldson v. State of Maryland
No. 82 James E. Hill v. Motor Vehicle Administration
No. 88 David Grant v. State of Maryland

Monday, March 8, 2010

No. 86 Herbert Roosevelt Sidbury v. State of Maryland
No. 95 State of Maryland v. Caleb Micha Pair
No. 84 Nick Nefedro v. Montgomery County, Maryland, et al.
No. 89 Motor Vehicle Administration v. Leonard Jaigobin

Tuesday, March 9, 2010:

No. 91 Abdel Khader Diallo v. State of Maryland
 No. 81 Jose Henriquez v. Ana Henriquez
 No. 97 Antonio Levar Brown v. State of Maryland
 No. 98 Mario Rodriguz Gutierrez v. State of Maryland

On the day of argument, counsel are instructed to register in the Clerk's Office not later than 9:30 a.m. unless otherwise notified.

After March 9, 2010, the Court will recess until April 1, 2010.

BESSIE M. DECKER
 Clerk

[10-04-43]

COURT OF SPECIAL APPEALS

Schedule for March 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 15, 2010

Monday, March 1, 2010Courtroom No. 1

No. 01684/08 Long Ho vs. John Huynh
 No. 00014/09 Violet Lemmons et al. vs. Board of Education of Howard County
 No. 02290/08 Polly Keyes et ux. vs. Sheldon H. Lerman et al.
 No. 00857/08 Maurice Bryant Mills vs. State of Maryland
 No. 00039/09 David Von Vistauxx vs. Katherine M. Schwering, Trustee
 No. 00913/09 LP Lexington Park, LLC d/b/a Chesapeake Shores, et al. vs. St. Mary's Nursing Home, LLC d/b/a Point Lookout Nursing Center, et al.

Courtroom No. 2

No. 00301/09 John E. Broderick et al. vs. Chesapeake Outdoors, LLC
 No. 00045/09 Richard H. Fischer et al. vs. Washington Gas Light Company
 No. 02176/08 Montez Abdel Franklin vs. State of Maryland
 No. 00109/09 Maceo L. Neal vs. Criminal Injuries Compensation Board
 No. 01587/09* Derek T. Stevens vs. Yoko Tokuda Stevens
 No. 01603/09 Mark Cawood et al. vs. Potomac Electric Power Company et al.

*8-207(a)

Tuesday, March 2, 2010Courtroom No. 1

No. 01986/08 Peggy Lilly vs. Joseph Buonassissi et al.
 No. 02121/08 Sure Ventures, LLC vs. K Bank
 No. 00331/09 Curtis Levi Alexander, Jr. vs. State of Maryland
 No. 02624/08 Christopher M. Fry vs. Fire and Police Employees' Retirement System of the City of Baltimore

No. 02531/08 Jamie Matthew Hoffman vs. State of Maryland
 No. 00742/09 George John Bereska, Jr. vs. State of Maryland

Courtroom No. 2

No. 02858/08 Judy Schuur vs. Department of Public Safety and Correctional Services
 No. 02859/08 Ruby Minor vs. Department of Public Safety and Correctional Services
 No. 01533/09* In Re: Shirley B., Jordan B., Davon B. and Cedric B.
 No. 02543/08 Michael Anthony Andrews vs. State of Maryland
 No. 02837/08 Bradley Acker vs. Witters & Bank, Inc.
 *8-207(a)

Wednesday, March 3, 2010Courtroom No. 1

No. 02628/08 Tiffany Chabot vs. Pamela A. Wright et al.
 No. 00063/09 Byron Anthony et al. vs. Atlantic General Hospital, Inc. et al.
 No. 00038/09 Melvin Traband et ux. vs. William A. Thomason, Jr. et al.
 No. 02733/08 Brandon Michael Grimes vs. State of Maryland
 No. 00798/09 Christopher Michael Mansfield vs. State of Maryland
 No. 00016/09 Henry L. Vinyard vs. City of Salisbury, Maryland

Courtroom No. 2

No. 02835/08 Karen V. Wilson vs. Edward Cohn et al.
 No. 01581/09* Ira Ungar vs. Carolyn Fanaroff
 No. 01836/08 State of Maryland vs. Terrell Fowlkes vs. Olivio F. Lopes et al. vs. Abilio O. Rebelo et ux.
 No. 00066/09 William T. Clipper et al. vs. Sheetz, Inc. et al.
 No. 02395/08 Gerwin Ronald Morsell vs. State of Maryland
 *8-207(a)

Thursday, March 4, 2010Courtroom No. 1

No. 02591/08 Seminary Galleria, LLC vs. Dulaney Valley Improvement Ass'n, Inc. vs.
 No. 01422/09* Alice Nelson vs. Kim Taylor
 No. 02183/08 Ronald Jerome White vs. State of Maryland
 No. 02970/08 Phillip Sisler vs. County Council of Wicomico County et al.
 No. 00042/09 Eliana Mann et al. vs. Merit System Protection Board of Montgomery County
 *8-207(a)

Courtroom No. 2

No. 00048/09 Janay Barksdale vs. Leon Wilkowsky et al.
 No. 02391/08 Kyle Von Stearns vs. Dorsey Evans et al.
 No. 01819/08 State of Maryland vs. Mark Denisjuk vs. vs.
 No. 02866/08 David Garafola vs. Ann Kathleen Garafola
 No. 01246/09 Alyssa W. Chang vs. Theodosios Mantzouratos

Friday, March 5, 2010Courtroom No. 1

- No. 02834/08 SD Protection, Inc. vs. Victor Watson et al.
 No. 02597/08 Kimberly Dawn Mitchell et al. vs. Christina Olson
 No. 02389/08 David Millea Shanklin vs. State of Maryland
 No. 02402/08 Tonya Michelle Newcomb vs. State of Maryland
 No. 02360/08 Gregory Nelson vs. State of Maryland
 No. 02437/08 Maricom Systems, Inc. et al. vs. Francisco Valdivieso

Courtroom No. 2

- No. 00047/09 Keith Lee vs. Andrea D. Valentin
 No. 00051/09 David A. Bramble, Inc. et al. vs. Department of General Services et al.
 No. 02215/08 Gregory Johnson vs. State of Maryland
 No. 02211/08 David Nuyen et al. vs. Paige Rothfeld et al.
 No. 02009/09** State of Maryland vs. Katelynn Michelle Gallagher

**120 DAY RULE

Monday, March 8, 2010Courtroom No. 1

- No. 00019/09 Robert Cochran et ux. vs. Griffith Energy Services, Inc. t/a Ewing Oil
 No. 00061/09 Pulte Home Corporation vs. DASC, LLC.
 No. 02576/08 Anthony Eugene Palmisano vs. State of Maryland
 No. 00089/09 William Preston Tracey vs. Anita Louise Tracey
 No. 02999/08 William Henry Savage, III vs. Julie A. Savage
 No. 01186/08 Eric Michael Cox vs. State of Maryland

Courtroom No. 2

- No. 00054/09 Stephen P. Norman vs. Scott C. Borison et al.
 No. 02443/08 Daniel R. Koch vs. Clayton M. Miller t/a Rock Ridge Forge
 No. 00155/09 Shane Renaldo Green vs. State of Maryland
 No. 02826/08 Terrell Darnell Walton vs. State of Maryland
 No. 00032/09 Janet Bradley vs. James Edward Bradley, Jr.

Tuesday, March 9, 2010Courtroom No. 1

- No. 02669/08 T-N-T Drywall & Construction, LLC vs. Ralo, Inc., et al.
 No. 01815/09* In Re: Adoption/Guardianship of Makayla J.
 No. 02410/08 Ernestina Ramos-Gutierrez vs. State of Maryland
 No. 00073/09 Melki Peguero Batista vs. Evita James
 No. 02772/08 Charles Bowman vs. State of Maryland
 No. 02492/08 William Lawrence Whitson vs. State of Maryland

*8-207(a)

Courtroom No. 2

- No. 02585/08 Michael William Mears vs. Tim Hankins et al.
 No. 02838/08 Nicholas A. Piscatelli vs. Van Smith et al.
 No. 02771/08 Sanford Kreisler et al. vs. Urbania Development, LLC
 No. 02595/08 3500 Old Court, LLC vs. The Dumbarton Development Co., Inc.
 No. 02737/08 Brandon Snead a/k/a Brandon Saunders vs. State of Maryland
 No. 02357/08 Jermaine Harris vs. State of Maryland

Wednesday, March 10, 2010Courtroom No. 1

- No. 01976/08 Mitchell Cyril Gibellino vs. State of Maryland
 No. 02836/08 Diane M. Hubbel vs. Fire and Police Employees' Retirement System of the City of Baltimore
 No. 01177/08 Darryl K. Harrod vs. State of Maryland
 No. 01445/08 Phillip Cranston Sutton vs. State of Maryland
 No. 00021/09 Deepa Khushlani vs. Niaga Dohnji et al.
 No. 02796/08 John L. Boland et al. vs. Sean F.X. Boland et al.

Thursday, March 11, 2010

All cases submitted on brief

Courtroom No. 1

- No. 01376/09* In Re: Damien F., Jr. and Terrell F.
 No. 00069/09 Ali El Ghannam vs. Suburban Hospital Inc. et al.
 No. 00388/09 John Harold Martin vs. State of Maryland
 No. 02181/08 Jamol Anton Lewis a/k/a Jamal Anton Lewis vs. State of Maryland
 No. 02233/08 Antawn Hill a/k/a Antawn Brooks a/k/a Antwan Brooks a/k/a Antwan Wheeler vs. State of Maryland
 No. 02235/08 Jaydee McNeil vs. State of Maryland
 No. 02320/08 Michael Anthony McCoy vs. State of Maryland
 No. 02353/08 James E. Gilmore vs. State of Maryland
 No. 02355/08 Antonio Brown a/k/a Antonio Wyte vs. State of Maryland
 No. 02378/08 James Garrison Sumpter vs. State of Maryland

*8-207(a)

Courtroom No. 2

- No. 01793/09* David Michael Carlin vs. Theresa Mary Leahy-Carlin
 No. 02698/08 Orville A. Reagle vs. Carman Ford, Inc.
 No. 00023/08 Joseph Ronald Awkward vs. State of Maryland
 No. 01010/09 James Vernon Dillard vs. State of Maryland
 No. 00463/08 Rasul Malik Brown vs. State of Maryland
 No. 00901/08 Lamont Anthony Johnson vs. State of Maryland
 No. 01348/08 Tyrone Craig Williams vs. State of Maryland
 No. 01427/08 Adam Isaih Neal vs. State of Maryland
 No. 01451/08 William McFadden vs. State of Maryland
 No. 01603/08 Dorothy Dianne Armstrong vs. State of Maryland

*8-207(a)

Friday, March 12, 2010

All cases submitted on brief
Courtroom No. 1

- No. 01922/09* In Re: Adrianna O.
No. 00080/09 Angeliki Papadimitriou vs. John Papadimitriou
No. 01484/08 Michael Hayes a/k/a Michael Evans vs. State of Maryland
No. 02408/08 Manuel Rodriguez vs. State of Maryland
No. 02474/08 Dewaun Monique Dudley vs. State of Maryland
No. 02476/08 Antonio Fitzgerald Edlin vs. State of Maryland
No. 02539/08 Akintunde Stephen Bamiduro vs. State of Maryland

*8-207(a)

Courtroom No. 2

- No. 01558/09* Ernest B. Freeman vs. Anise L. Cary
No. 01358/09* In Re: Travis S., Jasmynn S. and Jonah W.
No. 00006/09 Daniel Hubert Ross vs. Chandrima Chakrabarti et al.
No. 01669/08 Isaac Livingston vs. State of Maryland
No. 01734/08 Edwin Nathaniel Holmes vs. State of Maryland
No. 01895/08 Mark Alan Luria vs. State of Maryland
No. 01897/08 Abraham Urquilla Rauda vs. State of Maryland
No. 01898/08 Carroll Kevin Gaylord vs. State of Maryland
No. 01948/08 Barry Wallace Washington vs. State of Maryland
No. 02002/08 Grady David Cherry vs. State of Maryland
No. 02005/08 Kevin Darnell Spriggs vs. State of Maryland

*8-207(a)

Monday, March 15, 2010

All cases submitted on brief
Courtroom No. 1

- No. 02545/08 Charles Timothy Irwin Robinson vs. State of Maryland
No. 00466/09 James Edward Simms vs. State of Maryland
No. 00616/09 Timothy E. Hatchett vs. State of Maryland
No. 02639/08 James Allen Yost vs. State of Maryland
No. 02723/08 Earl Francis Anthony, Sr. vs. State of Maryland
No. 02768/08 Wayne Moore a/k/a Wayne Morris vs. State of Maryland
No. 02906/08 In Re: Jenise H.
No. 00717/09 Tony X. Phillips-Montalvan vs. State of Maryland
No. 00845/09 Kevin Wayne Carroll vs. State of Maryland

Courtroom No. 2

- No. 01636/09* In Re: Samuel P.
No. 00025/09 Scott M. Baldwin vs. Anne Arundel County Department of Social Services
No. 00034/09 Michael William Babula vs. Anastasia Meropi Lambrou
No. 00672/09 Azaniah Blankumsee vs. State of Maryland

- No. 02045/08 Timothy Scott Spence vs. State of Maryland
No. 02079/08 Wayne Morris vs. State of Maryland
No. 02142/08 Cordell Derell Walker vs. State of Maryland
No. 02143/08 Christopher Eugene Marshall vs. State of Maryland
No. 02150/08 Sylvester Jerome Weaver vs. State of Maryland
No. 02174/08 Demetrius Dominic Taylor a/k/a Demetrius Taylor vs. State of Maryland

*8-207(a)

On the day of argument, counsel are instructed to register in the Office of the Clerk **not later than 9 a.m.** The Court is located at 361 Rowe Boulevard, in the Robert C. Murphy Courts of Appeals Building. After March 15, 2010, the Court will recess until April, 2010.

LESLIE D. GRADET
Clerk

ADMINISTRATIVE ORDER

Pursuant to Maryland Rule 8-522(a), I hereby direct that oral argument in the month of March be limited to 20 minutes per side, subject to the discretion of the hearing panel to allow additional argument, not exceeding a total of 30 minutes per side.

This directive applies only to cases scheduled in March, 2010.

Chief Judge's signature appears
on original Administrative Order

Dated: January 25, 2010

[10-04-42]

Emergency Action On Regulations

Symbol Key

- Roman type indicates text existing before emergency status was granted.
- *Italic type* indicates new text.
- [Single brackets] indicate deleted text.

Emergency Regulations

Under State Government Article, §10-111(b), Annotated Code of Maryland, an agency may petition the Joint Committee on Administrative, Executive, and Legislative Review (AELR), asking that the usual procedures for adopting regulations be set aside because emergency conditions exist. If the Committee approves the request, the regulations are given emergency status. Emergency status means that the regulations become effective immediately, or at a later time specified by the Committee. After the Committee has granted emergency status, the regulations are published in the next available issue of the Maryland Register. The approval of emergency status may be subject to one or more conditions, including a time limit. During the time the emergency status is in effect, the agency may adopt the regulations through the usual promulgation process. If the agency chooses not to adopt the regulations, the emergency status expires when the time limit on the emergency regulations ends. When emergency status expires, the text of the regulations reverts to its original language.

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 09 MARYLAND CO₂ BUDGET TRADING PROGRAM

Notice of Emergency Action

[10-024-E-I]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to:

(1) Regulations **.02**, **.03**, and **.05** under **COMAR 26.09.01 General Administrative Provisions**;

(2) Regulations **.05** under **COMAR 26.09.02 Applicability, Determining Compliance, and Allowance Distribution**;

(3) Regulations **.04**, **.06**, and **.07** under **COMAR 26.09.03 Offset Projects**; and

(4) Regulations **.03**, **.08**, and **.09** under **COMAR 26.09.04 Auctions**.

Emergency status began: December 28, 2009.

Emergency status expires: June 24, 2010.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 37:2 Md. R. 104 — 108 (January 15, 2010), referenced as [10-024-P-I].

SHARI T. WILSON
Secretary of the Environment

Subtitle 11 AIR QUALITY

Notice of Emergency Action

[10-053-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to:

(1) The repeal of Regulations **.01 — .15** and new Regulations **.01 — .05** under **COMAR 26.11.29 NO_x Reduction Requirements for Non-Electric Generating Units Under the Clean Air Interstate Rule**; and

(2) The repeal of Regulations **.01 — .09** under **COMAR 26.11.30 Policies and Procedures Relating to Maryland's NO_x Reduction and Trading Program**.

Emergency status began: January 1, 2010.

Emergency status expires: June 29, 2010.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 37:3 Md. R. 275 — 277 (January 29, 2010), referenced as [10-053-P].

SHARI T. WILSON
Secretary of the Environment

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 05 ASSETS, LIABILITIES, RESERVES, AND INVESTMENTS OF INSURERS 31.05.03 Valuation of Life Insurance Policies

Authority: Insurance Article, §2-109, Title 5, Subtitle 3, and §16-309,
Annotated Code of Maryland

Notice of Emergency Action

[10-091-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to Regulations **.06**, **.10**, and **.15** under **COMAR 31.05.03 Valuation of Life Insurance Policies**.

Emergency status began: January 25, 2010.

Emergency status expires: June 21, 2010.

Editor's Note: The text of this document will not be printed here because it appears as a Notice of Proposed Action on page(s) 369 — 371 of this issue, referenced as [10-091-P].

ELIZABETH SAMMIS
Acting Insurance Commissioner

**Subtitle 12 HEALTH MAINTENANCE
ORGANIZATIONS; ENTITIES THAT ACT AS
HEALTH INSURERS**

**31.12.08 *Payments to Nonparticipating Pro-
viders***

*Authority: Health-General Article, §19-710.1,
Annotated Code of Maryland*

Notice of Emergency Action

[09-419-E]

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to new Regulations **.01 — .06** under new chapter, **COMAR 31.12.08 Payments to Nonparticipating Providers**.
Emergency status began: January 1, 2010.
Emergency status expires: May 28, 2010.

Editor's Note: The text of this document will not be printed here because it appeared as a Notice of Proposed Action in 36:26 Md. R. 2081 — 2083 (December 18, 2009), referenced as [09-419-P].

ELIZABETH SAMMIS
Acting Insurance Commissioner

Final Action On Regulations

Symbol Key

- Roman type indicates text already existing at the time of the proposed action.
- *Italic type* indicates new text added at the time of proposed action.
- *Single underline, italic* indicates new text added at the time of final action.
- Single underline, roman indicates existing text added at the time of final action.
- ~~[[Double brackets]]~~ indicate text deleted at the time of final action.

Title 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.01 Child Support Enforcement — Definitions

Authority: Family Law Article, §§10-114 and 12-102,
Annotated Code of Maryland;

Agency Note: *Federal Regulatory Reference — 42 U.S.C §652(f)*

Notice of Final Action

[09-384-F]

On January 26, 2010, the Secretary of Human Resources adopted amendments to Regulation .02 under **COMAR 07.07.01 Child Support Enforcement — Definitions**.

This action, which was proposed for adoption in 36:25 Md. R. 1958 (December 4, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: February 22, 2010.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

Regulation .02B(1): Adding the word primary specifies the child's exact location to receive health insurance coverage that is the lesser of 30 miles or 30 minutes from the child's original residence.

.02 Definitions.

- (text unchanged)
- Terms Defined.

(1) "*Accessible*" means health insurance coverage that insures primary care services located within the lesser of 30 miles or 30 minutes from the child's primary residence.

(1-1) — (38) (proposed text unchanged)

BRENDA DONALD
Secretary of Human Resources

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.10 Lottery Intercept Program

Authority: Family Law Article, §§10-113.1 and 10-114,
Annotated Code of Maryland

Notice of Final Action

[09-337-F]

On December 30, 2009, the Secretary of Human Resources adopted amendments to Regulation .04 under **COMAR 07.07.10 Lottery Intercept Program**. This action, which was proposed for adoption in 36:22 Md. R. 1730 (October 23, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

BRENDA DONALD
Secretary of Human Resources

Title 08 DEPARTMENT OF NATURAL RESOURCES

Subtitle 02 FISHERIES SERVICE

Notice of Final Action

[09-413-F]

On February 2, 2010, the Secretary of Natural Resources adopted:

- Amendments to Regulation .16 under **COMAR 08.02.04 Oysters**;
- Amendments to Regulations .02, .12, and .21 under **COMAR 08.02.05 Fish**;
- Amendments to Regulation .01 under **COMAR 08.02.06 Terrapin and Snapping Turtles**;
- Amendments to Regulation .01 under **COMAR 08.02.10 Horseshoe Crabs**;
- New Regulation .06 under **COMAR 08.02.13 Fishing License — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure**;
- Amendments to Regulation .06 under **COMAR 08.02.18 Fishing Guide Provisions**; and
- Amendments to Regulation .03 under **COMAR 08.02.21 Yellow Perch**.

This action, which was proposed for adoption in 36:26 Md. R. 2003 — 2006 (December 18, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: February 22, 2010.

Attorney General’s Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

COMAR 08.02.04.16E: The word “and” is deleted for stylistic purposes.

COMAR 08.02.05.21D: Subsections are being recodified to reflect changes proposed in Proposed Action 09-333-P, which was published in 36:21 Md. R. 1596 (October 9, 2009), and adopted in Final Action 09-333-F, which was published in 36:25 Md. R. 1953 (December 4, 2009).

COMAR 08.02.10.01F: The word “landing” is added for clarification.

COMAR 08.02.13.06B: The term “person” is changed to the term “licensee” to be consistent throughout.

COMAR 08.02.13.06C(1): By grouping the different oyster and crab licenses in separate rows, the regulation could potentially be read to require more crab and oyster reporting than was intended by the Department. Oyster and crab licenses are now described in one row each for clarification. The description of the Department’s crab licenses in proposed has also been reworded for clarification.

All the changes described above are stylistic or for clarification.

08.02.04 Oysters

Authority: Natural Resources Article, §§4-206 and 4-701, Annotated Code of Maryland

.16 Recording the Catching and Disposal of Oysters.

A. — D. (proposed text unchanged)

E. *Oyster Harvester Reporting.*

(1) *Any person licensed to catch oysters for commercial purposes ~~[[and]]~~ who has paid the oyster surcharge shall submit an accurate Maryland monthly oyster report in accordance with COMAR 08.02.13.06.*

(2) (proposed text unchanged)

08.02.05 Fish

Authority: Natural Resources Article, §§4-206 and 4-701, Annotated Code of Maryland

.21 Black Sea Bass.

A. — C. (proposed text unchanged)

D. Licenses and Permits.

(1) — ~~[[5]]~~ (4) (proposed text unchanged)

~~[[6]]~~ (5) (proposed text unchanged)

~~[[6-1]]~~ (5-1) (proposed text unchanged)

~~[[7]]~~ (6) — ~~[[15]]~~ (14) (proposed text unchanged)

E. (proposed text unchanged)

08.02.10 Horseshoe Crabs

Authority: Natural Resources Article, §§4-206 and 4-701, Annotated Code of Maryland

.01 Horseshoe Crabs

A. — E. (proposed text unchanged)

F. General.

(1) (proposed text unchanged)

(2) *The Department may deny an application for a horseshoe crab landing permit to a person who has failed to comply with the horseshoe crab landing permit reporting requirements.*

(3) — (6) (proposed text unchanged)

08.02.13 Fishing License — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure

Authority: Natural Resources Article, §§4-206 and 4-701, Annotated Code of Maryland

.06 Commercial Fishing Records

A. (proposed text unchanged)

B. *During any season a ~~[[person]]~~ licensee is authorized to fish commercially ~~[[that person]]~~ the licensee shall:*

(1) — (2) (proposed text unchanged)

C. *Reports*

(1) *During the appropriate open seasons, the following reports shall be submitted to the Department monthly:*

<i>License Type</i>	<i>Required Report</i>
<i>Finfish — Hook and Line</i>	<i>Daily Commercial Fisheries Catch Log</i>
<i>Finfish Harvester — All Gear</i>	<i>Daily Commercial Fisheries Catch Log</i>
<i>Unlimited Tidal Fish License</i>	<i>Daily Commercial Fisheries Catch Log</i>
	<i>Daily Record of Commercial Crabbing</i>
	<i>Maryland Monthly Oyster Report</i>
	<i>Commercial Charter Boat Captains Daily Log</i>
	<i>Daily Record of Commercial Crabbing</i>
<i>Limited Crab Catcher, Crab Harvester, or Additional Crab Pot Authorizations</i>	<i>[[Daily Record of Commercial Crabbing]]</i>
<i>[[Single Additional pot Authorization — Up to 600 Pots]]</i>	<i>[[Daily Record of Commercial Crabbing]]</i>
<i>[[Single Additional pot Authorization — Up to 900 Pots]]</i>	<i>[[Daily Record of Commercial Crabbing]]</i>
<i>Oyster Harvester or Oyster Dredge Boat</i>	<i>Maryland Monthly Oyster Report</i>
<i>[[Oyster Dredge Boat]]</i>	<i>[[Maryland Monthly Oyster Report]]</i>
<i>Conch, Turtles, and Lobster</i>	<i>Daily Commercial Fisheries Catch Log</i>
<i>Resident Fishing Guide</i>	<i>Commercial Charter Boat Captains Daily Log</i>
<i>Nonresident Fishing Guide</i>	<i>Commercial Charter Boat Captains Daily Log</i>
<i>Master Fishing Guide</i>	<i>Commercial Charter Boat Captains Daily Catch Log</i>

(2) (proposed text unchanged)

D. — K. (proposed text unchanged)

JOHN R. GRIFFIN
Secretary of Natural Resources

Subtitle 02 FISHERIES SERVICE

08.02.13 Fishing License — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure

Authority: Natural Resources Article, §4-701; State Government Article, §10-206; Annotated Code of Maryland

Notice of Final Action
[09-412-F]

On February 2, 2010, the Secretary of Natural Resources adopted amendments to and the recodification of Regulations .02 and .03 to be Regulations .03 and .02, respectively, and the repeal of Regulation .04 under **COMAR 08.02.13 Fishing License — Point Assignment, License Revocation and Suspension Schedule and Criteria, and Hearing Procedure**. This action, which was proposed for adoption in 36:26 Md. R. 2006 — 2012 (December 18, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: February 22, 2010.

Attorney General’s Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

Regulation .02: The term “penalized” is substituted for the term “suspended”.

Regulation .03: The word “striped” is substituted for the word “stripped”.

Both changes are for clarification.

.02 Commercial License Suspension and Revocation.

A. — C. (proposed text unchanged)

D. License Suspension and Revocation.

(1) — (2) (proposed text unchanged)

(3) *A licensee who in any 2-year period accumulates the number of points provided below shall be ~~[[suspended]]~~ penalized in accordance with the following schedule:*

Table (proposed text unchanged)

(4) — (6) (proposed text unchanged)

E. — F. (proposed text unchanged)

.03 Point Assignment Schedule.

A. — D. (proposed text unchanged)

E. *Tier I. The following violations are Tier I violations. A licensee who receives a single conviction for a Tier I violation receives 5 points, but no immediate suspension.*

#	Statute or Regulation	Type	Description
1 — 55	(proposed text unchanged)		
56	COMAR 08.02.15.05A(3)(b), 4-2A-03, 4-215	Species — Protected	Violating Requirements Pertaining to Tagging [[Stripped]] Striped Bass: 5-10 fish

#	Statute or Regulation	Type	Description
57 — 64	(proposed text unchanged)		
F. — G.	(proposed text unchanged)		

JOHN R. GRIFFIN
Secretary of Natural Resources

**Title 09
DEPARTMENT OF
LABOR, LICENSING, AND
REGULATION**

**Subtitle 12 DIVISION OF LABOR AND
INDUSTRY**

09.12.40 Workplace Fraud

Authority: Labor and Employment Article, §§3-903(d), 3-904, 3-914, and 3-917, Annotated Code of Maryland

Notice of Final Action
[09-424-F]

On February 2, 2010, the Commissioner of Labor and Industry adopted new Regulations .05 and .06 under **COMAR 09.12.40 Workplace Fraud**. This action, which was proposed for adoption in 36:26 Md. R. 2021 — 2022 (December 18, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

J. RONALD DEJULIIS
Commissioner of Labor and Industry

**Title 10
DEPARTMENT OF
HEALTH AND MENTAL HYGIENE**

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.07 Medical Day Care Services

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-111, Annotated Code of Maryland

Notice of Final Action
[09-392-F]

On February 2, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .04 and .08 under **COMAR 10.09.07 Medical Day Care Services**. This action, which was proposed for adoption in 36:25 Md. R. 1962 (December 4, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 10 LABORATORIES**10.10.03 Medical Laboratories — Licenses**

Authority: Health-General Article, §17-205,
Annotated Code of Maryland

Notice of Final Action

[09-364-F]

On January 25, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .02 under **COMAR 10.10.03 Medical Laboratories — Licenses**. This action, which was proposed for adoption in 36:23 Md. R. 1829-1830 (November 6, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 15 FOOD**10.15.03 Food Service Facilities**

Authority: Health-General Article, §§18-102, 21-101, 21-102, 21-211,
21-234, and 21-304; Agriculture Article, §4-311;
Annotated Code of Maryland

Notice of Final Action

[09-385-F]

On February 2, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .02, .04, .06 — .10, .12, .14 — .19, .21 — .23, .25 — .28, .30, and .33 under **COMAR 10.15.03 Food Service Facilities**. This action, which was proposed for adoption in 36:26 Md. R. 2040 — 2046 (December 18, 2009), has been adopted as proposed.

Effective Date: March 19, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 15 FOOD**10.15.06 Production, Processing, Transportation, Storage, and Distribution of Grade A Milk**

Authority: Health-General Article, §§2-104, 2-105, 21-207, 21-208, 21-210,
21-211, 21-406, and 21-428,
Annotated Code of Maryland

Notice of Final Action

[09-398-F-I]

On February 3, 2010, the Secretary of Health and Mental Hygiene adopted the repeal of existing Regulations .01 — .11 and new Regulations .01 — .19 under **COMAR 10.15.06 Production, Processing, Transportation, Storage, and Distribution of Grade A Milk**. This action, which was proposed for adoption in 36:26 Md. R. 2046 — 2052 (December 18, 2009), has been adopted as proposed.

Effective Date: March 19, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Subtitle 32 BOARD OF PHYSICIANS**10.32.01 General Licensure Regulations**

Authority: Health Occupations Article, §14-307,
Annotated Code of Maryland

Notice of Final Action

[09-389-F]

On January 26, 2010, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.32.01 General Licensure Regulations**. This action, which was proposed for adoption in 36:25 Md. R. 1964 — 1965 (December 4, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Title 13A**STATE BOARD OF EDUCATION****Subtitle 04 SPECIFIC SUBJECTS****13A.04.11 *Programs in World Languages* [[Instruction]]**

Authority: Education Article, §§2-205(h) and 4-111,
Annotated Code of Maryland

Notice of Final Action

[09-367-F]

On January 26, 2010, the Maryland State Board of Education adopted new Regulations .01 and .02 under a new chapter, **COMAR 13A.04.11 Programs in World Languages**. This action, which was proposed for adoption in 36:24 Md. R. 1891 — 1892 (November 20, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

NANCY S. GRASMICK
State Superintendent of Schools

**Title 25
OFFICE OF THE
STATE TREASURER****Subtitle 02 STATE INSURANCE PROGRAMS
25.02.07 *Procurements of Insurance Broker Services and Commercial Insurance Policies***

Authority: State Finance and Procurement Article, §§9-102 — 9-105 and
12-107, Annotated Code of Maryland

Notice of Final Action

[09-423-F]

On February 3, 2010, the Maryland State Treasurer's Office adopted Regulations .01 — .04 under a new chapter, **COMAR 25.02.07 Procurements of Insurance Broker Services and Commercial Insurance Policies**. This ac-

tion, which was proposed for adoption in 36:26 Md. R. 2056 — 2057 (December 18, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: February 22, 2010.

Attorney General's Certification

In accordance with State Government Article, §10-113, Annotated Code of Maryland, the Attorney General certifies that the following changes do not differ substantively from the proposed text. The nature of the changes and the basis for this conclusion are as follows:

Regulations .01 — .04: The changes reorganize and clarify the regulations.

.01 General.

A. [[Subject to the authority of the Board of Public Works,]] Pursuant to State Finance and Procurement Article, Title 9, Annotated Code of Maryland, and subject to the authority of the Board of Public Works under State Finance and Procurement Article, §12-107, Annotated Code of Maryland, the State Treasurer [[shall]] is authorized to engage in and control the procurement of insurance and insurance services [[as provided in the State Finance and Procurement Article, Annotated Code of Maryland]].

B. The procurement of insurance [[broker]] and insurance services described in this chapter shall be conducted in compliance with State Finance and Procurement Article, [[Division II,]] Title 9, Annotated Code of Maryland, State Finance and Procurement Article, Division II, Annotated Code of Maryland, and the State procurement regulations in [[and]] COMAR Title 21.

.02 Insurance Broker Services and Commercial Insurance [[and Insurance Services]] Coverage.

A. The State Treasurer may procure insurance broker services and insurance [[services]] coverage from:

[[A.]] (1) Insurance brokers licensed in the State of Maryland under Insurance Article, [[§§4-205 and 10-103,]] Title 10, Annotated Code of Maryland;

[[B.]] (2) Direct writing insurance companies authorized to do business in the State of Maryland under Insurance Article, Title 4, Annotated Code of Maryland; or

[[C.]] (3) [[]] Any other insurance-related program, plan, or provider that is authorized or permitted to do business in the State.

B. The State Treasurer may procure commercial insurance coverage as required by federal law, State law, contract, or agreement or as needed to protect against any loss, damage or liability that the State Treasurer, in the State Treasurer's sole discretion, considers appropriate to the interests of the State of Maryland.

C. When the State Treasurer has determined to procure commercial insurance coverage and insurance broker services through insurance brokers, the State Treasurer shall competitively procure such insurance broker services in accordance with State Finance and Procurement Article, Division II, Annotated Code of Maryland, and COMAR Title 21 for the types of coverage and services specified in the solicitation.

D. The State Treasurer shall select the insurance brokers that it considers most advantageous to the State.

.03 [[Publication of Solicitations and Contract Awards]] Procurement of Commercial Insurance Coverage Through Insurance Brokers.

[[A. All solicitations and awards by the State Treasurer for insurance and insurance services shall be published in accordance with the provisions of State Finance and Pro-

urement Article, Division II, Annotated Code of Maryland, and COMAR Title 21 and shall also be published on the State Treasurer's website.]]

A. Quotes for Insurance Broker Services.

(1) Following the award of a contract for insurance broker services, at the direction of the State Treasurer, the insurance broker shall request competitive quotes from insurance companies for the types and amounts of insurance coverage and services requested by the State Treasurer.

[[B. The publication on the State Treasurer's website of contract awards to insurance brokers shall also invite insurance companies to contact the insurance brokers directly to provide quotes for insurance coverage.]]

(2) The insurance broker shall provide at least two competitive quotes for all requested commercial insurance coverage unless the insurance broker is unable to provide multiple quotes or, due to the nature of the coverage, market conditions, or otherwise, does not recommend obtaining multiple quotes.

(3) If the insurance broker is unable to provide multiple quotes, the insurance broker shall provide to the State Treasurer documentation listing the insurance companies that decline to quote on coverage and explaining their decision not to quote on coverage. The State Treasurer shall review the documentation and direct the insurance broker how to proceed.

(4) If the insurance broker does not recommend providing multiple quotes, the insurance broker shall provide to the State Treasurer written justification and a recommended course of action. The State Treasurer shall review the written justification and recommendation and direct the insurance broker how to proceed.

[[C. Information regarding insurance policies and premiums obtained by the Maryland State Treasurer's Office through insurance brokers shall be published on its website.]]

B. The State Treasurer shall select the insurance coverage that it considers most advantageous to the State.

.04 [[Procurement by Insurance Broker of Commercial Insurance Policies]] Publication of Solicitations and Contract Awards.

A. [[When the Maryland State Treasurer's Office awards a contract for insurance or insurance services to an insurance broker, following contract award, the insurance broker shall provide quotes and recommendations on commercial insurance policies.]] As required by the provisions of State Finance and Procurement Article, Division II, Annotated Code of Maryland, and COMAR Title 21, specified solicitations and awards by the State Treasurer for the procurement of insurance broker services shall be published on eMaryland Marketplace. Such solicitations and awards shall also be published on the State Treasurer's website at www.treasurer.state.md.us.

B. [[The insurance broker shall provide at least two quotes for all commercial insurance policies unless the insurance broker is unable to provide multiple quotes or does not recommend providing multiple quotes.]] The publication on the State Treasurer's website of contract awards to insurance brokers shall invite insurance companies to contact the insurance brokers directly to provide quotes for insurance coverage.

C. [[If the insurance broker is unable to provide multiple quotes, the insurance broker shall submit to the Maryland State Treasurer's Office a letter of explanation that includes documentation from any insurance company that declines to quote on coverage. The Maryland State Treasurer's Office

shall review the letter of explanation and direct the insurance broker how to proceed.]] Information regarding commercial insurance policies obtained by the State Treasurer, including the types of coverage obtained and the premiums paid, shall be published on the State Treasurer's website and reported in accordance with COMAR 21.02.01.05C.

[[D. If the insurance broker does not recommend providing multiple quotes, the insurance broker shall submit to the Maryland State Treasurer's Office a letter of explanation. The Maryland State Treasurer's Office shall review the letter and direct the insurance broker how to proceed.]]

[[E. The Maryland State Treasurer's Office shall decide whether to accept or deny the insurance broker's coverage recommendations.]]

[[F. The Maryland State Treasurer's Office shall select the insurance policy, coverage, or service that it considers most advantageous to the State.]]

NANCY K. KOPP
State Treasurer

Title 31 MARYLAND INSURANCE ADMINISTRATION

Subtitle 17 MARYLAND HEALTH INSURANCE PLAN

31.17.03 Operation and Administration of the Plan

Authority: Insurance Article, §14-503(k),
Annotated Code of Maryland

Notice of Final Action [09-258-F]

On January 14, 2010, the Board for the Maryland Health Insurance Plan adopted amendments to Regulations .02

and .14 under **COMAR 31.17.03 Operation and Administration of the Plan**. This action was taken by the Board at a public meeting, notice of which was given pursuant to State Government Article, §10-506, Annotated Code of Maryland. This action, which was proposed for adoption in 36:17 Md. R. 1365 — 1366 (August 14, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

RICHARD A. POPPER
Executive Director
Maryland Health Insurance Plan

Title 33 STATE BOARD OF ELECTIONS

Subtitle 17 EARLY VOTING

Notice of Final Action [09-393-F]

On January 28, 2010, the State Board of Elections adopted:

(1) New Regulation .01 under **COMAR 33.17.03 Public Notice of Early Voting**;

(2) New Regulations .01 — .05 under **COMAR 33.17.04 Early Voting Center Equipment and Set-Up**; and

(3) New Regulations .01 — .03 under **COMAR 33.17.05 Election Judges**.

This action, which was proposed for adoption in 36:25 Md. R. 1971-1973 (December 4, 2009), has been adopted as proposed.

Effective Date: February 22, 2010.

LINDA H. LAMONE
Administrator
State Board of Elections

Withdrawal Of Regulations

Title 20 PUBLIC SERVICE COMMISSION

Subtitle 31 TERMINATIONS OF SERVICE

Notice of Withdrawal [09-305-W]

The Public Service Commission withdraws its proposal to:

(1) Amend Regulation .02 under **COMAR 20.31.01 General Regulations**; and

(2) Amend Regulation .03, adopt new Regulation .04, and recodify existing Regulation .04 to be Regulation .05 under **COMAR 20.31.03 Restrictions on Terminations**, as published in 36:19 Md. R. 1478 (September 11, 2009).

This action was considered at a scheduled rule-making

meeting on January 15, 2010, notice of which was given under State Government Article, §10-506, Annotated Code of Maryland.

TERRY J. ROMINE
Executive Secretary
Public Service Commission

Proposed Action On Regulations

For information concerning citizen participation in the regulation-making process, see inside front cover.

Symbol Key

- Roman type indicates existing text of regulation.
- *Italic type* indicates proposed new text.
- [Single brackets] indicate text proposed for deletion.

Promulgation of Regulations

An agency wishing to adopt, amend, or repeal regulations must first publish in the Maryland Register a notice of proposed action, a statement of purpose, a comparison to federal standards, an estimate of economic impact, an economic impact on small businesses, a notice giving the public an opportunity to comment on the proposal, and the text of the proposed regulations. The opportunity for public comment must be held open for at least 30 days after the proposal is published in the Maryland Register.

Following publication of the proposal in the Maryland Register, 45 days must pass before the agency may take final action on the proposal. When final action is taken, the agency must publish a notice in the Maryland Register. Final action takes effect 10 days after the notice is published, unless the agency specifies a later date. An agency may make changes in the text of a proposal. If the changes are not substantive, these changes are included in the notice of final action and published in the Maryland Register. If the changes are substantive, the agency must repropose the regulations, showing the changes that were made to the originally proposed text.

Proposed action on regulations may be withdrawn by the proposing agency any time before final action is taken. When an agency proposes action on regulations, but does not take final action within 1 year, the proposal is automatically withdrawn by operation of law, and a notice of withdrawal is published in the Maryland Register.

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 17 BOARD OF STATIONARY ENGINEERS

Notice of Proposed Action

[10-085-P]

The Board of Stationary Engineers proposes to:

- (1) Repeal existing Regulations **.01—.07** under **COMAR 09.17.01 Code of Ethics**;
- (2) Repeal existing Regulation **.01** under **COMAR 09.17.02 General Regulations**; and
- (3) Adopt new Regulations **.01—.09** under a new chapter, **COMAR 09.17.02 Computerized Monitoring System**.

This action was considered by the Board at an open meeting held on June 17, 2009, notice of which was given by publication in 36:11 Md. R. 807 (May 22, 2009).

Statement of Purpose

The purpose of this action is to repeal obsolete regulations promulgated by the former Board of Examining Engineers and propose new regulations governing Computerized Monitoring Systems and the duties of licensed stationary engineers related thereto.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulations further define computer monitoring systems as used and applied in Business Occupations and Professions Article Title 6.5. Any facility, whether public or private having a computer monitoring system in place could be affected if the existing system failed to fully comply with the proposed regulation. The owner of the facility would either

need to make the system compliant or in the alternative secure the additional services of a licensed stationary engineer to monitor the boiler or pressure vessel as required by law. A compliant computer monitoring system frees the owner from the potentially more costly requirement to have a stationary engineer present as specified by law.

II. Types of Economic Impact.

	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE		
B. On other State agencies:	NONE		
C. On local governments:			
(1) Local Government Expenditures		(E-)	Indeterminate
(2) Local Government Expenditures		(E+)	Indeterminate
	Benefit (+)	Cost (-)	Magnitude
D. On regulated industries or trade groups:			
(1) Boiler/Pressure Vessel/Plant Owners		(-)	Indeterminate
(2) Boiler/Pressure Vessel/Plant Owners		(+)	Indeterminate
E. On other industries or trade groups:	NONE		
F. Direct and Indirect Effects on the public		(+)	Indeterminate

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

C(1). In complying with the regulations, a local government facility could reduce its costs by mitigating the need for the services in whole or in part of a stationary engineer.

C(2). If a local government facility has a boiler with 24 hour monitoring equipment that does not meet the requirements of the regulation, then funds could be expended to upgrade the monitoring system in order to comply.

D(1). If an owner has a boiler with non-compliant computer monitoring, then the owner must pay the cost of upgrading the 24 hour monitoring or the increased costs associated with services of a stationary engineer(s).

D(2). An owner compliant with these requirements could reduce costs by mitigating the need for services of a stationary engineer(s).

F. By establishing minimum standards for 24 hour computerized monitoring systems, the public receives the added assurance that such systems will operate in a safe environment and will properly react to possible operational malfunctions.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows.

The impact on small business would occur in instances where a business operates using a computerized monitoring system but that system does not meet the standards proposed in the new regulations. In that case the business would incur cost in making the system compliant. In the alternative, the business could secure the services of a stationary engineer to oversee the boiler or pressure vessel to the degree required by law. It should be noted that the stated impact would not be unique to small business but would apply to any business utilizing a covered boiler or pressure vessel.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Steve Smitson, Assistant Commissioner, Board of Stationary Engineers, 500 North Calvert Street, Baltimore MD 21202, or call 410-230-6169, or email to ssmitson@dllr.state.md.us, or fax to 410-333-6314. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Stationary Engineers during a public meeting to be held on April 20, 2010 at 10:00 AM, at Third Floor, 500 North Calvert Street, Baltimore MD 21202.

09.17.02 Computerized Monitoring System

Authority: Business Occupations and Professions Article, §§6.5-205(a)(1) and 6.5-302, Annotated Code of Maryland

.01 Scope.

This chapter governs the duties of licensed stationary engineers and is to be read in conjunction with Maryland Boiler and Pressure Vessel Safety Act, Public Safety Article, Title 12, Subtitle 9, Annotated Code of Maryland.

.02 Definitions.

A. *In this chapter, the following terms have the meaning indicated.*

B. Terms Defined.

(1) *“Competent authority” means:*

(a) *The boiler manufacturer; or*

(b) *If the boiler manufacturer is unavailable or defers to a jurisdictional authority:*

(i) *A person designated by the Commissioner of Labor and Industry as a Deputy Boiler Inspector or a Special Boiler Inspector; or*

(ii) *A professional engineer who has experience in the design, operation, and maintenance and repair of boilers.*

(2) *“High level” means the level above normal considered unsafe for the operation of the boiler by a competent authority.*

(3) *“High pressure” means the pressure above normal considered unsafe for the operation of the boiler by a competent authority.*

(4) *“High temperature” means the temperature above normal considered unsafe for the operation of the boiler by a competent authority.*

(5) *“Low level” means the level below normal considered unsafe for the operation of the boiler by a competent authority.*

(6) *“Low pressure” means the pressure below normal considered unsafe for the operation of the boiler by a competent authority.*

(7) *“Low temperature” means the temperature below normal considered unsafe for the operation of the boiler by a competent authority.*

(8) *“Normal level” means the level considered safe for the operation of the boiler by a competent authority.*

(9) *“Normal pressure” means the pressure considered safe for the operation of the boiler by a competent authority.*

(10) *“Normal temperature” means the temperature considered safe for the operation of the boiler by a competent authority.*

.03 Incorporation by Reference.

Controls and Safety Devices for Automatically Fired Boilers (ASME CSD-1), published by the American Society of Mechanical Engineers, which has been incorporated by reference in COMAR 09.12.01.01-1, is incorporated by reference in this chapter.

.04 Monitors and Indicators.

A. *For a boiler, a computerized monitoring system shall qualify as a “24-hour computerized monitoring system and automatic controls,” in accordance with Business Occupations and Professions Article, Title 6.5, Annotated Code of Maryland, if it meets the requirements of this regulation.*

B. *For a boiler operating at 30 to 299 horsepower, the system shall monitor and indicate:*

(1) *Stack flue gas temperature;*

(2) *Burner status, including “on” and “off” indicators;*

(3) *Flame safety control status, including “normal” and “flame failure” indicators; and*

(4) *One of the following, as applicable:*

(a) *For steam boilers:*

(i) *Pressure; and*

(ii) *Water level; or*

(b) *For hot water boilers, temperature.*

C. *For a boiler operating at 300 horsepower or more, the system shall monitor, indicate, and record:*

(1) *Stack flue gas temperature;*

(2) *Burner status, including “on” and “off” indicators;*

(3) *Flame safety control status, including “normal” and “flame failure” indicators; and*

(4) *One of the following, as applicable:*

(a) *For steam boilers:*

(i) *Pressure; and*

(ii) *Water level; or*

(b) *For hot water boilers:*

(i) *Pressure; and*

(ii) *Temperature.*

.05 Automatic Controls.

A computerized monitoring system shall be equipped with automatic controls in accordance with whichever is more restrictive of the Maryland Boiler and Pressure Vessel Safety Act, Public Safety Article, Title 12, Subtitle 9, Annotated Code of Maryland or ASME CSD-1.

.06 Alarm.

A computerized monitoring system shall be equipped with an alarm that will activate when:

- A. The stack flue gas reaches a high temperature;
- B. The burner status indicator indicates the burner is "off";
- C. The flame safety control status indicates a "flame failure"; and
- D. One of the following occurs, as applicable:
 - (1) For steam boilers, the:
 - (a) Steam reaches low or high pressure; or
 - (b) Water reaches low or high level;
 - (2) For a hot water boiler operating at 30 to 299 horsepower, the water reaches low or high temperature; or
 - (3) For a hot water boiler operating at 300 or more horsepower the water reaches low or high:
 - (a) Pressure;
 - (b) Temperature; or
 - (c) Level.

.07 Automatic Shutdown.

A computerized monitoring system shall be equipped with an automatic burner shutdown mechanism that will activate when:

- A. Stack flue gas reaches high temperature; and
- B. One of the following occurs, as applicable:
 - (1) For a steam boiler:
 - (a) Steam reaches high pressure; or
 - (b) Water reaches Low or high level;
 - (2) For a hot water boiler operating at 30 to 299 horsepower, water reaches high temperature; or
 - (3) For a hot water boiler operating at 300 or more horsepower, water reaches:
 - (a) High pressure;
 - (b) High temperature; or
 - (c) Low level.

.08 Manual Reset.

A. Subject to §B of this regulation, manual reset following an automatic shutdown as set forth in Regulation .07 of this chapter requires that a licensee or the licensee's designee shall physically inspect the boiler and appurtenances prior to restart.

B. Notwithstanding §A of this regulation, the licensee shall be responsible for the safe operation of a boiler at all times in accordance with Business Occupations and Professions Article, §6.5-302, Annotated Code of Maryland.

.09 Miscellaneous Provisions.

The Board may accept an alternate computerized monitoring system if the system is equipped with features that provide a comparable level of safety, monitoring, and control to those required by this regulation, in the opinion of the Board.

GEORGE MALONEY
Chairman
Board of Stationary Engineers

Subtitle 20 BOARD OF PLUMBING
09.20.04 Cross Connection/Backflow Prevention Certification Training Program

*Authority: Business Occupations and Professions Article, §§12-207 and 12-306(c),
Annotated Code of Maryland*

Notice of Proposed Action

[10-086-P]

The Board of Plumbing proposes to adopt new Regulations .01 and .02 under a new chapter, **COMAR 09.20.04 Cross Connection/Backflow Prevention Certification Training Program**. This action was considered by the Board of Plumbing at an open meeting held on May 21, 2009, notice of which was given by publication in 36:10 Md. R. 738 (May 8, 2009).

Statement of Purpose

The purpose of this action is to establish a set of requirements which must be met by an applicant seeking approval to be a provider of a cross connection/backflow certification program offered in accordance with Business Occupations and Professions Article §12-306(c), Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed action establishes the requirements which must be met by an individual or entity seeking to become an approved provider of Cross Connection/Backflow Certification Training, pursuant to the Maryland Master Plumbers Act. All course providers will have to, for the first time, meet the specific requirements enumerated in the proposal for Board approval of the subject training. A detailed set of formal requirements has not been previously promulgated. The proposed regulation offers the prospective course provider clear guidance as to space, adequate apparatus necessary for adequate training, qualifications of certified instructors and the issuance of credentials to certified technicians. Course providers seeking Board approval for the first time will have information allowing them to estimate the cost of establishing a compliant program. Existing providers required to reapply pursuant to the new regulations, could incur additional costs if their pre-existing program is not fully compliant with those regulation. This regulation seeks to assure that individuals providing cross connection/backflow services are properly trained and qualified by providers approved by the Board of Plumbing.

II. Types of Economic Impact.

	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE		
B. On other State agencies:	NONE		
C. On local governments:			
Local Government Permit and Inspection Agencies	NONE		
	Benefit (+)		
	Cost (-)		Magnitude
D. On regulated industries or trade groups:			
(1) Businesses Offering Plumbing Services	(+)		Indeterminate
(2) Course Providers	(-)		Indeterminate

F. Direct and indirect effects on public:

Consumers of Plumbing Services (+) Indeterminate

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

C. Such agencies will have a greater assurance that work will be competently performed in their jurisdiction and it will be less likely to fail inspection or require remedial measures.

D(1). Such businesses will have a higher degree of assurance that certified individuals are competent to provide services authorized under the state plumbing law.

D(2). An existing course provider seeking approval under these regulations who is not compliant with the requirements contained therein, could incur additional cost to become compliant to maintain Board approval.

F. Consumers who contract for services involving backflow/cross connection work will have greater assurance that such work will be competently performed and that the potable water supply appropriately protected.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Steven Smitson, Assistant Commissioner, DLLR-Board of Plumbing, 500 North Calvert Street, Baltimore MD 21202, or call 410-230-6169, or email to ssmitson@dllr.state.md.us, or fax to 410-333-6314. Comments will be accepted through March 17, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Board of Plumbing during a public meeting to be held on April 15, 2010, at 500 North Calvert Street, Third Floor, Baltimore MD 21202.

.01 Definitions.

A. In this chapter, the following terms have the meaning indicated.

B. Terms Defined.

(1) "Certified Instructor" means an individual who possesses a master plumber or a journey plumber license issued by the Board and has successfully completed an instructional certification program sponsored by an organization recognized by the Board, including, but not limited to, the University of Florida Treco Center (TREEO), American Society of Sanitary Engineering (ASSE) Instructor Accreditation Certification, and University of Southern California Foundation for Cross Connection Control.

(2) "Certified Provider" means a person or organization who provides Board-approved cross connection backflow prevention certification training in accordance with Business Occupations and Professions Article, §12-306(c) and meets the requirements of Regulation .02A-C of this chapter.

(3) "Certified Technician" means an individual who is certified to install, test, repair and make reports on mechanical cross connection backflow prevention devices after successful completion of a 32-hour cross connection backflow prevention certification program approved by the Board in accordance with Business Occupations and Professions Article, §12-306(c), Annotated Code of Maryland.

.02 Approved Cross Connection/Backflow Prevention Certification Program.

A. In accordance with Business Occupations and Professions Article, §12-306(c), Annotated Code of Maryland, a cross connection/backflow prevention certification program may be eligible for approval by the Board if:

(1) The Certified Provider submits to the Board an application on the form that the Board provides identifying the course provider and the provider's credentials to offer cross connection/backflow prevention certification training;

(2) Each program instructor is a Certified Instructor in accordance with Regulation .01B(1) of this chapter;

(3) In the opinion of the Board, the course curriculum provides, at a minimum, adequate training in:

- (a) Introduction to backflow prevention;
- (b) Hazards of cross connection/backflow;
- (c) Laws of backflow prevention;
- (d) Responsibilities of certified technician;
- (e) The methods, mechanisms and installation techniques used for the prevention of backflow;
- (f) Field Testing;
- (g) Field Reports;
- (h) Troubleshooting;
- (i) Repair of a Backflow Occurrence; and
- (j) Recertification;

(4) The program is conducted at a facility that provides adequate space and a suitable training environment in the opinion of the Board that is:

(a) Accessible for inspection by an authorized representative or agent of the Board during normal business hours without prior notice; and

(b) Equipped with adequate apparatus necessary for adequate training in the opinion of the Board including:

- (i) A test kit;
- (ii) One 3/4" — 2" pipe size mechanical cross connection control device in accordance with ASSE 1011, 1012, 1013, 1015, 1019, 1020, 1022, 1024, 1035 and 1056; and
- (iii) Mechanical cross connection control devices set up for field testing;

(5) The Certified Provider issues to an individual who successfully completes the program a:

- (a) Certificate that includes:
 - (i) The name of the Certified Provider;
 - (ii) The name of the Certified Technician to whom it is issued;
 - (iii) A statement that the course constitutes a 32-hour cross connection/backflow prevention certification program approved by the Maryland State Board of Plumbing;
 - (iv) The date of completion of the certification program;
 - (v) The name and signature of the course instructor; and
 - (vi) The Certified Technician number; and
- (b) Pocket identification card that includes:
 - (i) The name of the Certified Technician to whom it is issued;
 - (ii) A photograph of the Certified Technician to whom it is issued;
 - (iii) The title "Authorized Backflow Prevention Technician"; and
 - (iv) The dates for which the certification is valid; and

(6) The Certified Provider notifies the Board within 10 days of any change of a certified course instructor.

B. In order for a cross connection/backflow prevention certification program to be and remain eligible for approval

by the Board in accordance with Business Occupations and Professions Article, §12-306(c), Annotated Code of Maryland, the program must be able to demonstrate adequate recertification credentials including the:

(1) Offer of recertification training for technicians every three years; and

(2) Requirement that course instructors complete recertification training every five years.

C. In addition to the requirements of §B of this regulation, in order for a cross connection/backflow prevention certification program to remain eligible for approval by the Board in accordance with Business Occupations and Professions Article, §12-306(c), Annotated Code of Maryland, every three years, the program provider shall provide the Board with updated information about the program which shall include:

(1) A current list of Certified Instructors; and

(2) Notification from the Certified Provider of changes to the course curriculum or the location of the training facility.

D. The Board may rescind its approval of a cross connection/backflow prevention certification program at any time if, in the opinion of the Board:

(1) The Certified Provider demonstrates misconduct or incompetence in the performance of supervisory duties over the program;

(2) A Certified Course Instructor demonstrates misconduct or incompetence in the provision of applicable training; or

(3) The Certified Provider fails to meet any of the requirements of §§A — C of this regulation.

E. In accordance with Business Occupations and Professions Article, §§12-306(c)(3) and 12-503, Annotated Code of Maryland, an individual appointed, designated or employed by a county or local government local jurisdiction as an inspector of mechanical cross connection/backflow prevention devices shall have completed a cross connection/backflow certification program approved by the Board.

F. Completion of an approved cross connection/backflow certification program does not authorize an individual to:

(1) Install, test or certify a mechanical cross connection/backflow prevention device unless the individual is licensed by the Board as a master or journey plumber in accordance with Business Occupations and Professions Article, §§12-101(g) or (l), Annotated Code of Maryland; and

(2) Assist in installing, testing or certifying a mechanical cross connection/backflow prevention device unless the individual is licensed by the Board as an apprentice plumber in accordance with Business Occupations and Professions Article, §12-101(c), Annotated Code of Maryland.

THOMAS E. PEREZ

Secretary of Labor, Licensing, and Regulation

Subtitle 24 BOARD OF PUBLIC ACCOUNTANCY

09.24.01 General Regulations

Authority: Business Occupations and Professions Article, §2-416, Annotated Code of Maryland

Notice of Proposed Action

[10-082-P]

The Board of Public Accountancy proposes to amend Regulation .09 under **COMAR 09.24.01 General Regula-**

tions. This action was considered at a public meeting held on October 6, 2009, notice of which was given by publication in 36:19 Md. R. 1490 (September 11, 2009), pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to establish a reinstatement fee of \$240 for a certified public accountancy firm that fails to renew its permit.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. This regulation will have an economic impact on a CPA firm that does not renew its permit before its current permit expires.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency: Reinstatement fees collected/individual	(R+)	\$240
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	
	Cost (-)	
D. On regulated industries or trade groups: Reinstatement fee paid to Board	(-)	\$240
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. and D. The reinstatement fee is based upon the formula established for the reinstatement fees assessed for active licensure and for inactive status which is "1.5 times the renewal fee." Based on the renewal fee of \$160 for CPA firms, the reinstatement is \$160 + \$80 equals \$240.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Dennis L. Gring, Executive Director, Board of Public Accountancy, 500 N. Calvert Street, Third Floor, Baltimore, MD 21202, or call (410) 230-6224, or email to dgring@dllr.state.md.us, or fax to (410) 230-6314. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Public Accountancy during a public meeting to be held on April 6, 2010, at 9 a.m., at 500 N. Calvert Street, Third Floor, Baltimore, MD 21202.

.09 Fees.

Fees charged by the Board are as follows:
 A. — M. (text unchanged)
 N. *Firm reinstatement fee* — \$240;
 O. Proctoring fee — \$75;
 [O.] P. — [Q.] R. (text unchanged)

DENNIS L. GRING
 Executive Director
 Board of Public Accountancy

D. Continuing education courses average \$30 per credit hour. A licensee, by not having to take 5 CPE hours, would save \$150.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Dennis Gring, Executive Director, Board of Public Accountancy, 500 North Calvert Street, Third Floor, Baltimore, MD 21202, or call (410) 230-6224, or email to dgring@dllr.state.md.us, or fax to (410) 333-6314. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Board of Public Accountancy during a public meeting to be held on April 6, 2010, 9 a.m., at 500 N. Calvert Street, Third Floor, Baltimore, MD 21202.

.02 Basic Requirement.

A. — C. (text unchanged)

D. The following standards will be used to measure the hours of credit to be given for acceptable continuing education programs completed by individual applicants:

(1) (text unchanged)

(2) Services as teacher, lecturer, or discussion leader in accounting and related subjects qualifying for continuing education credit will be included to the extent that it contributes to the licensee’s professional competence. Repetitious presentation, that is, those that are substantially the same subject material, may be included only once in each reporting cycle. Hours allowable in the capacity of teacher, lecturer, or discussion leader may not exceed [40] 45 hours of the minimum requirements with no carry-over provision for excess hours.

(3) (text unchanged)

E. (text unchanged)

DENNIS L. GRING
 Executive Director
 Board of Public Accountancy

Subtitle 24 BOARD OF PUBLIC ACCOUNTANCY

09.24.02 Continuing Education

Authority: Business Occupations and Professions Article, §§2-207(a), 2-311, and 2-312, Annotated Code of Maryland

Notice of Proposed Action

[10-083-P]

The Board of Public Accountancy proposes to amend Regulation .02 under **COMAR 09.24.02 Continuing Education**. This action was considered at a public meeting held on September 1, 2009, notice of which was given by publication in 36:16 Md. R. 1293 (July 31, 2009), pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to increase the number of continuing professional education hours that can be claimed in a license period by a teacher, lecturer, or discussion leader from 40 hours to 45 hours.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulation has an economic benefit for CPA licensees who teach college courses, lecture, or lead discussions in formal courses of continuing professional education (CPE). The regulation will permit these licensees to claim an additional 5 hours of CPE (from 40 to 45). This will save these licensees the cost of 5 CPE, approximately \$150 every two years.

II. Types of Economic Impact.	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE		
B. On other State agencies:	NONE		
C. On local governments:	NONE		
	Benefit (+)	Cost (-)	Magnitude
D. On regulated industries or trade groups:			
Renewing licensees	(+)		\$150 biennially
E. On other industries or trade groups:	NONE		
F. Direct and indirect effects on public:	NONE		

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

Subtitle 24 BOARD OF PUBLIC ACCOUNTANCY

09.24.02 Continuing Education

Authority: Business Occupations and Professions Article, §§2-207(a), 2-311, and 2-312, Annotated Code of Maryland

Notice of Proposed Action

[10-084-P]

The Board of Public Accountancy proposes to amend Regulation .02 under **COMAR 09.24.02 Continuing Education**. This action was considered at a public meeting held on December 1, 2009, notice of which was given by publication in 36:23 Md. R. 1842 (November 6, 2009), pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to require an applicant for a license who passed the Uniform CPA Examination more than four years prior to making the application to earn 80 hours of continuing professional education as a condition of licensure.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The proposed regulation will not have an impact on an individual who applies for a license within four (4) years of passing the Uniform CPA Examination. An individual who files a license application with the Board more than four years after passing the Uniform CPA examination will be required to earn 80 hours of continuing professional education, which will result in additional costs. The estimated cost to earn 80 continuing education credit hours is \$2,400, an average of \$30 per credit hour.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
(1) Applicant within 4 years of CPA Exam Passage	NONE	
(2) Applicant more than 4 years post CPA Exam Passage	(-)	\$2,400
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D(2). Continuing professional education courses average \$30 per credit hour. Earning 80 continuing education hours would cost an applicant \$2,400. Source: Maryland Association of Certified Public Accountants (MACPA), Continuing Education Course List, 2009.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Dennis L. Gring, Executive Director, Maryland Board of Public Accountancy, 500 N. Calvert Street, Third Floor, Baltimore, MD 21202, or call (410) 230-6224, or email to dgring@dllr.state.md.us, or fax to (410) 230-6137. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Board of Public Accountancy during a public meeting to be held on April 6, 2010, at 9 a.m., at 500 N. Calvert Street, Third Floor, Baltimore, Maryland 21202.

.02 Basic Requirement.

A. — E. (text unchanged)

F. *An applicant shall complete 80 hours of continuing education in compliance with the Board's Accountancy Continuing Education Regulations before receiving a license to practice certified public accountancy if:*

(1) *The applicant is not licensed as a certified public accountant in another state or jurisdiction; and*

(2) *The applicant passed the examination more than four years prior to applying to the Board for a license.*

DENNIS L. GRING
Executive Director
Board of Public Accountancy

Subtitle 25 SECONDHAND PRECIOUS METALS AND GEM DEALERS AND PAWNBROKERS

09.25.01 Licenses

Authority: Business Regulation Article, §§12-103 and 12-207,
Annotated Code of Maryland

Notice of Proposed Action

[10-081-P]

The Department of Labor, Licensing, and Regulation proposes to adopt new Regulations .01, .06, and .07, amend Regulation .04, and recodify existing Regulations .01 to be Regulation .01-1 under **COMAR 09.25.01 Licenses**.

Statement of Purpose

The purpose of this action is to define terms, establish the requirement and standards for the inclusion of a dealer's license number in all forms of media that advertise or otherwise market the dealer's business to the public, establish the documentation and information that a license applicant shall submit to the Secretary of Labor, Licensing, and Regulation when the license applicant seeks to acquire a business from an individual whose license has been suspended or revoked, to document that the applicant's business is separate and independent from the business of the revoked or suspended license, and remove obsolete language.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Dennis L. Gring, Executive Director, DLLR Secondhand Precious Metal Object Dealers and Pawnbrokers, 500 N. Calvert Street, Third Floor, Baltimore, MD 21202, or call (410) 230 - 6224, or email to dgring@dllr.state.md.us, or fax to (410) 230-6313. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.01 Definitions.

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "License number" means the license registration certificate number, including suffix, if applicable, that appears on the license document issued to the licensee.

(2) "Normal business hours" means the time within which a dealer or an employee of a dealer, registered with the Secretary in accordance with Business Regulation Article, §12-203, Annotated Code of Maryland, is physically present at the fixed business address as defined in Business Regulation Article, §12-101(d), Annotated Code of Maryland, and shall include:

(a) A minimum of 40 hours per week;

(b) A minimum of five hours per day for 18 days following the conclusion of an event held at a location other than the fixed business address of the dealer; or

(c) Other hours as provided in the license application by the dealer that the authorized law enforcement agency in the jurisdiction where the fixed business is located approves as sufficient to provide access to the licensee's place of business as provided in Business Regulation Article, §12-306, Annotated Code of Maryland.

(3) "Secretary" means the Secretary of Labor, Licensing, and Regulation.

.04 License Renewal.

A. Each secondhand precious metals dealer's license issued by the Secretary [of Licensing and Regulation expires on April 30 of each even-numbered year, irrespective of the date when the license was issued] shall be for a 2-year term.

B. (text unchanged)

C. If an application for renewal is not filed until after the expiration of a dealer's license, the dealer may not engage in the secondhand precious metals business until the required State police investigation is complete and the application for renewal is finally approved by the Secretary [of Licensing and Regulation].

.06 Advertising and Publications.

A. A licensee shall include the license registration certificate number and the date of expiration of the license on all print media and in all electronic media through which the licensee advertises or otherwise markets the licensee's business to the public or otherwise identifies the nature of a transaction in which the licensee intends to engage.

B. Print media shall contain the following statement, in all capital letters and in the following form in the layout: "MD — DLLR — license number".

C. Electronic media shall include the statement "MD — DLLR — license number" as follows:

(1) In an audio only advertisement, the statement shall:

(a) Immediately precede the beginning of the advertisement;

(b) Immediately follow the ending of the advertisement; and

(c) Be stated at the same volume and cadence as the entire advertisement;

(2) In an audio-visual advertisement, the statement shall:

(a) Meet the requirements of §C(1)(a) — (c) of this regulation; and

(b) Be graphically displayed in a prominent manner; and

(c) Appear for a period long enough to be recognized and understood by the viewer.

D. Any sign displayed by the licensee identifying the business of the licensee shall be permanently affixed to the fixed business location and may not include a:

(1) Banner or poster tethered or otherwise secured by rope, wire, cord, tape, or any other similar material, or

(2) Magnetic sign.

.07 License Issued to Dealer for Business Address of Revoked or Suspended License.

A. In accordance with Business Regulation Article, §12-205, Annotated Code of Maryland, an applicant for a license to operate a business at a location for which another license has been suspended or revoked shall submit to the Secretary any documentation or information that, in the opinion of the Secretary, is necessary to establish that the applicant will engage in a business that is separate and independent from the business of the revoked or suspended license, including, but not limited to:

(1) Articles of Incorporation;

(2) A list of owners or shareholders of the corporation or business entity;

(3) A list of all officers and directors of the corporation or business entity;

(4) Copies of any partnership agreements, limited partnership agreements, joint venture agreements, or agreements related to any other business entity formation;

(5) Copies of any documents showing that the dealer or applicant will or may operate the business in conjunction with any other individual, corporation, or business entity; and

(6) Any other information required by the Secretary.

B. The applicant or dealer shall notify the Secretary within 10 days of any change in the content of any documents required in accordance with §A of this regulation at any time while the license is in effect.

LEONARD J. HOWIE, III

Deputy Secretary of Labor, Licensing, and Regulation

**Title 10
DEPARTMENT OF
HEALTH AND MENTAL HYGIENE**

**Subtitle 57 BOARD FOR CERTIFICATION OF
RESIDENTIAL CHILD CARE PROGRAM
[ADMINISTRATORS] PROFESSIONALS**

Notice of Proposed Action

[10-070-P]

The Secretary of Health and Mental Hygiene proposes to:

(1) Amend Regulation .01 under **COMAR 10.57.01 Definitions**;

(2) Amend Regulations .01 — .06 and adopt new Regulations .07 — .10 under **COMAR 10.57.02 Certification — Residential Child Care Program Administrators**;

(3) Adopt new Regulations .01 — .12 under a new chapter, **COMAR 10.57.03 Certification — Residential Child and Youth Care Practitioners**;

(4) Amend Regulations .01 and .02, repeal existing Regulation .03, adopt new Regulations .03 and .04, and recodify existing Regulation .04 to be Regulation .05 under

COMAR 10.57.03, which is being recodified as **COMAR 10.57.04 Continuing Education**;

(5) Repeal existing Regulations **.01 — .02** and adopt new Regulations **.01 — .06** under **COMAR 10.57.04**, which is being recodified as **COMAR 10.57.05 Code of Ethics**;

(6) Recodify **COMAR 10.57.05** to be **COMAR 10.57.06 Hearing Procedures**;

(7) Repeal existing Regulation **.01**, adopt new Regulation **.01**, amend Regulation **.02**, and repeal existing Regulation **.04** under **COMAR 10.57.06**, which is being recodified as **COMAR 10.57.07 Fees**;

(8) Amend Regulation **.01** under **COMAR 10.57.07**, which is being recodified as **COMAR 10.57.08 Compelling Purpose Disclosure**; and

(9) Recodify **COMAR 10.57.08** to be **COMAR 10.57.09 Tax Compliance Regulations**.

This action was considered at Board meetings from August through November 2009. Notice of meetings were provided on the Board’s website pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to:

(1) Clarify current practices for the certification of residential child care program administrators, including:

- (a) Application procedures;
- (b) Acting capacity approval;
- (c) Examination and reexamination procedures; and
- (d) Designation to serve as an administrator for two individually licensed organizations; and

(2) Implement the provisions of Senate Bill 783 (Chapter 218 of the Acts of the 2008 General Assembly), which prohibits an individual from practicing as a residential child and youth care practitioner in Maryland after October 2013 unless the individual is certified by the Board.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. These regulations will have an unquantifiable impact on the issuing agency and the industry. It is anticipated that approximately 2,500 individuals will require certification as a residential child and youth care practitioner by October 2013. While the Board will have expenses to implement this program, it is anticipated that the revenues this program generates will cover those expenses.

II. Types of Economic Impact.

	Revenue (R+/R-)	
	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R+)/(E+)	Unquantifiable
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)	Unquantifiable
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Board issued a Letter of Intent to residential child care program provide the number of individuals who would require cer-

tification as a residential child and youth care practitioner. It is estimated that approximately 2500 individuals will need to be certified by October 2013. Due to turnover of these positions and DHR’s implementation of new procurement processes for residential child care services, it is difficult to determine whether or not this number is truly reflective of the total number of individuals who will need to be certified. The Board will have expenditures for the development of a standards examination, procurement of services to administrator the examination, and other administrative costs associated with the implementation of a new certification program. The Board is general funded and it is estimated that there will be an increase in the revenues collected will offset the operational costs of the Board.

D. The impact on the industry is unquantifiable. If residential child care programs choose to pay for their employees to be certified, the impact could be meaningful.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small businesses. An analysis of this economic impact follows.

See Impact Statement Part A.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michele Phinney, Director, Office of Regulation and Policy Coordination, Department of Health and Mental Hygiene, 201 West Preston Street, Room 512, Baltimore, MD 21201, or call 410-767-6499, or email to regs@dhmh.state.md.us, or fax to 410-333-7687. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

10.57.01 Definitions

Authority: Health Occupations Article, §§20-101 and 20-205, Annotated Code of Maryland

.01 Definitions.

- A. (text unchanged)
- B. Terms Defined.

(1) “Acting program administrator” means an individual approved by the Board to practice as an interim residential child care program administrator for 180 days unless the time period is extended by the Board.

(2) “Automatic sponsor” means an organization that is not required to apply to the Board for approval of sponsorship of continuing education.

(3) “Authorized sponsor” means an organization or individual that has been approved by the Board to provide continuing education programs.

[(1)] (4) “Board” means the State Board for the Certification of Residential Child Care Program [Administrators] Professionals.

[(2)] (5) “Certificate” means[, unless the context requires otherwise, a certificate issued by the Board to administer a residential child care program.] a certificate issued by the Board to practice as a:

- (a) Certified residential child care program administrator; or
- (b) Certified residential child and youth care practitioner.

[(3)] (6) (text unchanged)

(7) Certified Residential Child and Youth Care Practitioner.

(a) “Certified residential child and youth care practitioner” means an individual who is:

(i) Certified by the Board; and

(ii) Assigned to perform the direct responsibilities related to activities of daily living, self-help, and socialization skills in a residential child care program under the direction of a certified program administrator.

(b) “Certified residential child and youth care practitioner” does not include an individual assigned to perform the direct responsibilities related to activities of daily living, self-help, and socialization skills in a residential child care program licensed by the Developmental Disabilities Administration.

(8) “Client” means children and youth placed in the residential child care program.

(9) “Completed application” means an application submitted to the Board that contains sufficient information for the Board to make a decision on the application.

[(4)] (10) “Continuing education” means additional professional education by means of undergraduate or postgraduate studies, institutes, seminars, lectures, conferences, workshops, or other forms of continuing professional education approved by the Board.

[(5)] (11) “Continuing education unit” means a certified program administrator or certified residential child and youth care practitioner participation for 1 hour in an approved continuing education experience.

(12) “Day-to-day management and operation” means the overall responsibility for the operation of a residential child care program as described in COMAR 10.57.02.01C.

[(6)] (13) — [(7)] (14) (text unchanged)

(15) Human Service Field.

(a) “Human service field” means, in the context of certification as a program administrator, having experience:

(i) As a human service professional as defined in COMAR 14.31.06.03B;

(ii) Serving children detained, committed, or under the jurisdiction of the Department of Juvenile Services; or

(iii) Serving children in residential child care programs under the jurisdiction of the Department of Human Resources or the Department of Health and Mental Hygiene.

(b) “Human service field” means, in the context of certification as a residential child and youth care practitioner, having experience:

(i) As a human service professional defined in COMAR 14.31.06.03B; or

(ii) Performing the direct responsibilities related to activities of daily living, self-help and socialization skills for children in a residential child care.

(16) “Human service portfolio” means evidence provided to the Board on a form required by the Board documenting human service experience and mastery of core competencies as described in COMAR 10.57.03.

(17) “Inappropriate sexual language” means:

(a) A sexualized harassing comment;

(b) An eroticized or sexually provocative comment not reasonably associated with a health care matter; or

(c) An inappropriate discussion of a sexually related matter.

(18) “Licensing authority” means the department of State government that issued the residential child care program’s license to operate in the State.

[(8)] (19) (text unchanged)

(20) “Practitioner-in-training (PIT)” means an individual approved by the Board to practice as a restricted residential child and youth care practitioner.

(21) “Provisional residential child and youth care practitioner” means an individual approved by the Board to practice as a restricted residential child and youth care practitioner for 180 days.

[(9)] (22) — [(11)] (24) (text unchanged)

[(12) “Residential child care program” means an entity that provides care for children 24 hours per day within a structured set of services and activities that:

(a) Are designed to achieve specific objectives relative to the needs of the children served; and

(b) Include the provision of:

(i) Food;

(ii) Clothing;

(iii) Shelter;

(iv) Education;

(v) Social services;

(vi) Health;

(vii) Mental health;

(viii) Recreation; or

(ix) Any combination of these services and activities.]

(25) Residential Child Care Program.

(a) “Residential child care program” means an entity that provides care for children 24 hours per day within a structured set of services and activities that:

(i) Are designed to achieve specific objectives relative to the needs of the children served; and

(ii) Include the provision of food, clothing, shelter, education, social services, health, mental health, recreation, or any combination of those services and activities.

(b) “Residential child care program” includes the residential child care programs identified in COMAR 14.31.06.02A and licensed by the:

(i) Department of Human Resources;

(ii) Department of Health and Mental Hygiene; and

(iii) Department of Juvenile Services.

(c) “Residential child care program” does not include the individuals or programs identified in COMAR 14.31.06.02C.

(26) “Residential child care supervisor” means an individual:

(a) That provides supervision to a residential child care practitioner; and

(b) Who is certified as either a residential child care program administrator or residential child and youth care practitioner.

(27) “Sexual behavior” means:

(a) A sexual act as specified in Criminal Law Article, §3-301(e) and (g), Annotated Code of Maryland; and

(b) Sexual contact as specified in Criminal Law Article, §3-301(f), Annotated Code of Maryland.

(28) “Sexual exploitation” means a situation in which the certified individual takes advantage of the unequal relationship between the certified residential child care program administrator or residential child and youth care practitioner and client or supervisee to obtain sexual favors.

(29) “Sexual harassment” means deliberate or repeated comment, advance, gesture, solicitation, request, or physical contact of a sexual nature.

(30) “Supervisee” means the individual to whom the certified residential child care program administrator or residential child and youth care practitioner provides professional, educational, or administrative supervision or direction.

(31) “Supervisory or administrative capacity” means having the shared responsibility for implementing the opera-

tion of a program(s) and supervising at least 1 member of staff as described in COMAR 10.57.02.02B.

(32) "Therapeutic deception" means a representation by the certified individual that sexual contact or sexual activity by or with the client is consistent with or part of the client's treatment.

[(13)] (33) (text unchanged)

10.57.02 Certification — Residential Child Care Program Administrators

Authority: Health Occupations Article, §§20-205, 20-301, and 20-302, Annotated Code of Maryland

.01 Application Procedures.

A. In order to obtain a certificate as a residential child care program administrator, the applicant shall submit to the Board:

(1) [Submit to the Board an] An application on the form provided by the Board;

(2) [Pay to the Board the] The application fee set forth in COMAR [10.57.06] 10.57.07; [and]

(3) Three professional references from individuals attesting to the applicant's work experience and competence as a program administrator;

(4) A certified copy of a transcript with a school seal from an accredited college or university to document the receipt of a baccalaureate or master's degree; and

[(3)] (5) [Submit evidence] Evidence that the applicant:

(a) — (b) (text unchanged)

(c) Meets the requirements of Regulations .02 and .03 of this chapter; [and]

(d) Is 21 years old or older; and

(e) Is responsible for the day-to-day management and operation of a residential child care program.

B. Professional References Required in §A(2) of this Regulation.

(1) At least one professional reference under §A(2) of this regulation shall be provided by a present or former supervisor.

(2) For individuals who are in a leadership role of a residential child care program and do not have a supervisor, a professional reference from the program's Board of Directors is sufficient to meet this requirement.

(3) Professional references shall be submitted to the Board:

(a) On the form provided by the Board; and

(b) In a sealed envelope that is signed by the writer on the back of the envelope over the seal.

C. Day-to-day management and operation of a residential child care program required in §A(3)(e) of this regulation includes, but is not limited to:

(1) Administering, directing, or managing the residential child care program to ensure that the basic needs of the child are met;

(2) Recruiting, hiring, training, and supervising staff;

(3) Developing and implementing an appropriate staffing plan based upon the needs of the children in the residential child care program and in accordance with applicable laws and regulations;

(4) Coordinating, supervising, and implementing the services provided to ensure the child has access to appropriate medical, psychosocial and educational services as established in the child's service plan;

(5) Maintaining records in a manner that conforms to the requirements of this chapter and other applicable laws and regulations;

(6) Monitoring the quality of services provided by the residential child care program; and

(7) Ensuring that all requirements of this chapter and other applicable laws and regulations are met.

[B. If the applicant is required under Regulation .03 of this chapter to take an examination, the applicant shall send to the Board a completed application form for certification at least 90 days before the date of the examination.]

[C.] D. (text unchanged)

[D. If the application is not complete with all required materials within 30 days after the Board receives the signed application form, the Board:

(1) Shall notify the applicant of the additional materials required; and

(2) May deny the application.]

E. Incomplete Applications.

(1) If an incomplete application is submitted to the Board, the Board shall notify the applicant within 30 days after the receipt of an incomplete application of the materials that are required.

(2) If the applicant fails to provide the required documentation within 120 days, the Board may:

(a) Administratively close the application; or

(b) Deny the application, pursuant to Regulation .04E of this chapter.

(3) An applicant whose application is administratively closed or denied may reapply and submit with the new application proof of compliance with:

(a) This subtitle; and

(b) Health Occupations Article, Title 20, Annotated Code of Maryland.

(4) An applicant whose application has been denied shall disclose on future applications that the applicant had been denied certification.

.02 Academic and Experience Requirements.

A. (text unchanged)

[B. Waiver. The Board shall waive the degree requirements for certification as a certified program administrator for an individual who:

(1) Has filed a letter of intent with the Board by October 1, 2007;

(2) Has completed not less than 8 years of experience in the human service field with at least 4 years in a supervisory or administrative capacity; and

(3) Has by October 1, 2007, successfully passed an examination approved by the Board.]

B. Supervisory or Administrative Capacity Required in §A of this Regulation.

(1) Supervisory or administrative capacity required under §A of this regulation includes the responsibility for hiring, assigning duties, disciplining and rewarding, approving leave requests, and formally evaluating.

(2) Experience within the following settings may not be considered supervisory or administrative capacity experience:

(a) Child placing agency;

(b) Child placing institutional experience;

(c) Foster parenting; and

(d) Serving as a caregiver in a foster home.

(3) Experience shall be obtained within the last 10 years and substantiated by a professional reference.

C. *English-Language Proficiency.* An applicant shall demonstrate proof of proficiency in the written and oral communication of the English language providing documentary evidence that:

(1) The applicant has completed at least 60 classroom credits from an English-speaking undergraduate school or English-speaking graduate school; or

(2) The applicant has achieved a passing score on the Test of English as a Foreign Language (TOEFL).

D. *Proof of proficiency in English language does not apply to an individual who was in possession of a valid Maryland residential child care program administrator certificate by July 1, 2009, or had applied by that date and subsequently met all requirements for certification.*

E. *Review of Foreign Credentials.* An applicant shall:

(1) Provide proof of equivalency of the applicant's educational credentials to a baccalaureate degree or master's degree awarded from an accredited college or university in the United States; and

(2) Submit their educational credentials at the applicant's expense to an educational evaluation agency approved by the Board with the request that the evaluation report be sent directly to the Board.

.03 Examination Procedures.

A. Unless waived by the Board as provided in [§B] §D of this regulation, an applicant shall pass a Board-approved written examination before [licensure] certification.

B. A minimum passing score of 75 percent is required on the examination.

C. In order to qualify for certification, an applicant shall pass the examination within 3 years of the first time the applicant takes the examination.

[B.] D. *Waiver of Examination.* The Board may waive the examination requirement for an applicant who:

(1) Pays the application fee as provided in COMAR [10.57.06] 10.57.07;

(2) (text unchanged)

(3) Provides adequate evidence that:

(a) — (b) (text unchanged)

(c) The applicant has completed a State and national criminal history records check.

E. *Reexamination.*

(1) An applicant who fails the examination:

(a) May retake the examination three times within the 12-month period after a failed examination; and

(b) May not retake the examination within 6-months of failing the examination for the third time.

(2) Before or on the day of the repeat examination, the applicant shall pay to the Board the examination fee as established in COMAR 10.57.07.

(3) An applicant may request and be granted or denied a waiver of the 6-month waiting period after failure of the third examination upon proof of exceptional circumstances.

F. *Applicants Requiring Special Accommodation.*

(1) An applicant with a disability may request modifications in examination materials or procedures.

(2) The applicant shall make the request for modification in writing and include in the request the following:

(a) The applicant's name;

(b) The date of the examination to be modified; and

(c) A letter from the appropriate licensed professional which:

(i) Confirms the disability; and

(ii) Provides information describing the accommodations required.

(3) Requests for modification and supporting documentation shall be received by the application deadline.

.04 Action on Application.

A. The Board shall review all completed applications to the extent practicable within [90] 120 days of receipt of the completed application.

B. — E. (text unchanged)

F. Issuance of Certificate.

(1) If the Board approves an applicant for certification and the applicant passes the State Standards Examination, the Board shall:

(a) (text unchanged)

(b) [Upon receipt of the certificate fee, issue] Issue a certificate to the applicant.

(2) (text unchanged)

.05 Expiration and Renewal.

A. (text unchanged)

B. At least [1 month] 3 months before the certificate expires, the Board shall send to the certified program administrator, by first class mail to the last known address, a renewal notice that states:

(1) — (3) (text unchanged)

C. (text unchanged)

.06 Reinstatement.

A. The Board shall reinstate the certificate of a program administrator who has failed to renew the certificate for any reason, if the individual:

(1) — (3) (text unchanged)

(4) Submits to the Board:

(a) (text unchanged)

(b) Adequate evidence that the applicant has completed a State and national criminal background check; and

(5) (text unchanged)

B. (text unchanged)

.07 Duplicate Certificate.

The Board shall issue a duplicate certificate to the certificate holder if:

A. The certificate holder has a change of name and does the following:

(1) Makes the request to the Board in writing on the form provided by the Board;

(2) Provides appropriate legal documentation of the change;

(3) Pays the fee as specified in COMAR 10.57.07; and

(4) Surrenders the current certificate; or

B. The Board, as a result of its error, issues an incorrect certificate and the certificate holder:

(1) Does both of the following:

(a) Notifies the Board in writing within 6 weeks of receipt of the incorrect certificate; and

(b) Surrenders the incorrect certificate; or

(2) Does not receive the certificate within 6 weeks of issuance and provides a statement to the Board attesting to the nonreceipt of the certificate within 4 months of the date the certificate was issued by the Board.

.08 Resignation, Removal, or Death of a Program Administrator.

A. If a program administrator resigns or is removed from a position as a program administrator by death or for any other unexpected cause, the residential child care program's Board of Directors shall immediately designate a certified program administrator to serve in that capacity.

B. In the event a certified program administrator is not available, the residential child care program's Board of Di-

rectors may appoint a noncertified individual to serve in the capacity of acting program administrator for a period not exceeding 180 days if the individual:

- (1) Is approved from the Board; and
- (2) Meets the minimum qualifications for a program administrator as set forth in COMAR 10.57.02.

C. *Approval of Noncertified Individual to Serve as Acting Program Administrator.*

(1) In order to obtain approval from the Board for the approval of a noncertified individual to serve as the acting program administrator, the residential child care program's Board of Directors shall immediately submit to the Board:

- (a) An application on the form provided by the Board;
- (b) The application fee set forth in COMAR 10.57.07;
- (c) Written justification clarifying the reason why acting capacity is necessary, that includes:

(i) The name and title of the individual requesting approval of a non-certified individual, including mailing address, phone, and email address;

(ii) The qualifications and credentials of the individual selected for acting capacity; and

(iii) A summary of the efforts made by the residential child care program to recruit a certified program administrator; and

(d) A copy of the individual's resume or curriculum vitae.

(2) The Board shall review all of the documentation provided to verify that individual appointed meets the minimum qualifications of a program administrator as set forth in COMAR 10.57.02.

(3) Upon review of the request, the Board may:

- (a) Approve the request for acting capacity;
- (b) Approve the request for acting capacity with conditions; or
- (c) Deny request for acting capacity.

(4) The 180 day period begins on the date that the program administrator leaves or is removed from the position as a program administrator.

(5) The Board may extend the 180 day period for a further period of not more than 30 days.

(6) The Board shall review all requests for the appointment of non-certified program administrators to the extent practicable at the next regularly scheduled Board meeting.

.09 Designation as a Certified Residential Child Care Program Administrator for Two Individually Licensed Organizations.

A. A certified residential child care program administrator may serve as the program administrator of two residential child care programs, with the approval of the licensing authority of the residential child care program and the Board.

B. In order to obtain approval to serve as the residential child care program administrator of two different residential child care programs, the certified program administrator shall:

- (1) Submit an application on the form provided by the Board;
- (2) Pay to the board the application fee set forth in COMAR 10.57.07; and
- (3) Provide a written statement of approval from the residential child care program's licensing authority or authorities.

C. The following factors shall be considered when granting or denying a petition to serve as a program administrator of more than one residential child care program:

- (1) Geographical location of the program;

(2) Needs of the children and youth being served by the program;

(3) Organizational structure of the program;

(4) Licensed capacity of the program;

(5) Background and experience of the administrator;

(6) Compliance history of the program;

(7) Employment hours, including:

(a) Hours identified as on-site, on-duty and engaged in the day-to-day management and operation of the program; and

(b) Hours available and on-call when not on-site at the program;

(8) Certification status of the program administrator;

(9) Licensure status of the residential child care program as evidenced by a written license verification from the residential child care program's licensing authority; and

(10) Any other information that the Board may require.

D. *Restrictions.* A certified residential child care program administrator may not:

(1) Be approved to serve as the program administrator of two residential child care programs, if the programs are:

- (a) Located more than 50 miles from each other; and
- (b) Under sanction; or

(2) Serve as the full-time program administrator, as defined in COMAR 14.31.06.03B, of two residential child care programs concurrently.

E. *Waiver.*

(1) A certified program administrator may request in writing to the Board a waiver to the restrictions noted in §D of this regulation.

(2) The certified program administrator shall submit to the Board, along with the request for waiver:

(a) A letter of approval of the request for waiver from the residential child care program's licensing authority or authorities; and

(b) A letter of approval from the both of the organizations' boards of directors.

(3) The Board may grant or deny a request for waiver.

.10 Display of Certificate and Renewal Certificates.

An individual certified as a residential child care program administrator shall display an original certificate and certificate card, or certificate renewal card in a conspicuous place in the office or place of business or employment of the program administrator.

10.57.03 Certification — Residential Child and Youth Care Practitioners

Authority: Health Occupations Article, §§20-205, 20-301, and 20-302.1, Annotated Code of Maryland

.01 Application Procedures.

A. In order to obtain a certificate as a residential child and youth care practitioner, the applicant shall submit to the Board:

- (1) An application on the form provided by the Board;
- (2) The application fee set forth in COMAR 10.57.07; and
- (3) Evidence the applicant:
 - (a) Meets the academic and experience requirements set forth in Regulation .02 of this chapter;
 - (b) Is of good moral character; and
 - (c) Has completed a State and national criminal history records check.

B. *Age Requirement.* An individual seeking certification as a residential child and youth care practitioner shall be either:

- (1) 21 years old or older; or
- (2) At least 18 years old and have earned at least an associate's or bachelor's degree from an accredited college or university.

C. The Board may not consider an application completed until it has received all required materials.

D. Incomplete Applications.

(1) If an incomplete application is submitted to the Board, the Board shall notify the applicant within 30 days after the receipt of the incomplete application of the materials that are required.

(2) If the applicant fails to provide the required documentation within 120 days, the Board may:

- (a) Administratively close the application; or
- (b) Deny the application, pursuant to Regulation .08E of this chapter.

(3) An applicant whose application is administratively closed or denied may reapply and submit with the new application proof of compliance with:

- (a) This subtitle; and
- (b) Health Occupations Article, Title 20, Annotated Code of Maryland.

(4) An applicant whose application has been denied shall disclose on future applications that the applicant had been denied certification.

.02 Academic and Experience.

A. *Academic Experience.* For certification as a certified residential child and youth care practitioner, an applicant shall submit a certified copy of transcripts with school seals to document the following to the Board:

- (1) Receipt of a high school diploma or equivalent; and
- (2) Either:
 - (a) Successful completion of an approved residential child and youth care practitioner training program; or
 - (b) Receipt of an associate's or bachelor's degree from an accredited college or university.

B. An individual applying for certification by sponsorship from a certified program administrator, provisional certification, or practitioner-in-training authorization does not have to provide the documentation required by §A(2) of this regulation.

C. *Approved Residential Child and Youth Care Practitioner Training Program Required in §A(1) of this Regulation.* A residential child and youth care practitioner training program required in §A(1) of this regulation shall be approved by:

- (1) The Maryland Higher Education Commission;
- (2) The higher education commission or comparable authority of the state in which in the applicant's school is located; or
- (3) An accrediting agency recognized by the United States Department of Education.

D. *English-Language Proficiency.* An applicant shall demonstrate proof of proficiency in the written and oral communication of the English language providing documentary evidence that:

- (1) The applicant has graduated from an English-speaking:
 - (a) High school;
 - (b) Professional school; or
 - (c) Undergraduate school; and
- (2) The applicant has achieved a passing score on the Test of English as a Foreign Language (TOEFL).

E. *Review of Foreign Educational Credentials.*

(1) An applicant shall provide proof of equivalency of the applicant's educational credentials to a high school, as-

sociate's degree or bachelor's degree awarded from an accredited college or university in the United States.

(2) An applicant shall submit the applicant's educational credentials at the applicant's expense to an educational evaluation agency approved by the Board with the request that the evaluation report be sent directly to the Board.

.03 Certification by Completion of an Approved Residential Child and Youth Care Practitioner Training Program.

A. In order to obtain a certification certificate as a residential child and youth care practitioner by completion of an approved residential child and youth care training program, the applicant shall:

- (1) Submit to the Board the documentation required in Regulations .01 and .02 of this chapter; and
- (2) Demonstrate at least 25 credit hours or 375 contact hours of training in the following subject areas:
 - (a) Introduction to the field of child and youth care for 3 credit hours or 45 contact hours of training;
 - (b) Life skills development for 3 credit hours or 45 contact hours of training;
 - (c) Child and youth growth and development for 3 credit hours or 45 contact hours of training;
 - (d) Standards of health and safety in child and youth care services for 3 credit hours or 45 contact hours of training;

- (e) Interviewing and counseling techniques for child and youth services for 3 credit hours or 45 contact hours of training;
- (f) Behavior management and crisis intervention in youth for 3 credit hours or 45 contact hours of training;
- (g) Legal and ethical issues in child and youth care for 3 credit hours or 45 contact hours of training; and
- (h) An internship for 4 credit hours or 60 contact hours.

B. An applicant who has completed a training program that does not have required hours of training as specified in §A(2) of this regulation, may provide the Board with evidence of completion of the required hours of training from another approved training source.

.04 Certification by Sponsorship from a Certified Residential Child Care Program Administrator.

A. In order to obtain a certification as a residential child and youth care practitioner by sponsorship from a certified residential child care program administrator, the applicant shall submit to the Board:

- (1) The documentation required in Regulations .01A(1) — (2), (3)(b) — (c), and B(1) and .02A(1) of this chapter; and
- (2) A human service portfolio.

B. *Human Service Portfolio as Required in §A(2) of this Regulation.* A human service portfolio as required by in §A(2) of this regulation shall document:

- (1) At least 2 years human service field experience as defined in COMAR 10.57.01.01B; and
- (2) Evidence of the mastery of the following core competencies:
 - (a) Communication;
 - (b) Child and adolescent development;
 - (c) Cultural competence;
 - (d) Family partnerships;
 - (e) Crisis intervention and behavior management;
 - (f) Health and safety;
 - (g) Community integration;
 - (h) Therapeutic child and youth care;

- (i) Treatment services and quality improvement; and
- (j) Activities of daily living and support.

C. Requirements of a Sponsor.

- (1) A sponsor shall have a current program administrator certificate that is in good standing with the Board.
- (2) A sponsor shall have adequate evidence of the individual's knowledge, skills, abilities and competence as a child care worker based upon the sponsor's supervision of the individual for at least 6 months.

.05 Certification as a Provisional Residential Child and Youth Care Practitioner.

A. An applicant who holds an associate's or bachelor's degree may apply to the Board for provisional certification as specified in §B(2) of this regulation.

B. In order to obtain a certification as a provisional residential child and youth care practitioner, the applicant shall submit to the Board:

- (1) The documentation required in Regulations .01 and .02 of this chapter; and
- (2) A written statement on a form provided by the Board from the certified program administrator of the residential child care program requesting provisional certification for the individual that includes:

- (a) The name and title of the applicant's direct supervisor;
- (b) Contact information, including the mailing address, phone, and email address, for the applicant's supervisor; and
- (c) A summary of the efforts made by the residential child care program to recruit a certified residential child and youth care practitioner.

C. Certification as a provisional residential child and youth care practitioner may not exceed 180 days.

D. Restrictions.

- (1) More than 10-percent of a residential child care program's direct care staff may not have provisional certification.
- (2) A provisional residential child and youth care practitioner may not supervise direct care staff.
- (3) A provisional residential child and youth care practitioner shall be under the supervision of a certified residential child care program administrator or certified residential child and youth care practitioner.

.06 Certification as a Practitioner-in-Training.

A. Eligibility. Eligible candidates desiring to meet the requirements for certification as a practitioner-in-training (PIT) shall:

- (1) Submit to the Board the documentation required in Regulations .01A(1) — (2), (3)(b) — (c), and B(1) and .02A(1) of this chapter;
- (2) Complete a training sequence that includes:
 - (a) A 2 year apprentice training program supervised by a Board authorized preceptor; or
 - (b) Active enrollment in an approved training program as evidenced by an official transcript noting completion of at least 3 credit hours or 45 contact hours of training in one of the subject areas specified in Regulation .03A(2) of this chapter; and
 - (3) Demonstrate compliance with all employment training requirements.

B. If completing an apprentice training program, the Board may interview the applicant and proposed preceptor before the approval is granted for an apprentice training program. The Board shall satisfy itself that the background

and circumstances of the applicant and preceptor qualify them for the internship training program.

C. Authorization of Preceptor.

(1) In order to be authorized as a preceptor, a certified residential child care program administrator shall submit to the Board:

- (a) An application on the form provided by the Board;
- (b) The application fee set forth in COMAR 10.57.07; and

(c) An affidavit that the apprentice training program meets the other requirements of this section and sufficiently covers core competency areas identified in Regulation .04B(2) of this chapter.

(2) If the following conditions are met, the Board shall issue a certificate of qualification to be a preceptor to a PIT:

- (a) The preceptor holds and has held a certificate in good standing as a certified residential child care program administrator from the Board for 2 years or longer;
- (b) The proposed preceptor has been satisfactorily employed as a certified residential child care administrator in a residential child care program for 3 years or longer as evidenced by a letter from the residential child care program's board of director;
- (c) The residential child care program has not been or is not currently subject to disciplinary action by the program's licensing authority or authorities; and
- (d) The preceptor may or may not be the administrator of record of the residential child care program in which the training is to take place, but the preceptor may not be the administrator of record of a residential child care program other than the one designated for training.

(3) If a preceptor is found by the Board to have failed to provide adequate training, the Board may:

- (a) Revoke the preceptor's authorization to serve as a preceptor for a period of time prescribed by the Board; or
- (b) Initiate disciplinary action.

D. Responsibilities of Preceptor.

(1) The preceptor shall determine the appropriate amount and type of supervision necessary, taking into consideration:

- (a) Skills, experience, and education of the individual;
- (b) Change in the child's or youth's status;
- (c) Complexity of the assigned duty; and
- (d) Any other factors deemed appropriate by the supervising individual.

(2) Documentation for supervision of an individual who holds a PIT certificate to practice as a residential child and youth care practitioner shall include, but is not limited to:

- (a) Reports or summaries documenting compliance with supervision that are written and signed with credentials by the individual and cosigned by the supervising program administrator or residential child care supervisor;
- (b) Demonstrated competency in the use of specific procedures, activities, or techniques;
- (c) In-service training sufficient to assure safe performance of duties assigned; or
- (d) Evaluations cosigned by the individual and the supervisor.

(3) Every 180 days, the preceptor shall submit to the Board a progress report on a form provided by the Board.

E. Discontinuance of Apprentice Training Program.

(1) A PIT and the preceptor shall report discontinuance within 10 days.

(2) Within 10 days of the date of discontinuance, the preceptor shall file a report detailing the trainee's experience and abilities.

(3) A PIT may fulfill the minimum 2 year apprentice training requirement in not more than two licensed residential child care programs, with not more than 90 days lapse between the two periods of training.

(4) A change of preceptor shall be authorized by the Board upon submission of:

- (a) Application by the proposed new preceptor; and
- (b) Evidence satisfactory to the Board that the proposed preceptor is certified as a residential child care program administrator in good standing with the Board.

(5) An individual duly registered as a PIT whose internship is interrupted by service in the armed forces of the United States shall be permitted to resume the internship without loss of credit at any time within 1 year after the date of the PIT's separation from active service.

F. Restrictions.

(1) Preceptor Ratio.

(a) The preceptor to PIT ratio may not be more than one preceptor to ten PITs (1:10).

(b) More than 30-percent of a residential child care program's direct care staff may not have PIT certification.

(2) A PIT:

(a) May not provide supervision to direct care staff; and

(b) Shall be under the supervision of a certified residential program administrator or certified residential child youth care practitioner.

G. Expiration and Renewal.

(1) Unless the Board suspends or revokes the certificate, the Board authorizes the individual to practice as a PIT for 2 years after the date of issuance subject to the requirements outlined in this regulation.

(2) Certification as a practitioner-in-training may not be renewed.

(3) The Board may grant a 1 year extension of the PIT certificate pending completion by the applicant of an approved training program, if the applicant submits to the Board:

- (a) A request in writing stating the reason the extension is needed;
- (b) A completed application on the form that the Board requires;
- (c) An official transcript from the approved training program and documentation indicating anticipated graduation date; and
- (d) An application fee as established in COMAR 10.57.07.

(4) The Board may require a meeting with the applicant requesting an extension of a PIT certificate.

.07 Examination Procedures.

A. An applicant shall pass a Board-approved written examination before certification.

B. A minimum passing score of 75 percent is required on the examination.

C. An applicant shall pass the examination within 3 years of the first time the applicant takes the examination.

D. Reexamination.

(1) An applicant who fails the examination:

- (a) May retake the examination three times within the 12-month period after a failed examination; and
- (b) May not retake the examination within 6-months of failing the examination for the third time.

(2) Before or on the day of the repeat examination, the applicant shall pay to the Board the examination fee as established in COMAR 10.57.07.

(3) An applicant may request and be granted or denied a waiver of the 6-month waiting period after failure of the third examination upon proof of exceptional circumstances.

E. Applicants Requiring Special Accommodation.

(1) An applicant with a disability may request modifications in examination materials or procedures.

(2) The applicant shall make the request for modification in writing and include in the request the following:

- (a) The applicant's name;
- (b) The date of the examination to be modified; and
- (c) A letter from the appropriate licensed professional

which:

- (i) Confirms the disability; and
- (ii) Provides information describing the accommodations required.

(3) Requests for modification and supporting documentation shall be received by the application deadline.

.08 Action on Application.

A. The Board shall review all completed applications to the extent practicable within 120 days of receipt of the completed application.

B. The Board may delegate the initial review of applications to a committee of the Board.

C. At the next regular meeting of the Board, the Board may approve or deny an application reviewed by the Board or its designee.

D. Upon review of an application, the Board shall do one of the following:

- (1) Deny certification; or
- (2) Notify the applicant that the applicant is qualified to take the examination and require the applicant to take an examination.

E. Denial of Applications.

(1) The Board may deny certification if the applicant has:

- (a) Not completed the academic and experience requirements in Regulation .02 of this chapter;
- (b) Failed the examination requirements in Regulation .03 of this chapter;
- (c) Failed to remit a fee;
- (d) Failed to properly complete the application form;
- (e) Violated Health Occupations Article, Title 20, Annotated Code of Maryland, or any provision of this subtitle; or
- (f) Been shown to lack good moral character.

(2) If the Board denies certification under §E(1)(e) or (f) of this regulation, the Board or the Board's designee shall:

- (a) Provide the applicant written notification of the Board's intent to deny and the basis for that denial; and
- (b) Notify the applicant of the applicant's right to request a formal hearing to appeal the denial.

(3) An applicant whose certification has been denied may reapply and shall submit with the new application proof of compliance with:

- (a) This subtitle; and
- (b) Health Occupations Article, Title 20, Annotated Code of Maryland.

F. Issuance of Certificate.

(1) If the Board approves an applicant for certification and the applicant passes the examination, the Board shall:

- (a) Send the applicant a notice specifying that the applicant has qualified for a certificate; and
- (b) Issue a certificate to the applicant.

- (2) *The Board shall include on each certificate the:*
- (a) *Full name of the certificate holder;*
 - (b) *Serial number assigned by the Board; and*
 - (c) *Signature of the Chairman of the Board, under the seal of the Board.*

.09 Expiration and Renewal.

A. *Unless the Board suspends or revokes the certificate, the certification:*

- (1) *Is effective for at least 2 years from the date issued; and*
- (2) *Authorizes the individual to perform direct responsibilities related to activities of daily living, self-help, and socialization skills in a residential child care program.*

B. *At least 3 months before the certificate expires, the Board shall send to the certified residential child and youth care practitioner, by first class mail to the last known address, a renewal notice that states:*

- (1) *The date on which the current certificate expires;*
- (2) *The date by which the renewal application shall be received by the Board for the renewal to be issued; and*
- (3) *The amount of the renewal fee.*

C. *The Board shall renew the certificate of a certified residential child and youth care practitioner who:*

- (1) *Otherwise is entitled to obtain a certificate;*
- (2) *Pays to the Board a renewal fee set by the Board;*

and

(3) *Submits to the Board:*

(a) *A renewal application on a form that the Board requires; and*

(b) *Satisfactory evidence of compliance with any continuing education and other qualifications and requirements set by the Board.*

.10 Reinstatement.

A. *The Board shall reinstate the certificate of a residential child and youth care practitioner who has failed to renew the certificate for any reason, if the individual:*

- (1) *Has not had the certificate suspended or revoked;*
- (2) *Meets the renewal requirements established in Regulation .05 of this chapter;*

(3) *Pays to the Board the reinstatement fee as established in COMAR 10.57.07;*

(4) *Submits to the Board:*

(a) *Evidence of completion of 20 continuing education units within the last 2 years; and*

(b) *Adequate evidence that the applicant has completed a State and national criminal background check; and*

(5) *Applies to the Board for reinstatement of the certificate within 5 years after the certificate expires.*

B. *The Board may not reinstate the certificate of residential child and youth care practitioner who fails to apply for reinstatement of the certificate within 5 years after the certificate expires. However, the residential child and youth care practitioner may be certified by meeting the current requirements for obtaining a new certificate under this subtitle.*

.11 Duplicate Certificate. The Board shall issue a duplicate certificate to the certificate holder if:

A. *The certificate holder has a change of name and does the following:*

(1) *Makes the request to the Board in writing on the form provided by the Board;*

(2) *Provides appropriate legal documentation of the change;*

(3) *Pays the fee as specified in COMAR 10.57.07; and*

(4) *Surrenders the current certificate;*

B. *The Board, as a result of its error, issues an incorrect certificate and the certificate holder:*

(1) *Notifies the Board in writing within 6 weeks of receipt of the incorrect certificate; and*

(2) *Surrenders the incorrect certificate; or*

C. *The certificate holder does not receive the certificate within 6 weeks of issuance and the certificate holder provides a statement to the Board attesting to the nonreceipt of the certificate within 4 months of the date the certificate was issued by the Board.*

.12 Display of Certificate and Renewal Certificates.

A. *A certified residential child care and youth care practitioner shall provide to the residential child care program where they are employed:*

(1) *The certificate card; or*

(2) *Written verification from the Board of their certification.*

B. *Upon renewal of certification, the certified residential child and youth care practitioner shall provide to the residential child care program where they are employed:*

(1) *The certificate renewal card; or*

(2) *Written verification from the Board of the renewal of their certification.*

[10.57.03] 10.57.04 Continuing Education

Authority: Health Occupations Article, §20-205,
Annotated Code of Maryland

.01 Conditions of Certification Renewal; Continuing Education Units Required.

A. *The Board shall renew a certificate for an additional 2-year period if the certified program administrator:*

[A.] (1) — [C.] (3) (text unchanged)

[(1)] (a) — [(2)] (b) (text unchanged)

B. *The Board shall renew the certificate for an additional 2-year period if the certified residential child and youth care practitioner:*

(1) *Otherwise is entitled to be certified as set forth in COMAR 10.57.03;*

(2) *Pays to the Board the renewal fee as established in COMAR 10.57.07; and*

(3) *Submits to the Board:*

(a) *A renewal application on the form that the Board requires; and*

(b) *Satisfactory evidence of having completed, within the 2-year period before the renewal date, a minimum of 20 continuing education units approved by the Board.*

.02 Qualifying Continuing Education.

A. *The certified program administrator or certified residential child and youth care practitioner shall complete continuing education units that foster improvement, advancement, and extension of the certified program administrator's or certified residential child and youth care practitioner professional skill and knowledge relating to residential child care programs.*

B. *Continuing education may include:*

(1) *Academic course work which qualifies for credit toward an undergraduate or a graduate degree from an accredited institution with one semester hour of academic course work equivalent to 15 continuing education units and one quarter hour of academic course work equivalent to 3.75 continuing education units;*

[(2)] *Undergraduate course work if the applicant establishes that the course work applies to the field and is de-*

signed to update or enhance knowledge and skills required for competent performance;

[(3)] (2) Workshops, seminars, *symposiums*, conferences, institutes, audiovisual self-study, and similar programs [administered or approved by the Board or other health occupation boards] with 1 hour of attendance equivalent to 1 continuing education unit unless otherwise noted by an automatic or authorized sponsor;

[(4)] (3) Publications[; or] with 1 hour of authoring, editing, or review equal to 1 continuing education unit, up to a maximum of 12 continuing education units in a renewal period;

[(5)] (4) Presentations[.] or teaching up to a maximum of twice the number of continuing education units available to a participant in the program;

(5) Staff development, including but not limited to an educational program planned by an agency to assist employees in becoming knowledgeable and competent in fulfilling role expectations within that agency with 1 hour of attendance equivalent to 1 continuing education unit;

(6) Invited speaker sessions, in-house seminars, and case conferences which are specifically designed for training, teaching, or both, with 1 hour of attendance equivalent to 1 continuing education unit;

(7) Attendance or presentation of programs offered at professional meetings of local, state, regional or international professional organizations or societies;

(8) Home-study courses provided by automatic sponsors or approved sponsors with proof of satisfactory completion up to a maximum of 10 continuing education units in a renewal period; or

(9) Attendance at Board meetings with 1 hour of attendance equivalent to 1 continuing education unit up to a maximum of 2 continuing education units.

[C. Approval of Continuing Education.

(1) The Board shall approve continuing education units as described in §C(2) — (5) of this regulation.

(2) Academic Course Work.

(a) One semester hour of academic course work is equivalent to 15 continuing education units.

(b) One quarter hour is equivalent to .025 of a semester hour.

(c) The certified program administrator shall submit documentation of a transcript indicating that the course was completed for credit.

(3) Seminars, Workshops, and Institutes. One hour of attendance at a seminar, workshop, institute, or a Board-approved similar program is equivalent to 1 continuing education unit.

(4) Preparation and Presentation of a Qualifying Program.

(a) An instructor or speaker may receive up to twice the number of continuing education units available to a participant in the program.

(b) The Board shall grant credit for subsequent presentations if the presentations involve either a different subject matter or substantial additional research concerning the same subject matter.

(c) The Board shall approve a maximum of 12 education units in this category during a single renewal period. One hour of preparation or presentation will be equal to one continuing education credit.

(5) Publications. The Board may approve up to the maximum number of continuing education units for publications as long as the certified program administrator provides documentation of the qualifying subject matter of the

text and the fact of its publication or acceptance for publication during the renewal period.]

C. Of the required continuing education units in each 2-year period, a maximum of 5 continuing education units may have a content area focusing on behavior management.

D. Continuing education may not include certification or recertification in CPR or first aid.

.03 Obtaining Board Approval for Continuing Education Activities.

A. Authorization of Sponsors of Continuing Education.

(1) The following organizations are recognized by the Board as automatic sponsors, and may sponsor, or approve, or both, continuing education:

(a) State, regional, national, or international associations for:

- (i) Child and family services;
- (ii) Dietetics;
- (iii) Education;
- (iv) Medical or allied health professionals;
- (v) Professional counseling or therapy;
- (vi) Psychiatry;
- (vii) Psychology;
- (viii) Nursing; and
- (ix) Social work;

(b) National, regional, or State accredited academic institutions offering academic courses or programs that apply to the field of residential child care;

(c) Agencies, institutions, organizations, or individuals authorized as automatic sponsors or approved sponsors of continuing education by the State Board of Social Work Examiners under COMAR 10.42.06; and

(d) Agencies, institutions, organizations, or individuals approved by any State licensing or certification boards under Health Occupations Article, Annotated Code of Maryland.

(2) The following may be authorized to sponsor continuing education on application and approval by the Board:

- (a) Licensed health professionals;
- (b) Individuals with documented expertise in an area related to the practice of residential child care; and
- (c) Agencies, institutions, or organizations not entitled to automatic authorization, but which provide continuing education programs.

B. Application for Authorization to Sponsor Continuing Education.

(1) Applicants meeting the requirements of this chapter, who are not automatically authorized to sponsor continuing education programs, may apply to the Board for authorization to sponsor programs.

(2) The Board shall:

(a) Provide the applicant with an application form; and

(b) Charge a fee for processing the application to sponsor continuing education programs as provided in COMAR 10.57.07.

(3) An applicant for authorization to sponsor continuing education shall submit an application on the form provided by the Board for approval of the sponsor's credentials at least 45 days before conducting the sponsor's first program.

(4) The Board shall give notice to an applicant that the applicant has been approved or disapproved as a sponsor.

(5) If approved, the sponsor shall be placed on a provisional status until five continuing education programs have been submitted and approved as meeting the objectives of this chapter.

(6) Within 30 days after conducting each of the five programs required to become an authorized sponsor, a provisional sponsor shall submit:

(a) A summary of attendance including the number of participants grouped by profession; and

(b) A summarized report of the participant evaluations of the continuing education program.

(7) The Board shall notify the provisional sponsor in writing after receiving documentation of completion of all of the requirements of this regulation, if the requirements to be an authorized sponsor have been satisfied.

(8) The Board may waive the fee charged for processing the application, if the sponsor applying for authorization has demonstrated a capacity to offer acceptable continuing education programs to residential child care program professionals for no cost or nominal cost.

(9) Provisional sponsors may not be described as authorized sponsors in course description literature or other information.

C. Authorized Sponsor Requirements.

(1) Authorized sponsors shall include the following in the program descriptions:

(a) The number of continuing education units which will be certified by the sponsor in a certificate awarded to the residential child care program professional;

(b) A statement that the named sponsor is authorized by the Board; and

(c) A statement that the named sponsor maintains responsibility for the program.

(2) The Board shall maintain a roster of authorized sponsors.

(3) The Board shall require a sponsor to maintain documentation of continuing education for 4 years which includes:

(a) Registration and attendance records;

(b) Stated purpose;

(c) Content of presentation;

(d) Time and length of activity; and

(e) Participant evaluations.

(4) The Board may audit authorized sponsors at any time.

D. Suspension or Revocation of Sponsorship Authorization.

(1) Authorization as a sponsor or status as a provisional sponsor may be suspended or revoked if the sponsor does not comply with the requirements of §C of this regulation.

(2) The Board shall provide an opportunity for a hearing on request for reconsideration of the Board's decision to suspend or revoke sponsorship authorization, if a written request for reconsideration and hearing is received by the Board within 30 days after the affected party has been notified of the Board's action.

.04 Reporting, Documenting, and Auditing Compliance with Continuing Education Requirements.

A. A certified program administrator or certified residential child and youth care practitioner who has completed the continuing education requirements shall attest to that on a form supplied by the Board as part of the application for certificate renewal.

B. The Board shall audit a percentage of certified program administrators and certified residential child and youth care practitioners, to be determined by the Board, for each reporting period.

C. On request by the Board, a certified program administrator or certified residential child and youth care practi-

tioner shall provide full documentation of the credit hours completed in accordance with the requirements of this regulation.

D. Documentation. A certified program administrator or certified residential child and youth care practitioner shall provide to the Board:

(1) An official transcript for credit hours earned in a course taken for credit;

(2) A certificate of completion;

(3) If a certificate of completion is not available:

(a) Dates on which the program was presented;

(b) Names of the presenters;

(c) Topics presented; and

(d) An outline of the presentation;

(4) If a certificate of completion is not available for an audiovisual instruction program or a home study course, proof of completion of the program or course, such as post-test passing score or other satisfactory proof as determined by the Board;

(5) Proof of presentations made;

(6) Reprints of publications;

(7) Dates, times, and names of participants in journal clubs and organized learning experiences; or

(8) If credit is claimed for instruction of students, letters from educational institutions.

E. Record and Retention for Active or Lapsed Certificate.

(1) Active Certificates.

(a) A certified program administrator or certified residential child and youth care practitioner shall retain records documenting completion of continuing education requirements for 1 year after the certificate renewal date for which the report of continuing education was submitted to the Board.

(b) Documentation may be requested by the Board at any time within that 1-year period.

(2) Lapsed Certificate. A certified program administrator or certified residential child and youth care practitioner with a lapsed license shall:

(a) Retain records documenting completion of continuing education requirements for each 2-year period that the license was lapsed, up to a maximum of 80 credit hours; and

(b) File with the Board documentation of completion of continuing education units at the time of reinstatement.

[.04] .05 Waiver of Continuing Education Requirements.

The Board, at its discretion, may waive all or part of the requirements of Regulation [.01C(2)] .01A(3)(b) or B(3)(b) of this chapter.

[10.57.04] 10.57.05 Code of Ethics

Authority: Health Occupations Article, §§1-212, 20-205, and 20-313,

Annotated Code of Maryland

.01 Scope.

This chapter applies to all individuals licensed by the Board including:

A. Certified residential child care program administrators; and

B. Certified residential child and youth care practitioners.

.02 Public Protection.

The residential child care program administrator and the residential child and youth care practitioner accept the obligation to protect the public by:

A. Upholding the Code of Ethics, as set forth in this chapter; and

B. Reporting alleged violations of this chapter to the Board.

.03 General Conduct.

A. The primary concern of the residential child care program administrator and the residential child and youth care practitioner shall be the welfare of children and youth placed in the residential child care program.

B. The certified residential child and youth care practitioner shall:

(1) Function with discretion and integrity in relationships with other health professionals;

(2) Carry out all duties with honesty, integrity, self-respect, and fairness;

(3) Maintain documentation in the client's record which:

(a) Is legible;

(b) Accurately reflects the services provided, including treatment plans, treatment goals, and progress notes;

(c) Indicates the time and date services were provided;

(d) Protects the client's privacy by including only information directly relevant to the delivery of services;

(e) Is sufficient and timely to facilitate the delivery and continuity of services to be delivered in the future; and

(f) Is reasonably accessible for the period required by law, after termination of services;

(4) Inform the Board of unethical conduct by a certified residential child care program administrator or residential child and youth care practitioner; and

(5) Inform the Board about an individual who is not certified by the Board but who represents that the individual is a residential child care program administrator or residential child and youth care practitioner, or offering to practice residential child care administration.

C. In the capacity or identity as a certified residential child care program administrator or certified residential child and youth care practitioner may not:

(1) Participate in or condone dishonest behavior, fraudulent activities, deceitful practices, or misrepresentation;

(2) Misrepresent professional qualifications, education, experience, or affiliation;

(3) Exploit a relationship with a client for personal advantage or satisfaction;

(4) Engage in solicitation which amounts to fraud, intimidation, or undue influence, including but not limited to in-person, telephone, or direct mail solicitation;

(5) Practice, condone, or facilitate discrimination, or collaborate to discriminate on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, disability, or other preference or personal characteristic, condition, or status with an individual or group of individuals;

(6) Engage or participate in an action that violates or diminishes the civil or legal rights of a client;

(7) Share with another individual a confidence revealed by a client without the client's consent, except if there is danger to self or another individual, or for a compelling professional reason; or

(8) Enter into a nonprofessional, social, or dual relationship with a client, or an individual with whom the client has a close personal relationship.

.04 Sexual Misconduct.

A. The certified residential child care program administrator or certified residential child and youth care practitioner may not engage in sexual misconduct with a client or supervisee. Sexual misconduct includes but is not limited to:

(1) Inappropriate sexual language;

(2) Sexual exploitation;

(3) Sexual harassment;

(4) Sexual behavior; and

(5) Therapeutic deception.

B. Concurrent Sexual Relationships. The certified residential child care program administrator or certified residential child and youth care practitioner may not engage in either consensual or forced sexual behavior with:

(1) A client;

(2) A supervisee over whom the certified residential child care program administrator or certified residential child and youth care practitioner exercises professional authority or with whom the licensee maintains direct supervision or education while the professional relationship continues or exist; or

(3) An individual with whom the client has a close personal relationship, including but not limited to a relative or a significant individual in the client's life, if there is a risk of exploitation or potential harm to the client.

C. Sexual Harassment.

(1) The certified program administrator or certified residential child and youth care practitioner may not sexually harass a client or supervisee.

(2) If sexually harassed by a client, the certified program administrator or certified residential child and youth care practitioner shall:

(a) Seek professional consultation with another licensed health professional;

(b) Redefine the professional plan of action in writing in the client's record, documenting all action taken in the client's treatment plan; and

(c) Terminate therapy and assist in the referral to another health care provider.

D. Deceit During Therapy. The certified residential child care program administrator or certified residential child and youth care practitioner may not:

(1) Engage in sexual activity with a client or an individual in a close personal relationship with the client, on the pretense of therapeutic intent or benefit;

(2) Represent to the client or individual in close personal contact with the client that sexual contact or activity by or with the certified residential child care program administrator or certified residential child and youth care practitioner is consistent with or part of the client's therapy; or

(3) Suggest, recommend, or encourage the client to engage in a sexually provocative act, including but not limited to:

(a) Sexual contact with the certified residential child care program administrator or certified residential child and youth care practitioner;

(b) Genital stimulation by or of the client or certified residential child care program administrator or certified residential child and youth care practitioner;

(c) Undressing by or of the certified program administrator or certified residential child and youth care practitioner in the presence of the client, or of the client in the presence of the certified residential child program administrator or certified residential child and youth care practitioner; or

(d) Discussion or disclosure of a sexually provocative or erotic nature, not necessitated by treatment or treatment protocol.

.05 Physical Contact.

The certified residential child care program administrator or certified residential child and youth care practitioner engaging in physical contact with a client as an accepted component of a professionally recognized, nontraditional treatment modality shall have documented in the client's record by a licensed or certified health care professional:

- A. An assessment of the client;
- B. A written rationale for the use of the treatment modality for the client; and
- C. A copy of the informed consent, signed and dated by the client and the licensed or certified health care professional, which addresses:
 - (1) The risks and benefits of the treatment modality;
 - (2) The objective or objectives and intended outcome or outcomes of the proposed treatment;
 - (3) Available alternative interventions; and
 - (4) A description of the physical contact which may be reasonably anticipated by the client in the course of the proposed treatment.

.06 Sanctions.

A. A certified residential child care program administrator or certified residential child and youth care practitioner is subject to sanctions if the certified residential child care program administrator or certified residential child and youth care practitioner:

- (1) Has engaged in sexual misconduct with a client or supervisee;
- (2) Has engaged in sexual behavior that would be considered unethical or unprofessional according to the professional standards of conduct, including but not limited to:
 - (a) Sexual behavior or knowledge of sexual behavior with a client placed in the residential child care program;
 - (b) Solicitation of a sexual relationship with a client placed in the residential child care program;
 - (c) Sexual advances, requesting sexual favors, or both;
 - (d) A verbal comment of a sexual nature;
 - (e) Physical contact of a sexual nature with a client placed in the residential child care program;
 - (f) Discussion of unnecessary sexual matters with a client placed in the residential child care program;
 - (g) Direct or indirect observation of a client while the client is undressing or dressing;
 - (h) The taking of photographs of a client placed in the residential child care program for a sexual purpose;
 - (i) Sexual harassment of staff, students, or volunteers;
 - (j) Sexual contact with a client placed in the residential child care program; or
 - (k) Offering to provide services, such as drugs, in exchange for sexual favors;
- (3) Has violated any of the provisions of the:
 - (a) Law pertaining to the certification of residential child care program administrators or residential child and youth care practitioners; or
 - (b) Regulations of the Board pertaining to the certification of residential child care program administrators or residential child and youth care practitioners;
- (4) Has violated any of the provisions of the law or regulations of the certification, supervising authority, or agency of the State or political subdivision of the State having juris-

diction of the operation, licensure, or certification of residential child care programs;

- (5) Is professionally, physically, or mentally incompetent to act as a residential child care program administrator or residential child and youth care practitioner;
- (6) Has practiced fraud, deceit, or misrepresentation in the capacity as a residential child care program administrator or residential child and youth care practitioner;
- (7) Has wrongfully transferred or surrendered possession, either temporarily or permanently, of their certificate card to any other individual;
- (8) Has used fraudulent, misleading, or deceptive advertising;
- (9) Has endangered or sanctioned the endangerment of the safety, health, and life of any client;
- (10) Has willfully permitted unauthorized disclosure of information relating to a client's records;
- (11) Has discriminated in respect to clients placed in the residential child care program, employees, or staff on account of race, religion, color, national origin, disability, gender, sexual orientation, or any other area that the Board deems inappropriate; or
- (12) Has practiced as a residential child care program administrator or residential child and youth care practitioner without holding a certificate to practice in the State.

B. A sanction constitutes the minimum disciplinary measure and does not preclude the Board from imposing additional penalties as it deems appropriate to an individual case.

C. The Board shall advise all applicable licensing authorities of the suspension or revocation of a certificate on the grounds of sexual misconduct.

D. The certified residential child care program administrator or certified residential child and youth care practitioner may not prohibit the client from reporting sexual misconduct as a condition of settlement of a legal cause of action.

E. The Board may deny certification to any applicant, suspend or revoke a certification of a residential child care program administrator or a residential child and youth care practitioner, or reprimand or otherwise discipline a residential child care program administrator or a residential child and youth care practitioner after due notice and an opportunity to be heard at a formal hearing, upon evidence that the applicant, child care program administrator, or residential child and youth care practitioner has violated this chapter.

[10.57.06] 10.57.07 Fees

Authority: Health Occupations Article, §20-206,
Annotated Code of Maryland

.01 Fee Schedule.

The following fees are established by the Board:

- A. Residential Child Care Program Administrators:
 - (1) Initial Application — \$200;
 - (2) State Standards Examination (charged each time an applicant takes the examination) — \$125;
 - (3) Biennial Certificate Renewal — \$200;
 - (4) Reinstatement Fee — \$200;
 - (5) Late Renewal Fee (in addition to renewal fee) — \$100;
 - (6) Acting Capacity Approval — \$75;
 - (7) Authorization to serve as the residential child care program administrator for 2 individually licensed organizations — \$100; and
 - (8) Preceptor Authorization — \$100;
- B. Residential Child and Youth Care Practitioner:

- (1) *Initial Application* — \$50;
 - (2) *State Standards Examination (charged each time an applicant takes the examination)* — \$50;
 - (3) *Biennial Certificate Renewal* — \$ 50;
 - (4) *Reinstatement Fee* — \$50;
 - (5) *Late Renewal Fee (in addition to renewal fee)* — \$25;
 - (6) *Provisional Certification* — \$25; and
 - (7) *Practitioner-in-Training* — \$50; and
- C. Other Fees:**
- (1) *Application for approval of a continuing education program of studies* — \$100;
 - (2) *Fine for failure to notify the Board within 30 days of a change in the:*
 - (a) *Name of the certificate holder;*
 - (b) *Home address of the certificate holder;*
 - (c) *Electronic mail address of the certificate holder; or*
 - (d) *Name or address of employer or business connection of the certificate holder* — \$50;
 - (3) *Returned check fee* — \$25;
 - (4) *Diskettes, Labels or Rosters of Certified Individuals.* Persons may purchase diskettes, labels, or rosters of certified:
 - (a) *Residential Child Care Program Administrators* — \$50; or
 - (b) *Residential Child and Youth Care Practitioner* — \$100;
 - (5) *Lost, destroyed, or duplicate license* — \$25;
 - (6) *Written verification of certification* — \$15;
 - (7) *Failure to appear at Standards Examination without justification* — \$15; and
 - (8) *Missing documentation reprocessing fee* — \$5.

.02 Refunds.

Fees are nonrefundable and nontransferable.

[10.57.07] 10.57.08 Compelling Purpose Disclosure

Authority: Health Occupations Article, §20-205; State Government Article, §10- 617(h)(3); Annotated Code of Maryland

.01 Disclosure for Compelling Public Purpose.

A. A custodian may [disclosure] disclose information in a certification or investigative file if the custodian determines that a compelling public purpose exists to warrant disclosure.

B. (text unchanged)

JOHN M. COLMERS
Secretary of Health and Mental Hygiene

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 06 PLANT PEST CONTROL

15.06.03 Collection and Conservation of Maryland Ginseng

Authority: Agriculture Article, §9-603, Annotated Code of Maryland

Notice of Proposed Action

[10-090-P]

The Secretary of Agriculture proposes to amend Regulation .03 under **COMAR 15.06.03 Collection and Conservation of Maryland Ginseng**.

Statement of Purpose

The purpose of this action is to implement the changes necessary to conserve and protect American ginseng growing in Maryland by changing the beginning of ginseng harvest season from August 20 to September 1, and restricting the collection to ginseng plants that are at least five years of age. American ginseng has been protected since 1975 under an international treaty known as CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora), which requires its export to be regulated by the U.S. Fish & Wildlife Service (FWS), 50 CFR Part 23, Subpart E — International Trade in Certain Specimens. States with a ginseng management program must provide the FWS with sufficient information to determine that its management program and harvest controls are appropriate to ensure that ginseng harvested within its jurisdiction is legally acquired and that export will not be detrimental to the survival of the species in the wild in order to allow export under CITES. Maryland is one of 19 states with a ginseng management program accepted by the FWS.

These proposed changes are consistent with the intent of the Ginseng Control Law to promote the conservation and export of ginseng by establishing guidelines for conservation and harvesting. Unripe berries produce seed with significantly lower germination rates as compared to ripe berries. A start date of September 1 for the ginseng collecting season will ensure that most seed is mature prior to the beginning of the harvest. In a 2009 finding, the FWS Division of Scientific Authority (DSA) states, “. . . we continue to be concerned regarding the early harvest season start dates, before September 1, in seven States (i.e., Georgia, Kentucky, Maryland, Pennsylvania, Tennessee, Vermont, and Virginia).” The DSA finding concludes that “. . . all wild and wild simulated ginseng roots must be from plants at least 5 years of age or older at the time of harvest . . .”, for the harvest not to be detrimental to the survival of the species. These conditions are both met in the proposed change.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Carol Holko, Program Manager, Maryland Department of Agriculture, Plant Protection & Weed Management, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5920, or email to HolkoCA@mda.state.md.us, or fax to 410-841-5835. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.03 Collecting Season and Size Limitations.

A. Ginseng roots may be collected only during the collection season from [August 20th] *September 1* through December [1st] *1*.

B. Roots from ginseng plants *less than 5 years of age* or with fewer than three five-leaflet leaves (three prongs) or with immature seeds (green berries) may not be collected.

EARL F. HANCE
Secretary of Agriculture

Subtitle 15 MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

15.15.01 Guidelines for the Maryland Agricultural Land Preservation Program

Authority: Agriculture Article, §§2-504, 2-509, and 2-513, Annotated Code of Maryland

Notice of Proposed Action

[10-087-P]

The Secretary of Agriculture proposes to repeal existing Regulation .12 and adopt new Regulation .12 under **COMAR 15.15.01 Guidelines for the Maryland Agricultural Land Preservation Program**.

Statement of Purpose

The purpose of this action is to clarify the Maryland Agricultural Land Preservation Foundation's policy of purchasing land preservation easements on farms subject to mineral or other rights.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The cost is unknown, but this action may prevent a property owner whose farm is subject to mineral or other rights from selling a land preservation easement to the Foundation.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+)	Magnitude
	Cost (-)	
D. On regulated industries or trade groups:	NONE	

E. On other industries or trade groups: NONE

F. Direct and indirect effects on public:

(1) Landowners	(-)	Unknown
(2) Farmland production	(+)	Unknown

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

F(1). The cost is unknown for landowners who are denied the opportunity to sell a land preservation easement to the Foundation.

F(2). This action will provide more protection for farmland, subject to land preservation easements, from nonagricultural development.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to James Conrad, Executive Director, Maryland Department of Agriculture, Maryland Agricultural Land Preservation Foundation, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5860, or email to ConradJA@mda.state.md.us, or fax to 410-841-5730. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.12 Land Subject to Mineral Rights.

A. *Unless a property owner either releases or subordinates its mineral or material extraction rights interest to the Foundation's interest under the easement, the Foundation may not acquire an easement on a farm that is subject to mineral rights or a right to extract sand and gravel, shale, limestone, crude petroleum and natural gas, clay, ceramic, and fertilizer minerals and deep-mined minerals, including bituminous coal.*

B. *The Foundation may accept subordination of less than 100% of the mineral rights interest if owners of fractional shares cannot be located or are unwilling to subordinate, and the Foundation determines that the fractional interests are unlikely to be exercised.*

C. *In Garrett County or Allegany County only, the Foundation may not require subordination if the Foundation determines that exercise of natural gas rights will not interfere with an agricultural operation on property subject to an easement.*

EARL F. HANCE
Secretary of Agriculture

Subtitle 15 MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

15.15.09 Civil Penalty Standards

Authority: Agriculture Article, §2-519, Annotated Code of Maryland

Notice of Proposed Action

[10-089-P]

The Secretary of Agriculture proposes to adopt new Regulations .01 — .07 under a new chapter, **COMAR 15.15.09 Civil Penalty Standards**.

Statement of Purpose

The purpose of this action is to establish civil penalties that the Maryland Agricultural Land Preservation Foundation may impose on an owner of a property whose farm is subject to the terms of an easement granted under Agriculture Article, Title 2, Subtitle 5, Annotated Code of Maryland, who violates Subtitle 5, any regulations adopted in accordance with the subtitle, or the terms of the easement.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The total amount of civil penalties is unknown that may be collected from property owners who violate the applicable terms of an agricultural land preservation easement.

II. Types of Economic Impact.

	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R+)		Unknown
B. On other State agencies:	NONE		
C. On local governments:	NONE		
	Benefit (+)	Cost (-)	Magnitude
D. On regulated industries or trade groups:	(-)		Unknown
E. On other industries or trade groups:	NONE		
F. Direct and indirect effects on public:	(+)		Unknown

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. The Foundation may experience a minimal increase in revenue that will be quickly offset by staff hours used to enforce land preservation easement restrictions.

D. The regulated industry will incur minimal costs for those property owners who fail to comply with land preservation easement restrictions.

F. By strengthening the Foundation's ability to enforce land preservation easement restrictions, public confidence should increase in the Foundation's role as the lead state agency that preserves farmland from development.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to James Conrad, Executive Director, Maryland Department of Agriculture, Maryland Agricultural Land Preservation Foundation, 50 Harry S. Truman Parkway, Annapolis, Maryland 21401, or call (410) 841-5860, or email to ConradJA@mda.state.md.us, or fax to (410) 841-5730. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.01 Penalty in Violation.

A. *The Foundation may impose a civil penalty on an owner of a property whose farm is subject to the terms of an easement granted under Agriculture Article, Title 2, Subtitle 5, Annotated Code of Maryland, who violates that subtitle,*

any regulations adopted in accordance with the subtitle, or the terms of the easement.

B. *A civil penalty may be imposed by the Foundation instead of, or in addition to, any remedies at law or in equity.*

.02 Violation.

A. *Property Use. Except as otherwise permitted by Agriculture Article, §2-513, Annotated Code of Maryland, the deed of easement, or Foundation approval, the Foundation may impose a civil penalty on a property owner subject to this chapter who:*

(1) *Uses easement property for commercial, industrial, or residential use;*

(2) *Grants an easement, right-of-way, oil, gas, or mineral lease, or similar servitude on land to any person or government agency;*

(3) *Erects a sign, billboard, or outdoor advertising on easement property;*

(4) *Dumps ashes, sawdust, bark, trash, or rubbish on easement property, except when used in normal agricultural practices; or*

(5) *Violates an approval by the Foundation for any use or activity under the deed of easement.*

B. *Property Management. Except as otherwise permitted by Agriculture Article, §2-513, Annotated Code of Maryland, the deed of easement, or Foundation approval, the Foundation may impose a civil penalty on a property owner subject to this chapter who:*

(1) *Fails to manage easement property with sound agricultural soil and water conservation practices; or*

(2) *Fails to manage easement property with sound forest stewardship practices, if the land contains 25 acres or more of contiguous forest.*

C. *Subdivision or Conveyance. Except as otherwise permitted by Agriculture Article, §2-513, Annotated Code of Maryland, the deed of easement, or Foundation approval, the Foundation may impose a civil penalty on a property owner subject to this chapter who:*

(1) *Divides, partitions, or subdivides the property, or otherwise creates a lot for any purpose, including off conveyance or boundary line adjustment;*

(2) *Sells, transfers, gives, bequeaths, donates, or otherwise divides, any pre-existing subdivided parcel separately from the total of the parts in an easement, whether voluntarily, involuntarily, or by reason of foreclosure or bankruptcy;*

(3) *Transfers or sells any remaining developmental rights of the property; or*

(4) *Fails to comply with lot transfer restrictions.*

D. *Dwelling House. Except as otherwise permitted by Agriculture Article, §2-513, Annotated Code of Maryland, the deed of easement, or Foundation approval, the Foundation may impose a civil penalty on a property owner subject to this chapter who:*

(1) *Constructs a dwelling on easement property;*

(2) *Constructs a replacement dwelling house on easement property; or*

(3) *Permits any lot or dwelling house constructed on an owner's or child's lot to be used for the purposes of an individual other than a property owner or, in the case of a child's lot, the identified child.*

E. *Tenant House. Except as otherwise permitted by Agriculture Article, §2-513, Annotated Code of Maryland, the deed of easement, or Foundation approval, the Foundation may impose a civil penalty on a property owner subject to this chapter who:*

(1) *Constructs a tenant house on easement property;*

(2) Allows a dwelling designated as a tenant house to be occupied entirely by individuals who are not fully engaged in the operation of the farm; or

(3) Subdivides and separately conveys a tenant house or the land where it is constructed, or both.

F. The Foundation may impose a civil penalty on a property owner subject to this chapter who violates any other law or regulatory requirement governing the Maryland Agricultural Land Preservation Program, an individual deed of easement acquired by the Foundation, or Foundation approval or policy.

.03 Violation Classification and Penalty.

A. The Foundation may impose a penalty for:

- (1) Up to \$2,500 for each violation;
- (2) Each day a violation occurs; and
- (3) Up to \$50,000 in penalties during one administrative hearing.

B. Before imposing any civil penalty under this chapter, the Foundation shall consider the following:

- (1) The nature and gravity of each violation;
- (2) The willfulness of the violation and the extent to which the existence of the violation was known to the violator but uncorrected by the violator; and
- (3) A history of prior violations, if any.

.04 Civil Penalty Procedure.

A. The Foundation shall issue a written notice of violation to the property owner upon finding that a violation has occurred or is ongoing.

B. A written notice of violation shall include:

- (1) A statement of the statute, regulation, or deed of easement violated by the landowner;
- (2) A description of the evidence of a violation;
- (3) A statement informing the property owner of the right to an informal meeting with the Foundation;
- (4) The amount of the proposed civil penalty;
- (5) A statement of the remedial action necessary to bring the property owner into compliance; and
- (6) A reasonable amount of time, as determined by the Foundation, to correct a violation.

C. If the alleged violation still exists after the property owner has had an opportunity for an informal meeting and a reasonable amount of time to correct the violation, the Foundation may issue a written notice of violation with a penalty.

.05 Contested Case Hearing; Appeal.

A property owner may petition the Foundation for a contested case hearing on the violation and penalty within 30 calendar days of the issuance of the notice of violation by the Foundation. The Office of Administrative Hearings shall conduct a hearing and issue proposed findings of fact and conclusions of law pursuant to State Government Article, Title 10, Subtitle 2, Annotated Code of Maryland. The Foundation shall adopt or reject the proposed findings of fact and conclusions of law and issue a final decision. An owner may then appeal the Foundation's decision as provided by Agriculture Article, §2-405, Annotated Code of Maryland.

.06 Penalty Payment.

A. Unless a property owner requests a contested case hearing, the property owner shall promptly pay the penalty.

B. Payment of a penalty is not a substitute for compliance. If the property owner continues to violate this chapter, the Foundation may impose additional civil penalties or pursue other remedies at law or in equity.

.07 Violation Date.

This chapter applies to any violation that occurs on or after October 1, 2009.

EARL F. HANCE
Secretary of Agriculture

Subtitle 15 MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION

15.15.10 Confidential Records

Authority: Agriculture Article, §2-510(m),
Annotated Code of Maryland

Notice of Proposed Action

[10-088-P]

The Secretary of Agriculture proposes to adopt new Regulations **.01 — .04** under a new chapter, **COMAR 15.15.10 Confidential Records**.

Statement of Purpose

The purpose of this action is to establish the confidentiality requirement and its duration for records relating to the sale of an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. These regulations will increase the cost of reviewing and preparing responses to public records requests by increasing the responsibilities and staff time of a custodian of public records under the Maryland Agricultural Land Preservation Program.

II. Types of Economic Impact.

	Revenue (R+/R-)	Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(E+)		Unknown
B. On other State agencies:	NONE		
C. On local governments:	(E+)		Unknown
	Benefit (+)		
	Cost (-)		Magnitude
D. On regulated industries or trade groups:	NONE		
E. On other industries or trade groups:	NONE		
F. Direct and indirect effects on public:	(+/-)		Unknown

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

A. Increased staff time in reviewing public records will increase the cost to the agency in complying with public information requests. This cost is unknown because it depends on the scope of the request.

C. Since county governments are custodians of agricultural land preservation easement records, a county may incur unknown increased costs in staff time in reviewing requests.

F. Depending upon the scope of the public information request, government agencies may charge fees to cover the cost of reviewing, preparing and copying public records. This cost is unknown because it depends on the scope of the request. At the same time, the public will benefit from record confidentiality, because it will protect the

competitive bid process to help ensure that the state purchases easements on the best farmland for the lowest price with public funds.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to James Conrad, Executive Director, Maryland Department of Agriculture, Maryland Agricultural Land Preservation Foundation, 50 Harry S. Truman Parkway, Annapolis, MD 21401, or call 410-841-5860, or email to ConradJA@mda.state.md.us, or fax to 410-841-5730. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.01 Scope.

This chapter explains the confidentiality requirement and its duration for records relating to the sale of an easement to the Maryland Agricultural Land Preservation Foundation. Confidentiality of records is maintained during an offer cycle to ensure the integrity of the offer and sale process for all participants. An offer cycle begins upon submission of a property owner's application and ends as provided by this chapter.

.02 Record Custodian.

This chapter applies to a custodian of public records as defined by the State Government Article, §10-611, Annotated Code of Maryland. For purposes of this chapter, a public record is defined by State Government Article, §10-611, Annotated Code of Maryland.

.03 Confidentiality Requirement.

A public record subject to the Maryland Public Information Act relating to a property owner's ranking, asking price, or offer by the Maryland Agricultural Land Preservation Foundation under Agriculture Article, §§2-501 — 2-519, Annotated Code of Maryland, is confidential. A custodian may not disclose the record until the end of the Foundation's offer cycle as provided by this chapter.

.04 End of Offer Cycle; Duration of Confidentiality.

A public record subject to this chapter is available for public inspection and disclosure at the end of an offer cycle. An offer cycle for an individual applicant ends on the earlier of the following:

A. *When an offer from the Maryland Agricultural Land Preservation Foundation is scheduled for review by the Board of Public Works; or*

B. *November 1 of the year when offers are being made for an applicant pool.*

EARL F. HANCE
Secretary of Agriculture

**Title 31
MARYLAND INSURANCE
ADMINISTRATION**

**Subtitle 05 ASSETS, LIABILITIES, RESERVES,
AND INVESTMENTS OF INSURERS**

31.05.03 Valuation of Life Insurance Policies

Authority: Insurance Article, §2-109, Title 5, Subtitle 3, and §16-309, Annotated Code of Maryland

Notice of Proposed Action

[10-091-P]

The Insurance Commissioner proposes to amend Regulations .06, .10, and .15 under **COMAR 31.05.03 Valuation of Life Insurance Policies**.

Statement of Purpose

The purpose of this action is to adopt revisions of two NAIC models that were approved by the NAIC during the fall of 2009. Requirements for the amount of reserves life insurers must establish for various types of products are specified in various Maryland regulations. In general, these reserve requirements are based on models developed and approved by the National Association of Insurance Commissioners (NAIC). Adoption of the NAIC models by the various states helps to ensure that the states have appropriate reserve requirements in place, and also helps to ensure uniform financial reporting.

In late 2009, the NAIC determined that the current reserving requirements are overly conservative, do not accurately reflect the economics of the products (life policies) sold and exposures of those products and, as a result, have resulted in redundant, unnecessarily high reserve levels, with a commensurate reduction in reported surplus. The Administration has determined that adoption of the revisions to these two models is appropriate, and will allow Maryland domestic life insurers to report their reserves and surplus funds for the year ended December 31, 2009 and thereafter in a manner comparable with life insurers domiciled in other states.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.06 Conditions for Use of Mortality Tables.

A. — D. (text unchanged)

E. *Unless exempted by the Commissioner, every authorized insurer using the 2001 CSO Preferred Class Structure Mortality Table shall annually file with the Commissioner, with the NAIC, or with a statistical agent designated by the NAIC and acceptable to the Commissioner, statistical reports showing mortality and such other information as the Commissioner may consider necessary or expedient for the administration of the provisions of this regulation.*

F. *The form of the reports required pursuant to §E of this regulation, shall be established by the Commissioner, or the Commissioner may require the use of a form established by the NAIC or by a statistical agent designated by the NAIC, and acceptable to the Commissioner.*

G. *The use of the 2001 CSO Preferred Class Structure Mortality Table for the valuation of policies issued prior to January 1, 2007 may not be permitted in any statutory financial statement in which a company reports, with respect to any policy or portion of a policy coinsured, for either of the following:*

(1) *In cases where the mode of payment of the reinsurance premium is less frequent than the mode of payment of the policy premium, a reserve credit that exceeds, by more than the amount specified in this subsection as Y, the gross reserve calculated before reinsurance. Y is the amount of the gross reinsurance premium that:*

(a) *Provides coverage for the period from the next policy premium due date to the earlier of the end of the policy year and the next reinsurance premium due date; and*

(b) *Would be refunded to the ceding entity upon the termination of the policy.*

(2) *In cases where the mode of payment of the reinsurance premium is more frequent than the mode of payment of the policy premium, a reserve credit that is less than the gross reserve, calculated before reinsurance, by an amount that is less than the amount specified in this subsection as Z. Z is the amount of the gross reinsurance premium that the ceding entity would need to pay the assuming company to provide reinsurance coverage from the period of the next reinsurance premium due date to the next policy premium due date minus any liability established for the proportionate amount not remitted to the reinsurer.*

H. *For purposes of §G of this regulation, both the reserve credit and the gross reserve before reinsurance (i) for the mean reserve method shall be defined as the mean reserve minus the deferred premium asset, and (ii) for the mid-terminal reserve method shall include the unearned premium reserve. A company may estimate and adjust its accounting on an aggregate basis in order to meet the conditions to use the 2001 CSO Preferred Class Mortality Structure Table.*

[E.] I. — [F.] J. (text unchanged)

.10 General Calculation Requirements for Basic Reserves and Premium Deficiency Reserves.

A. Basic Reserves.

(1) — (2) (text unchanged)

B. (text unchanged)

C. Deficiency Reserves — [select] *Select Mortality Factors.* If select mortality factors are elected, they may be:

(1) — (2) (text unchanged)

(3) For durations in the first segment, X percent of the select mortality factors incorporated by reference under Regulation .04 of this chapter, subject to the following:

(a) X may vary by policy year, policy form, underwriting classification, issue age, or any other policy factor expected to affect mortality experience;

[(b) X may not be less than 20 percent of the select mortality factors;

(c) X may not decrease in any successive policy years;]

[(d)] (b) X is such that, when using the valuation interest rate used for basic reserves, subparagraph (i) is greater than or equal to subparagraph (ii) as follows:

(i) The actuarial present value of future death benefits, calculated using the mortality rates resulting from the application of X;

(ii) The actuarial present value of future death benefits calculated using anticipated mortality experience without recognition of mortality improvement beyond the valuation date;

[(e)] (c) — [(f)] (d) (text unchanged)

[(g)] (e) The appointed actuary may decrease X at any valuation date as long as X[:] continues to meet all the requirements of this subsection;

[(i) Does not decrease in any successive policy years, and

(ii) Continues to meet all the requirements of this subsection;]

[(h)] (f) (text unchanged)

[(i)] (g) If X is less than 100 percent at any duration for any policy, the following requirements shall be met:

(i) Each year, the appointed actuary shall prepare an actuarial opinion and memorandum for the company in conformance with the requirements of COMAR [31.05.01.04D] 31.05.01; [and]

(ii) *The appointed actuary shall disclose, in the Regulatory Asset Adequacy Issues Summary, the impact of the insufficiency of assets to support the payment of benefits and expenses and the establishment of statutory reserves during one or more interim periods; and*

[(ii) (iii) (text unchanged)

(4) (text unchanged)

D. — G. (text unchanged)

H. Documentation of Adequacy of Reserves.

(1) (text unchanged)

(2) The documentation may include a demonstration of the extent to which aggregation with other nonspecified blocks of business is relied on in the formation of the appointed actuary opinion pursuant to and consistent with the requirements of COMAR [31.05.01.04D] 31.05.01.

.15 2001 CSO Preferred Class Structure Mortality Tables.

A. This regulation applies to policies issued on or after [January 1, 2007] *January 1, 2004.*

B. Election of Minimum Valuation Standard.

(1) At the election of the insurer for any one or more specified plans of insurance *and subject to satisfying the conditions stated in this chapter*, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO smoker or nonsmoker Mortality Table as the minimum valuation standard *for policies issued on or after January 1, 2007.*

(2) *For policies issued on or after January 1, 2004, and prior to January 1 2007, the 2001 CSO Preferred Class Structure Mortality Table may be substituted in place of the 2001 CSO smoker or nonsmoker Mortality Table with the consent of the Commissioner and subject to the conditions in Regulation .06C — H of this chapter. In determining such*

consent, the Commissioner may rely on the consent of the Commissioner of the company's state of domicile.

[(2)] (3) (text unchanged)

[(3)] (4) No election in [§B(2)] §B(1) and (2) of this regulation shall be made until the insurer demonstrates that at least 20 percent of the business to be valued on the basis of the 2001 CSO Preferred Class Structure Mortality Table is in one or more of the preferred classes.

(5) A table from the 2001 CSO Preferred Class Structure Mortality Table used in place of a 2001 CSO Mortality Table, pursuant to the requirements of this chapter, is treated as part of the 2001 CSO Mortality Table only for purposes of reserve valuation pursuant to the requirements of the NAIC model regulation "Recognition of the 2001 CSO Mortality Table For Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits Model Regulation," referenced in §C of this regulation.

[C. If an insurer elects to use the 2001 CSO Preferred Class Structure Mortality Table as the minimum standard, the insurer shall do so only for reserve valuation purposes.

D. Unless exempted by the Commissioner, every authorized insurer using the 2001 CSO Preferred Class Structure Table shall annually file with the Commissioner, with the NAIC, or with a statistical agent designated by the NAIC and acceptable to the Commissioner, statistical reports showing mortality and such other information as the Commissioner may consider necessary or expedient for the administration of the provisions of this regulation. The form of the reports shall be established by the Commissioner, or the Commissioner may require the use of a form established by the NAIC or by a statistical agent designated by the NAIC, and acceptable to the Commissioner.]

C. National Association of Insurance Commissioners', "Recognition of the 2001 CSO Mortality Table For Use in Determining Minimum Reserve Liabilities and Nonforfeiture Benefits Model Regulation".

Model Regulation Service—January 2003

**RECOGNITION OF THE 2001 CSO MORTALITY TABLE
FOR USE IN DETERMINING MINIMUM RESERVE LIABILITIES
AND NONFORFEITURE BENEFITS MODEL REGULATION**

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Section 1. Authority

This regulation is promulgated by the Commissioner of Insurance pursuant to Sections [insert applicable references to Section 4A(c) of the Standard Valuation Law and Section 5cH(6) of the Standard Nonforfeiture Law for Life Insurance] of the [insert state] Insurance Laws and Sections [insert applicable references to Sections 5A and 5B of the Valuation of Life Insurance Model Regulation] of the [insert state] Insurance Regulations.

Drafting Note: The reference to the Valuation of Life Insurance Policies Model Regulation should be omitted by states that have not adopted that model.

Section 2. Purpose

The purpose of this regulation is to recognize, permit and prescribe the use of the 2001 Commissioners Standard Ordinary (CSO) Mortality Table in accordance with [insert applicable references to Section 4A(c) of the Standard Valuation Law and Section 5cH(6) of the Standard Nonforfeiture Law for Life Insurance] of the [insert state] Insurance Laws and Sections [insert applicable references to Sections 5A and 5B of the Valuation of Life Insurance Model Regulation] of the [insert state] Insurance Regulations.

Section 3. Definitions

- A. "2001 CSO Mortality Table" means that mortality table, consisting of separate rates of mortality for male and female lives, developed by the American Academy of Actuaries CSO Task Force from the Valuation Basic Mortality Table developed by the Society of Actuaries Individual Life Insurance Valuation Mortality Task Force, and adopted by the NAIC in December 2002. The 2001 CSO Mortality Table is included in the *Proceedings of the NAIC (2nd Quarter 2002)*. Unless the context indicates otherwise, the "2001 CSO Mortality Table" includes both the ultimate form of that table and the select and ultimate form of that table and includes both the smoker and nonsmoker mortality tables and the composite mortality tables. It also includes both the age-nearest-birthday and age-last-birthday bases of the mortality tables.
- B. "2001 CSO Mortality Table (F)" means that mortality table consisting of the rates of mortality for female lives from the 2001 CSO Mortality Table.

2001 CSO Mortality Table

- C. "2001 CSO Mortality Table (M)" means that mortality table consisting of the rates of mortality for male lives from the 2001 CSO Mortality Table.
- D. "Composite mortality tables" means mortality tables with rates of mortality that do not distinguish between smokers and nonsmokers.
- E. "Smoker and nonsmoker mortality tables" means mortality tables with separate rates of mortality for smokers and nonsmokers.

Section 4. 2001 CSO Mortality Table

- A. At the election of the company for any one or more specified plans of insurance and subject to the conditions stated in this regulation, the 2001 CSO Mortality Table may be used as the minimum standard for policies issued on or after January 1, 200[] [insert January 1 of the year next following or coincident with the effective date of this regulation] and before the date specified in Subsection B to which [insert applicable references to Section 4A(c) of the Standard Valuation Law, Section 5cH(6) of the Standard Nonforfeiture Law for Life Insurance, and Sections 5A and 5B of the Valuation of Life Insurance Policies Model Regulation] are applicable. If the company elects to use the 2001 CSO Mortality Table, it shall do so for both valuation and nonforfeiture purposes.
- B. Subject to the conditions stated in this regulation, the 2001 CSO Mortality Table shall be used in determining minimum standards for policies issued on and after January 1, 2009, to which [insert applicable references to Section 4A(c) of the Standard Valuation Law, Section 5cH(6) of the Standard Nonforfeiture Law for Life Insurance, and Sections 5A and 5B of the Valuation of Life Insurance Policies Model Regulation] are applicable.

Drafting Note: States should note that there is no new Commissioners Extended Term (CET) Table being proposed to replace the 1980 CET Table. Therefore, the new minimum basis for the computation of values related to extended term benefits will be the 2001 CSO Mortality Table.

Section 5. Conditions

- A. For each plan of insurance with separate rates for smokers and nonsmokers an insurer may use:
 - (1) Composite mortality tables to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits;
 - (2) Smoker and nonsmoker mortality tables to determine the valuation net premiums and additional minimum reserves, if any, required by Section [insert applicable reference corresponding to Section 8 of the NAIC Model Standard Valuation Law] and use composite mortality tables to determine the basic minimum reserves, minimum cash surrender values and amounts of paid-up nonforfeiture benefits; or
 - (3) Smoker and nonsmoker mortality to determine minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits.
- B. For plans of insurance without separate rates for smokers and nonsmokers the composite mortality tables shall be used.

Model Regulation Service—April 2005

- C. For the purpose of determining minimum reserve liabilities and minimum cash surrender values and amounts of paid-up nonforfeiture benefits, the 2001 CSO Mortality Table may, at the option of the company for each plan of insurance, be used in its ultimate or select and ultimate form, subject to the restrictions of Section 6 and [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation] relative to use of the select and ultimate form.
- D. When the 2001 CSO Mortality Table is the minimum reserve standard for any plan for a company, the actuarial opinion in the annual statement filed with the commissioner shall be based on an asset adequacy analysis as specified in Sections [insert applicable references to Section 5A of the Actuarial Opinion and Memorandum Regulation] of the [insert state] Insurance Regulations. A commissioner may exempt a company from this requirement if it only does business in this state and in no other state.

Section 6. Applicability of the 2001 CSO Mortality Table to [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation]

- A. The 2001 CSO Mortality Table may be used in applying [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation] in the following manner, subject to the transition dates for use of the 2001 CSO Mortality Table in Section 4 of this regulation (unless otherwise noted, the references in this section are to the [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation]):
 - (1) Section 3A(2)(b): The net level reserve premium is based on the ultimate mortality rates in the 2001 CSO Mortality Table.
 - (2) Section 4B: All calculations are made using the 2001 CSO Mortality Rate, and, if elected, the optional minimum mortality standard for deficiency reserves stipulated in Section 6A(4) of this regulation. The value of " $q_{x+k+t-1}$ " is the valuation mortality rate for deficiency reserves in policy year $k+t$, but using the unmodified select mortality rates if modified select mortality rates are used in the computation of deficiency reserves.
 - (3) Section 5A: The 2001 CSO Mortality Table is the minimum standard for basic reserves.
 - (4) Section 5B: The 2001 CSO Mortality Table is the minimum standard for deficiency reserves. If select mortality rates are used, they may be multiplied by X percent for durations in the first segment, subject to the conditions specified in Sections 5B(3)(a) to (i). In demonstrating compliance with those conditions, the demonstrations may not combine the results of tests that utilize the 1980 CSO Mortality Table with those tests that utilize the 2001 CSO Mortality Table, unless the combination is explicitly required by regulation or necessary to be in compliance with relevant Actuarial Standards of Practice.
 - (5) Section 6C: The valuation mortality table used in determining the tabular cost of insurance shall be the ultimate mortality rates in the 2001 CSO Mortality Table.
 - (6) Section 6E(4): The calculations specified in Section 6E shall use the ultimate mortality rates in the 2001 CSO Mortality Table.

2001 CSO Mortality Table

- (7) Section 6F(4): The calculations specified in Section 6F shall use the ultimate mortality rates in the 2001 CSO Mortality Table.
 - (8) Section 6G(2): The calculations specified in Section 6G shall use the ultimate mortality rates in the 2001 CSO Mortality Table.
 - (9) Section 7A(1)(b): The one-year valuation premium shall be calculated using the ultimate mortality rates in the 2001 CSO Mortality Table.
- B. Nothing in this section shall be construed to expand the applicability of [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation] to include life insurance policies exempted under Section 3A of [insert applicable reference to the Valuation of Life Insurance Policies Model Regulation].

Drafting Note: This section should be omitted by states that have not adopted the Valuation of Life Insurance Policies Model Regulation.

Section 7. Gender-Blended Tables

- A. For any ordinary life insurance policy delivered or issued for delivery in this state on and after January 1, 200[] [insert same date as in Section 4A], that utilizes the same premium rates and charges for male and female lives or is issued in circumstances where applicable law does not permit distinctions on the basis of gender, a mortality table that is a blend of the 2001 CSO Mortality Table (M) and the 2001 CSO Mortality Table (F) may, at the option of the company for each plan of insurance, be substituted for the 2001 CSO Mortality Table for use in determining minimum cash surrender values and amounts of paid-up nonforfeiture benefits. No change in minimum valuation standards is implied by this subsection of the regulation.
- B. The company may choose from among the blended tables developed by the American Academy of Actuaries CSO Task Force and adopted by the NAIC in December 2002.
- C. It shall not, in and of itself, be a violation of [insert applicable reference to unfair trade practices statute] for an insurer to issue the same kind of policy of life insurance on both a sex-distinct and sex-neutral basis.

Section 8. Separability

If any provision of this regulation or its application to any person or circumstance is for any reason held to be invalid, the remainder of the regulation and the application of the provision to other persons or circumstances shall not be affected.

Section 9. Effective Date

The effective date of this regulation is [insert date].

Legislative History (all references are to the Proceedings of the NAIC)

2002 Proc. 3rd Quarter 12, 13, 118, 987, 989-992 (adopted).

Subtitle 10 HEALTH INSURANCE — GENERAL**31.10.21 Private Review Agents**

Authority: [Insurance Article, §2-109 and Title 15, Subtitle 10B; Annotated Code of Maryland; Ch. 112, Acts of 1998] *Insurance Article, §§2-109(a)(1) and 15-10B-03(h), Annotated Code of Maryland*

Notice of Proposed Action

[10-076-P]

The Insurance Commissioner proposes to amend Regulation .02-1 under **COMAR 31.10.21 Private Review Agents**.

Statement of Purpose

The purpose of this action is to require carriers performing utilization reviews by telephone to use the uniform treatment plan form set forth in the regulation. The amendment sets a standard for all utilization reviews, even those performed over the telephone, which allows for consistency within the industry.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.02-1 Uniform Treatment Plan.

A. Scope. This regulation does not apply to a person that uses a treatment plan form solely for internal purposes[.], *unless the private review agent requires the information to authorize treatment.*

B. Form Required. If a private review agent requires a health care provider to submit a treatment plan *or telephonically provide the information requested on the uniform treatment plan*, to enable the private review agent to conduct utilization review of services for the treatment of a mental illness, emotional disorder, or a substance abuse disorder, the private review agent shall use the uniform treatment plan form set forth in §H of this regulation.

C. — H. (text unchanged)

I. *Telephonic Review. If a private review agent conducts utilization review of services for the treatment of a mental illness, emotional disorder, or a substance abuse disorder telephonically, the private review agent may not require the health care provider to provide any information that is not requested on the uniform treatment plan form.*

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL**31.10.25 Required Standard Provisions for Individual Nonprofit Health Service Plan Contracts**

Authority: Insurance Article, §12-203(g), Annotated Code of Maryland

Notice of Proposed Action

[10-077-P]

The Insurance Commissioner proposes to amend Regulations .02 and .04 under **COMAR 31.10.25 Required Standard Provisions for Individual Nonprofit Health Service Plan Contracts**.

Statement of Purpose

The purpose of this action is to define “coverage period” and specify when a carrier may obtain funds from the consumer prior to the premium due date. The intent of the amendments as a whole, is to clarify that the premium is due on the date the coverage period begins. The amendments address confusion within the industry regarding when payment can be expected for coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) — (2) (text unchanged)

(2-1) *“Coverage period” means the interval of time the individual contract provides protection to the insured.*

(3) — (7) (text unchanged)

.04 Standard Provisions.

A. — L. (text unchanged)

M. *Premium Due Date.*

(1) *Each individual contract shall specify the premium due date.*

(2) *The premium due date shall be the date the coverage period begins.*

(3) *A carrier may offer each subscriber the option to pay the premium through an electronic payment.*

(4) If the subscriber elects an electronic payment, the carrier may not debit or charge the amount of the premium due prior to the premium due date.

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL
31.10.28 Individual Health Insurance Contracts — Standard Provisions and Exclusions

Authority: Insurance Article, §§2-109, 12-203(g), and 12-209(4),
Annotated Code of Maryland
[Chapter 26, Acts of 2001]

Notice of Proposed Action
[10-078-P]

The Insurance Commissioner proposes to amend Regulation .02 and adopt new Regulation .05 under **COMAR 31.10.28 Individual Health Insurance Contracts — Standard Provisions and Exclusions**.

Statement of Purpose

The purpose of this action is to define “coverage period” and specify when a carrier may obtain funds from the consumer prior to the premium due date. The intent of the changes as a whole, are to clarify that the premium is due on the date the coverage period begins. The proposal clarifies confusion within the industry regarding when payment can be expected for coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

(1) “Coverage period” means the interval of time the individual health insurance contract provides protection to the insured.

[(1)] (2) — [(2)] (3) (text unchanged)

.05 Premium Due Date.

A. Each individual health insurance contract shall specify the premium due date.

B. The premium due date shall be the date the coverage period begins.

C. An insurer may offer each individual policyholder the option to pay the premium through an electronic payment.

D. If the individual policyholder elects an electronic payment, the insurer may not debit or charge the amount of the premium due prior to the premium due date.

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 11 HEALTH INSURANCE — GROUP
31.11.10 Required Standard Provisions

Authority: Insurance Article, §12-203(g), Annotated Code of Maryland

Notice of Proposed Action
[10-080-P]

The Insurance Commissioner proposes to amend Regulations .02 and .04 under **COMAR 31.11.10 Required Standard Provisions**.

Statement of Purpose

The purpose of this action is to define “coverage period” and specify when a carrier may obtain funds from the consumer prior to the premium due date. The intent of the amendments as a whole, are to clarify that the premium is due on the date the coverage period begins. The amendments clarify confusion within industry regarding when payment can be expected for coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - (1) — (2) (text unchanged)
 - (2-1) “Coverage period” means the interval of time the blanket health insurance contract or group health insurance contract provides protection.
 - (3) — (8) (text unchanged)

.04 Group Health Insurance Standard Provisions.

- A. — M. (text unchanged)
- N. Premium Due Date.
 - (1) Each group health insurance contract shall specify the premium due date.

- (2) *The premium due date shall be the date the coverage period begins.*
- (3) *A carrier may offer each group policyholder the option to pay the premium through an electronic payment.*
- (4) *If the group policyholder elects an electronic payment, the carrier may not debit or charge the amount of the premium due prior to the premium due date.*

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 12 HEALTH MAINTENANCE ORGANIZATIONS; ENTITIES THAT ACT AS HEALTH INSURERS

31.12.02 Health Maintenance Organizations — Contract Forms and Premium Rates

Authority: Health-General Article, Title 19, Subtitle 7; Insurance Article, §§2-109(a)(1) and 15-122; Annotated Code of Maryland

Notice of Proposed Action
[10-075-P]

The Insurance Commissioner proposes to amend Regulation .07 under **COMAR 31.12.02 Health Maintenance Organizations — Contract Forms and Premium Rates**.

Statement of Purpose

The purpose of this action is to decrease the number of years a health maintenance organizations (HMO) may “look back” at the applicant’s medical history at the time of application. When an individual applies for health coverage, there is a defined “look back” period during which an insurer may examine the applicant’s medical history, and rate the applicant based on this examination. Effective October 1, 2009 per HB 32, Chapter 653, Acts of 2009, the “look back” period for preexisting conditions by insurers and non-profit health service plans is amended. The proposed amendments affect HMOs in the same way Chapter 653, Acts of 2009 affects insurers and nonprofit health service plans. The purpose of the amendments to Regulation .07 are to make industry conditions regarding “look back” times for preexisting conditions the same for insurers/nonprofit health service plans and HMOs.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact. The amendments will have an unquantifiable impact on the MIA, industry, and consumers.

II. Types of Economic Impact.

	Revenue (R+/R-)		Expenditure (E+/E-)	Magnitude
A. On issuing agency:	(R+)		(R+)	Unquantifiable
B. On other State agencies:	NONE		NONE	
C. On local governments:	NONE		NONE	
	Benefit (+)		Cost (-)	Magnitude
D. On regulated industries or trade groups:			(-)	Unquantifiable

- E. On other industries or trade groups: NONE
- F. Direct and indirect effects on public: (+) Unquantifiable

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

- A. The MIA could expect some new applications filed by HMOs, which will increase revenue by \$125 per application. The total impact would be a minimal and unquantifiable because it is impossible to determine the number of applications the MIA will receive.
- D. For regulated industries there will be a cost, which is unquantifiable. If the HMO applications need revision, each HMO will have to go through the cost of creating new applications and filing for approval. They will also be limited in how far they can go back in the underwriting process. Currently the limit is 10 years, which is going to 5 years for the individual market and 7 years for the other markets.
- F. An individual applying for coverage with an HMO will be required to reveal less information. See the time frames described above.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.07 Application.

- A. (text unchanged)
- B. *Permissible Look-Back Periods.*
 - (1) *Except as provided in §B(2) of this regulation, an [An] application form may not ask any question relative to any previously existing injury, sickness, or condition which has not required medical care or advice during the:*
 - (a) [10] 7-year period immediately preceding the date of the application[,] if the application is made for coverage under a group contract; or [However, the application may ask direct questions regarding dismemberments or other current impairments, the cause of which may have occurred before the 10-year period.]
 - (b) 5-year period immediately preceding the date of the application, if the application is made for coverage under an individual contract.
 - (2) *An application may inquire about a dismemberment or other current impairment, the cause of which may have occurred before the time periods permitted by §B(1) of this regulation.*
- C. — L. (text unchanged)

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 12 HEALTH MAINTENANCE ORGANIZATIONS; ENTITIES THAT ACT AS HEALTH INSURERS

31.12.07 Required Standard Provisions

Authority: Insurance Article, §12-203(g); Health-General Article, §19-713(f); Annotated Code of Maryland

Notice of Proposed Action

[10-079-P]

The Insurance Commissioner proposes to amend Regulations .02, .04, and .05 under COMAR 31.12.07 Required Standard Provisions.

Statement of Purpose

The purpose of this action is to define “coverage period” and specify when a carrier may obtain funds from the consumer prior to the premium due date. The intent of the amendments as a whole, are to clarify that the premium is due on the date the coverage period begins. The amendments clarify confusion within industry regarding when payment can be expected for coverage.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Alexis E. Gibson, Regulations Coordinator, Maryland Insurance Administration, 200 St.

Paul Place, Suite 2700, Baltimore MD 21202, or call (410) 468-2011, or email to agibson@mdinsurance.state.md.us, or fax to (410) 468-2020. Comments will be accepted through March 15, 2010. A public hearing has not been scheduled.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

(1) “Coverage period” means the interval of time the individual contract or group contract provides protection.

[(1)] (1-1) (text unchanged)

(3) — (6) (text unchanged)

.04 Group Contract Standard Provisions.

- A. — M. (text unchanged)
- N. Premium Due Date.

(1) Each group contract shall specify the premium due date.

(2) The premium due date shall be the date the coverage period begins.

(3) An HMO may offer each group contract holder the option to pay the premium through an electronic payment.

(4) If the group contract holder elects an electronic payment, the HMO may not debit or charge the amount of the premium due prior to the premium due date.

.05 Individual Contract Standard Provisions.

- A. — G. (text unchanged)
- H. Premium Due Date.

(1) Each individual contract shall specify the premium due date.

(2) The premium due date shall be the date the coverage period begins.

(3) An HMO may offer each subscriber the option to pay the premium through an electronic payment.

(4) If the subscriber elects an electronic payment, the HMO may not debit or charge the amount of the premium due prior to the premium due date.

ELIZABETH SAMMIS
Acting Insurance Commissioner

Errata

COMAR 05.04.09.08

At 37:3 Md. R. 184 (January 29, 2010), col. 1, lines 8 and 9 from the bottom:

For: (a) Be written by a company registered with the Maryland Insurance Administration;

Read: (a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;

COMAR 05.04.11.09

At 37:3 Md. R. 184 (January 29, 2010), col. 2, lines 23 and 24 from the bottom:

For: (a) Be written by a company registered with the Maryland Insurance Administration;

Read: (a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;

COMAR 05.05.01.15

At 37:3 Md. R. 185 (January 29, 2010), col. 1, lines 25 and 26 from the top:

For: (a) Be written by a company registered with the Maryland Insurance Administration;

Read: (a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;

COMAR 05.05.02.06

At 37:3 Md. R. 185 (January 29, 2010), col. 2, lines 16 and 17 from the top:

For: (a) Be written by a company registered with the Maryland Insurance Administration;

Read: (a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;

COMAR 05.05.05.14

At 37:3 Md. R. 185 (January 29, 2010), col. 2, lines 1 and 2 from the bottom:

- For: *(1) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(1) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.05.07.11

At 37:3 Md. R. 186 (January 29, 2010), col. 1, lines 11 and 12 from the bottom:

- For: *(a) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.05.08.11

At 37:3 Md. R. 186 (January 29, 2010), col. 2, lines 22 and 23 from the bottom:

- For: *(a) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.05.09.08

At 37:3 Md. R. 187 (January 29, 2010), col. 1, lines 29 and 30 from the top:

- For: *(1) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(1) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.06.01.10

At 37:3 Md. R. 187 (January 29, 2010), col. 2, lines 25 and 26 from the top:

- For: *(a) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.06.04.07

At 37:3 Md. R. 188 (January 29, 2010), col. 1, lines 11 and 12 from the top:

- For: *(a) Be written by a company registered with the Maryland Insurance Administration;*
 Read: *(a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration;*

COMAR 05.13.01.07

At 37:3 Md. R. 188 (January 29, 2010), col. 1, lines 4 and 5 from the bottom:

- For: *(a) Be written by a company registered with the Maryland Insurance Administration, or a company app-*
 Read: *(a) Be written by a company that has a current certificate of authority issued by the Maryland Insurance Administration, or a company app-*

COMAR 05

At 37:3 Md. R. 188 (January 29, 2010), col. 2, line 23 from the top:

- For: Secretary of Health and Mental Hygiene
 Read: Secretary of Housing and Community Development

[10-04-66]

08.02.03.14

At 36:25 Md. R. 1960 (December 4, 2009), col. 2, line 27 from the bottom:

- For: *(8) Beginning 1 2010, an individual with a limited*
 Read: *(7-1) Beginning 1 2010, an individual with a limited*

[10-04-55]

COMAR 10.32.01.03

At 36:25 Md. R. 1965 (December 4, 2009), col. 1, line 22 from the top:

- For: *(6) The Board shall license an applicant who has*
 Read: *(8) The Board shall license an applicant who has*

[10-04-65]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Notice of Availability of Grant Funds for Programs Providing Mental Health Addictions, or Developmental Disabilities

The Department of Health and Mental Hygiene is currently updating its Five-Year Plan for funding the construction, acquisition, renovation, and equipping of community facilities providing mental health, addictions, or developmental disabilities services.

Applicants interested in being considered to receive State funds for capital development should request an application packet as soon as possible from Larry McAvoy, Deputy Director, at the Office of Capital Planning, Budgeting, and Engineering Services, Department of Health and Mental Hygiene, 201 West Preston Street, Room 536, Baltimore, MD 21201-2399, telephone 410-767-6816.

Applicants should submit an application to the Office of Capital Planning, Budgeting, and Engineering Services by April 9, 2010, in order to receive full consideration, should a bond loan be established in the 2011 General Assembly session (Fiscal Year 2012 funding). Applications received after April 9, 2010, will be considered; however, ranking on the departmental priority list cannot be guaranteed.

Applicants who received planning (architectural and engineering) funds in previous years must submit a complete application if they want to be considered for funding in Fiscal Year 2012.

Technical assistance for preparation of the application will be provided by Department of Health and Mental Hygiene staff upon request. For further information, please call Larry McAvoy at 410-767-6816.

[10-04-17]

Notice of Availability of Grant Funds for Federally Qualified Health Centers

The Department of Health and Mental Hygiene is currently updating its Five-Year Plan for funding the conversion, construction, acquisition, renovation, and equipping of facilities that have been designated as a Federally Qualified Health Center (FQHC) under 330 of the Federal Public Health Service Act, 42U.S.C. 254B.

FQHCs interested in being considered to receive State funds for capital development should request an application packet as soon as possible from Larry McAvoy, Deputy Director, at the Office of Capital Planning, Budgeting, and Engineering Services, Department of Health and Mental Hygiene, 201 West Preston Street, Room 536, Baltimore, MD 21201-2399, telephone 410-767-6816.

Applicants should submit an application to the Office of Capital Planning, Budgeting, and Engineering Services by April 9, 2010, in order to receive full consideration, should a bond loan be established in the 2011 General Assembly session (Fiscal Year 2012 funding). Applications received after April 9, 2010, will be considered; however, ranking on the departmental priority list cannot be guaranteed.

Applicants who received planning (architectural and engineering) funds in previous years must submit a complete application if they want to be considered for funding in Fiscal Year 2012.

Technical assistance for preparation of the application will be provided by Department of Health and Mental Hygiene staff upon request. For further information, please call Larry McAvoy at 410-767-6816.

[10-04-18]

DEPARTMENT OF THE ENVIRONMENT

Informational Public Meeting Announcement: Maryland's Draft 2010 Integrated Report

The Federal Clean Water Act requires that States assess the quality of their waters every 2 years and publish a list of waters not meeting the water quality standards set for them. This list of impaired waters is included in the State's biennial Integrated Report (IR). Waters identified in Category 5 of the IR are impaired and may require the development of Total Maximum Daily Loads (TMDLs). The Maryland Department of the Environment (MDE) is announcing the availability of the Draft 2010 IR for public review and comment. The public review period will run from **February 12 to March 26, 2010**. The Draft IR is being posted on MDE's website at <http://www.mde.state.md.us/Programs/WaterPrograms/TMDL/Maryland%20303%20dlist/index.asp>. Copies of the document will also be available at selected county library branches statewide; a list of those libraries will be available on MDE's website or by calling Ms. Danielle Anthony at (410) 537-3906. The Draft IR may also be requested in writing from Ms. Anthony at the address below.

The Department is hosting three informational public meetings. The public is cordially invited to attend a meeting in a region of their choice. Any hearing impaired person may request an interpreter to be present at the meeting by giving five (5) working days notice to Matthew Stover at mstover@mde.state.md.us or by calling (410) 537-3611. Comments or questions may be directed in writing to Ms. Danielle Anthony MDE, Science Services Administration, 1800 Washington Blvd., Baltimore Maryland 21230, emailed to 303d@mde.state.md.us, or faxed to the attention of Ms. Danielle Anthony at 410-537-3998 on or before **March 26, 2010**. After addressing all comments received during the public review period, a final List will be prepared and submitted to the U.S. Environmental Protection Agency for approval.

Eastern Shore Region

Location: Easton

Date: March 11, 2010

Start Time: 6:00 p.m.

Talbot County Community Center

10028 Ocean Gateway

Easton, MD 21601

1(410) 770-8050

This meeting is co-sponsored by the Lower Eastern Shore Tributary Team.

Western Maryland Region

Location: Williamsport
 Date: February 24, 2010
 Start Time: 5:00 p.m.
 Washington County Department of Water Quality
 16232 Elliott Parkway
 Williamsport, MD 21795
 1(240) 313-2600

This meeting is co-sponsored by the Upper Potomac Tributary Team.

Central Region

Location: Baltimore
 Date: March 11, 2010
 Start Time: 6:00 p.m.
 MDE Headquarters
 1800 Washington Blvd.
 Baltimore MD, 21230
 1(410) 537-3873

This meeting is co-sponsored by the Patapsco/Back River Tributary Team.

[10-04-61]

Final Calendar Year 2010**Standard Permit Application Turnaround Times**

As required by Environment Article, §1-607(A)(2), Annotated Code of Maryland, the Maryland Department of the Environment (MDE) has established, in consultation with interested parties, the following standard turnaround times for all types of permit applications.

MDE has made the following changes to the 2009 turnaround times for calendar year 2010.

General Permit for Stormwater Associated with Construction Activity

— The Department issued a new general permit in 2009 that includes new procedures to better inform the public about the projects that have applied for the permit. All permit applications will go through a public notification period of 30 or 45 days, depending on the number of acres disturbed by the construction project. During this time, information about the application is available on the Department's website. The Department issues the permit only after the end of this public notification period. The increase in turnaround time also reflects additional review of applications and steps in permit issuance. These include, but are not limited to, checks on the designations of the receiving waters for the site, as well as contacting applicants to obtain documentation of erosion and sediment control plan approval. Based on the notification periods, MDE proposes increasing the times from two days to 60 days for projects less than three acres and 90 days for projects between three acres and 150 acres.

Individual Permit for Stormwater Associated with Construction Activity

— In 2009, in order to better protect the waters of the State, the Department determined that it would require certain construction sites to obtain individual permits for discharges of stormwater. This requirement applies to sites disturbing 150 acres or more that discharge to waters impaired for construction-related pollutants. It also applies to certain smaller projects on a case-by-case basis where the Department decides that an individual permit is required, either based on a citizen request or through its own analysis. Note also that, from January 1 to July 13,

2009, the Department issued only individual permits to construction sites of all sizes because the 2009 General Permit was unavailable due to a contested case hearing. The Department must issue individual permits in accordance with the applicable COMAR regulations. The regulations require a series of public notices published in local newspapers as well as the opportunity for public comment, informational meetings and hearings. If an application goes through each required notice and also has a meeting and a hearing requested, the permitting process will take up to six months.

Individual Permit for Wastewater Discharges

— MDE has been unable to meet the previous standards of 9 months for new minor facilities and 12 months for new major facilities due to resource constraints. The Department is proposing new standards of 12 months for new minor facilities and 18 months for new major facilities.

Drinking Water Sampler Certification — Drinking water samplers are required to be certified, however, these certifications are no longer directly issued by MDE. This category is being removed from the list since MDE does not control the processing time.

Drinking Water Laboratory Certifications — This is a new category that is being added to the table. The turnaround time is four months.

MDE reviews and adjusts these turnaround times annually to give permit applicants current information regarding the processing time.

Please note the following important points about these standard times:

1) These standards refer to the time between MDE's receipt of a complete permit application and MDE's issuance or denial of the permit, excluding delays caused by factors beyond MDE's control. Many applications are incomplete when they first arrive at MDE. The appropriate MDE permit writer can provide guidance on how to ensure that an application is complete when submitted.

2) In most permitting programs, each application has unique characteristics that influence its processing time. For each program listed, the standard time represents the time in which 90% of applications can be processed. Many applications will require less time; a few will require more time due to unusual circumstances.

Program Name	2010 Proposed Standard Application Processing Time
Air and Radiation Management Administration	
General Permit to Construct	30 days
Air Quality Permit to Construct	3 months — without expanded public review
	4 months — synthetic minor permits without expanded public review
	6 months — with expanded public review but limited public interest
	11 months — with expanded public review and extensive public interest
New Source Review Approval	10 months
Prevention of Significant [air quality] Deterioration	14 months
Air Quality State Permit to Operate	3 months
Part 70 (Title V) Permit to Operate	36 months for new permits
	12 months for renewals
Asbestos Contractor License	60 days
Asbestos Training Provider Approval	3 months
Incinerator Operator Certification	30 days
Incinerator Training Course Approval	60 days
Fleet Inspection Station License	30 days
Certified Emissions Repair Facility Certification	30 days
Master Certified Emissions Technician Certificate	30 days
Radiation Machine Facility Registration	90 days for dental and veterinary machines
	6 months for all other machines
Certification of Machines Emitting Radiation	6 months
Radioactive Materials License	7 months
	45 days for amendments and terminations
Private Inspector License For Inspecting X-Ray Machines	60 days
Reciprocal Recognition of Out-of-State Radioactive Material Licenses	21 days
Land Management Administration	
Refuse Disposal Permit	7 months for transfer stations
	9 months for processing facilities
	9 months for processing facilities & transfer stations
	12 months for incinerators
	12 months for land-clearing debris landfills
	24 months for industrial landfills
	36 months for rubble landfills
36 months for municipal landfills	
Groundwater Discharge Permit for Rubble Landfill	6 months

Program Name	2010 Proposed Standard Application Processing Time
Sewage Sludge Utilization Permit	45 days — research project
	4 months — transportation
	5 months — utilization or disposal at a sanitary landfill
	6 months — handling/distribution
	10 months — land application
	23 months — treatment, incineration or storage
	36 months — sewage sludge landfill
	24 months — innovative projects
Concentrated Animal Feeding Operations	180 days
Natural Wood Waste Recycling Facility Permit	9 months
Natural Wood Waste Recycling Facility General Permit	30 days
Scrap Tire Hauler	60 days
Scrap Tire Collection Facilities (General and Secondary)	60 days
Scrap Tire Solid Waste Acceptance Facility	7 months
Scrap Tire TDF/Substitute Fuel Facility	7 months
Scrap Tire Primary Collection Facility	9 months
Scrap Tire Recyclers	9 months
Oil Operations Permit	90 days
Oil Operations Permit for Oil-Contaminated Soils	90 days
Oil Transfer License	30 days
General Permits for Oil Control Program Wastewater Discharge Permit	30 days
Surface Water Discharge Permit for Oil Terminals	180 days
Ground Water Discharge Permit for Oil Terminals	180 days
Underground Storage Tank (UST) Technician and Remover Certification	40 days
Controlled Hazardous Substances Facility Permit	26 months
Hazardous Waste; EPA Identification Number	30 days
Controlled Hazardous Substances Hauler, Vehicle and Driver Certification	30 days
Special Medical Waste (SMW) Hauler and Vehicle Certification	30 days
Coal Mining Permit	12 months
Surface Coal Mining Blaster Certification	immediately on passing exam
Coal Mining Operator License	30 days
Non-Coal Mining Permit	7 months
Non-Coal Mining License	30 days
Oil and Gas Exploration and Production	5 months
Lead Paint Accreditations	30 days
Lead Paint Training Course Approvals	60 days
Lead Paint Instructor Approvals	30 days
Voluntary Cleanup Program	45 days to determine if application is accepted
	75 days to review action plan

Program Name	2010 Proposed Standard Application Processing Time
Water Management Administration	
General Permit Registration for Industrial Wastewater Discharge	120 days for all other general permits
Individual Permit for Wastewater Discharges	12 months for new minor facilities
	18 months for new major facilities
	24 months for renewal facilities
Toxic Materials Permit	45 days
Water and Sewerage Construction Permit	3 months
Water Appropriation and Use Permit	120 days for under 10,000 gallons per day
	24 months for over 10,000 gallons per day
Well Construction Permit	30 days
Drinking Water Laboratory Certification	4 months
Nontidal Wetlands (Nontidal Wetlands and Waterways Permits)	10 months for minor projects
	12 months for major projects
Tidal Wetland Licenses and Permits	5 months for minor projects
	8 months for major projects
Erosion/Sediment Control and Stormwater Management Plan Approvals	6 months
Erosion and Sediment Control — Responsible Personnel Certification	2 weeks
Erosion and Sediment Control — Responsible Personnel Training Program Approval	4 weeks
General Permit for Stormwater Associated with Construction Activity	60 days for projects less than 3 acres
	90 days for projects between 3 and 150 acres
Individual Permit for Stormwater Associated with Construction Activity	6 months
Municipal Separate Storm Sewer Permit	18 months
Dam Safety Permit	6 months
Environmental Sanitarian License	45 days for new licenses
	30 days for renewals
Waterworks and Waste Systems Operator Certification	45 days for new certificates
	30 days for renewals
Well Driller License	6 months for new licenses
	30 days for renewals

[10-04-57]

Land Management Administration

Disposal Site Registry

The Maryland Department of the Environment, Land Management Administration, is publishing a list of sites on the Disposal Site Registry. This list is required to be published by Environment Article, §7-223, Annotated Code of

Maryland, Listing of Hazardous Waste Sites. The Disposal Site Registry presently consists of those sites in Maryland on the U.S. Environmental Protection Agency's National Priorities List (NPL) where the State is overseeing ongoing investigation, remediation or monitoring. The NPL identifies sites that have appeared to present a significant risk to public health or environment. To be placed on the NPL, a

site must have been assigned a Hazard Ranking System score of 28.50 or above. Sites listed on the Disposal Site Registry are listed in alphabetical order, and all are considered high priority.

Aberdeen Proving Ground — Edgewood Area, Harford County
 Aberdeen Proving Ground — Michaelsville Landfill, Harford County
 Andrews Air Force Base, Prince George's County
 Beltsville Agricultural Research Center, Prince George's County
 Brandywine Defense Reutilization and Marketing Office, Prince George's County
 Bush Valley Landfill, Harford County
 Central Chemical, Washington County
 Curtis Bay Coast Guard Yard, Anne Arundel County
 Fort George G. Meade, Anne Arundel County
 Galaxy/Spectron, Cecil County
 Indian Head Naval Surface Warfare Center, Charles County
 Kane and Lombard, Baltimore City
 Limestone Road, Allegany County
 Maryland Sand, Gravel and Stone, Cecil County
 Ordnance Products, Cecil County
 Patuxent River Naval Air Station, St. Mary's County
 Woodlawn Landfill, Cecil County

For further information concerning these sites, contact Maria Stephens, Public Information Act Coordinator, at (410) 537-3422. Cost for reproduction of site documents is 36 cents per page.

Site Name: Aberdeen Proving Ground (Edgewood)
 Harford County

Site Description: The Edgewood Area of Aberdeen Proving Ground consists of 13,000 acres of land plus the water bottoms surrounding the Edgewood peninsula. Environmental concerns include spent solvents, pesticides, polychlorinated biphenyls, waste chemical agents and unexploded ordnance.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater and the waters of the Chesapeake Bay, which is a critical habitat of the State.

Site Status: Numerous removal and remedial actions in the Edgewood Area and remedial actions at Canal Creek, Carroll Island, J-Field, O-Field, Westwood and Bush River Road dump are complete. Remedial Investigations, remedial actions and removal actions are currently underway at one or more of the following sites: Other Edgewood Areas, Lauderick Creek Study Area, O-Field, and Canal Creek Study Areas.

Time Frame of Response: Estimate for completion is 2014.

Site Name: Aberdeen Proving Ground (Michaelsville)
 Harford County

Site Description: The Aberdeen Area of Aberdeen Proving Ground consists of 37,000 acres and includes the 20-acre Michaelsville Landfill. Environmental concerns include spent solvents, pesticides, waste paints, polychlorinated biphenyls, munitions constituents, and unexploded ordnance.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater and the waters of the Chesapeake Bay.

Site Status: A remedial action to address contamination of off-site groundwater previously addressed by a removal

action has been completed. Numerous removal actions have been conducted and remedial actions for the Michaelsville Landfill have been completed. Remedial actions are currently underway at one or more of the following sites: Woodrest Creek, Swan Creek, Pistol Range and Known Distance Range.

Time Frame of Response: Estimate for completion is 2014.

Site Name: Andrews Air Force Base
 Prince George's County

Site Description: Environmental concerns at the 4,300-acre site are landfills, disposal areas and fire-training areas. Associated contamination includes petroleum products, spent solvents and heavy metals.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater and the Piscataway Creek.

Site Status: Remedial Investigations of several areas of concern are underway and further investigations are being planned.

Time Frame of Response: Estimate for completion is 2010.

Site Name: Beltsville Agricultural Research Center
 Prince George's County

Site Description: The 6,500-acre site is owned and operated by the U.S. Department of Agriculture. Research at the facility addresses soil, water and air conservation, human nutrition and integration of agricultural systems as well as plant and animal science. Environmental concerns at the site include volatile organic compounds, polynuclear aromatic hydrocarbons, pesticides, polychlorinated biphenyls and heavy metals in soil, surface water, sediments, and groundwater.

Assessment of Impact to Public Health and Natural Resources: Potential impact to Paint Branch, Little Paint Branch, Beaver Dam Creek and its adjacent wetlands, and Indian Creek and adjacent wetlands.

Site Status: The U.S. Environmental Protection Agency (EPA), which has sole regulatory oversight responsibilities for this site, is in the process of determining the remedial action.

Time Frame of Response: Estimate for completion is 2015.

Site Name: Brandywine Defense Reutilization and Marketing Office
 Prince George's County

Site Description: The 8-acre site was used by the Air Force as a storage facility for excess equipment and waste materials. Associated contamination includes polychlorinated biphenyls, petroleum products and spent solvents.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater.

Site Status: A remedial investigation is underway. PCB-contaminated soil was removed and disposed off site in 1993. Evaluation of solvent-contaminated groundwater is currently underway.

Time Frame of Response: Estimate for completion is 2010.

Site Name: Bush Valley Landfill
Harford County

Site Description: The 16-acre site was a landfill. Contaminants of concern include solvents and heavy metals.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to Bynum Run, Bush River and groundwater. Potential impacts to residents through vadose zone gas incursion into basements.

Site Status: The remedy (Resource Conservation and Recovery Act cap, landfill gas management system, and stormwater management control) is completed. A 30-year "Operation and Maintenance" phase is ongoing.

Time Frame of Response: The original cleanup was completed in the Summer of 2001, and a modification to upgrade to an active landfill gas management system was completed in mid-2005.

Site Name: Central Chemical Corporation, Hagerstown Facility
Washington County

Site Description: The 19-acre site operated as a blending facility for herbicides, pesticides and fertilizers. Contaminants of concern include lindane, chlordane, DDT, DDE, DDD, dieldrin, Alpha BHC, Beta BHC, lead, and arsenic.

Assessment of Impact to Public Health and Natural Resources: Site-related contaminants have impacted soil, groundwater, and surface water. All residents within the vicinity of the site use the City of Hagerstown's municipal drinking water system.

Site Status: EPA has designated the on-site portion as Operable Unit #1 (OU-1) and the off-site groundwater as OU-2. EPA has issued a Record of Decision for OU-1, and EPA is expected to begin negotiating a Consent Decree for the remedial design and action with the responsible parties in 2010. The investigation of OU-2, the off-site groundwater, is ongoing.

Time Frame of Response: Estimate for completion is 2015.

Site Name: Curtis Bay Coast Guard Yard
Anne Arundel County

Site Description: The facility is situated on approximately 113 acres just south of Baltimore City adjacent to the Curtis Creek, which flows into the Curtis Bay and subsequently the Chesapeake Bay. Environmental concerns include heavy metals, polychlorinated biphenyl compounds and polycyclic aromatic hydrocarbons.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater, soil and the sediments and waters of Curtis Creek, Curtis Bay and the Chesapeake Bay.

Site Status: A Remedial Investigation of two sites identified at the facility is underway.

Time Frame for Response: Estimate for completion is 2010.

Site Name: Fort George G. Meade
Anne Arundel County

Site Description: Fort George G. Meade is a 13,596-acre site comprised of an active Army facility (4,956 acres) and a former range and training area (9,000 acres). Environmental concerns include solvents, petroleum products, heavy metals and unexploded ordnance.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to the Patuxent River, the Little Patuxent River and local groundwater.

Site Status: Several removal actions have been conducted, and remedial action has been completed for the Tipton Airfield parcel. Remedial Investigations and Feasibility Studies at ten sites are underway. Off-site groundwater contamination in the Odenton area is under interim remedial action. A removal action at the Manor View Dump is being proposed. Preliminary Assessments and Site Investigations of numerous former dump sites and motor pools sites are underway.

Time Frame of Response: Estimate for completion is 2014.

Site Name: Galaxy/Spectron
Cecil County

Site Description: This six-acre site was the location of a chemical product recycling and reclaiming operation from 1962 to 1988. Associated wastes include chlorinated solvents and metals.

Assessment of Impact to Public Health and Natural Resources: Site soils and overburden and bedrock groundwater are impacted by site-related contaminants. Groundwater contamination extends off site and has impacted two nearby residential wells. Treatment systems are being maintained on these residential wells.

Site Status: Removal actions have been completed to stabilize the site and prevent exposure to contaminants, including a \$15 million creek bed containment/groundwater extraction and treatment system completed in March 2000 to prevent contaminated groundwater from entering the Little Elk Creek. The Remedial Design for Operable Unit #1 (site soils and overburden groundwater contamination) is ongoing. The Remedial Investigation/Feasibility Study for Operable Unit #2 (bedrock groundwater contamination) is nearing completion.

Time Frame of Response: Estimate for completion is 2010-15

Site Name: Indian Head Naval Surface Warfare Center
Charles County

Site Description: The 3,423-acre site includes landfills and former waste disposal and discharge areas. Associated wastes include propellants, explosives, acids, solvents, heavy metals and low-level radioactive material.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to the Potomac River, the Mattawoman Creek and the Chicamuxen Creek.

Site Status: Remedial Investigations/Feasibility Studies of several areas of concern are ongoing. Two former landfills have been covered. Several removal actions have been completed. A specific site groundwater remediation effort has just begun. A site inspection covering several Military Munitions Response Program sites is currently underway.

Time Frame of Response: Estimate for completion is 2016.

Site Name: Kane and Lombard Drum Site
Baltimore City

Site Description: The original 9.7-acre disposal site, designated as Operable Unit #1, was used for disposal of demolition, municipal, and industrial wastes. Historical aerial photos have also indicated that a 40-acre tract on the other side of Lombard Street was also used for landfilling

and disposal purposes, though there are no details available to indicate what types of wastes were disposed at this parcel. The additional 40-acre tract has been designated as Operable Unit #2 by the EPA. The entire Kane and Lombard Site now includes approximately 49.7 acres on either side of Lombard Street near its intersection with Kane Street, in southeast Baltimore City.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to groundwater.

Site Status: Buried drums of chlorinated solvent waste and associated contaminated soil were removed in 1984. Under cleanup of Operable Unit #1, a multi-layer cap, groundwater extraction system and slurry wall around the former dump has been completed. The Record of Decision (ROD) for Operable Unit #2 was signed by EPA in September 2003. This ROD addresses cleanup of the contaminated groundwater plume, which extends 6300 feet beyond the site boundary. The remedial design for Operable Unit #2 is underway.

Time Frame of Response: Estimate for completion of the groundwater remedy is 2010-15.

Site Name: Limestone Road
Allegany County

Site Description: The 211-acre site includes landfilled waste. The primary environmental concerns were associated with wastes and sludges containing heavy metals.

Assessment of Impact to Public Health and Natural Resources: Potential impacts to the Potomac River, Evitts Creek and groundwater.

Site Status: Both parcels have been capped. Construction of a municipal waterline to provide potable water for all residents began in the Summer of 1999. The waterline was completed in the Summer of 2000. No further remedial action is planned.

Time Frame of Response: Completed during the Fall of 2000.

Site Name: Maryland Sand, Gravel and Stone
Cecil County

Site Description: The site is an inactive sand and gravel quarry comprising approximately 150 acres. Potential environmental concerns include the disposal of waste processing water, sludge, still bottoms, and drums from the Galaxy/Spectron solvent recycling facility and from the Air Products, Inc. facility in Elkton, Maryland. Associated wastes include solvents and heavy metals.

Assessment of Impact to Public Health and Natural Resources: Potential impact to Mill Creek, Little Elk Creek, groundwater, site soils and sediment.

Site Status: Remediation of shallow groundwater is underway. Implementation of the remedial action to address contaminated soils and deeper groundwater is underway.

Time Frame of Response: Estimate for completion of the remedial action is 2012.

Site Name: Ordnance Products
Cecil County

Site Description: The 95-acre site was used for manufacturing and assembly of ordnance, including grenade fuses, detonators, ignition components, and pyrotechnic signals. Associated wastes include solvents, pesticides, polychlorinated biphenyls, heavy metals, and incendiary/unexploded ordnance.

Assessment of Impact to Public Health and Natural Resources: Site-related contaminants have impacted site soil, surface water, sediment, and groundwater. Filtration systems have been installed in contaminated home wells in the vicinity of the site. The site has not impacted the surface water or sediment of the Little Northeast Creek.

Site Status: Two removal actions have been completed by the EPA. The Record of Decision was signed in August 2006. The selected remedy includes excavation of contaminated media and groundwater capture and treatment. The Remedial Design is underway.

Time Frame of Response: Estimate for completion is 2015.

Site Name: Patuxent River Naval Air Station
St. Mary's County

Site Description: The 6,800-acre facility includes landfills and waste management areas. Associated wastes include fuels, solvents, heavy metals, polychlorinated biphenyls, pesticides, and unexploded ordnance.

Assessment of Impact to Public Health and Natural Resources: Potential impact to the Patuxent River, the Chesapeake Bay and groundwater.

Site Status: Remedial Investigations at several areas of concern are continuing. Several removal actions have been conducted. Remedial action has been completed at two landfills, a former pesticide mixing area and a former drum storage area.

Time Frame of Response: Estimate for completion is 2014.

Site Name: Woodlawn Landfill
Cecil County

Site Description: The 37-acre site is an abandoned sand and gravel quarry. Agricultural, municipal and industrial wastes have been disposed at the site. Associated wastes include vinyl chloride, chlorinated solvents, and heavy metals.

Assessment of Impact to Public Health and Natural Resources: Site-related contaminants have impacted on-site soils and groundwater. No off-site impacts have been found.

Site Status: The final remedy was completed during the Summer of 2001. Groundwater is being monitored under the "monitored natural attenuation" remedy for groundwater. The surface of the former landfill was regraded to minimize erosion and maximize infiltration of surface water and runoff. Clean topsoil was added to support the engineered vegetative cover over the former landfill surface. Natural attenuation of site-related contamination is ongoing.

The site is now being used as a wildlife conservation area and is available to the public for hiking, picnics, nature walks, etc.

Time Frame of Response: Completed in the Summer of 2001.

[10-04-39]

SUSQUEHANNA RIVER BASIN COMMISSION

Notice of Projects Approved for Consumptive Uses of Water

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATE: November 1, 2009, through December 31, 2009.

ADDRESS: Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, telephone: (717) 238-0423, ext. 304; fax: (717) 238-2436; e-mail: srichardson@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(e) and 18 CFR §806.22(f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR 806.22(e):

1. Tyco Electronics Corporation, Lickdale Facility, ABR-20091222, Union Township, Lebanon County, Pa.; Consumptive Use of up to 0.080 mgd; Approval Date: December 18, 2009.

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. East Resources, Inc., Pad ID: Stehmer 420, ABR-20091101, Delmar Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 15, 2009.

2. East Resources, Inc., Pad ID: Johnson 435, ABR-20091102, Shippen Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

3. J-W Operating Company, Pad ID: Pardee & Curtin Lumber Co. C-09H, ABR-20091103, Shippen Township, Cameron County, Pa.; Consumptive Use of up to 500 mgd; Approval Date: November 16, 2009.

4. Citrus Energy, Pad ID: Procter & Gamble Mehoopany Plant 2 1H, ABR-20091104, Washington Township, Wyoming County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: November 16, 2009.

5. Fortuna Energy, Inc., Pad ID: Eick 013, ABR-20091105; Columbia Township, Bradford County, Pa.; Consumptive Use of up to 3.000 mgd; Approval Date: November 16, 2009.

6. East Resources, Inc., Pad ID: Brown 425, ABR-20091106, Delmar Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

7. East Resources, Inc., Pad ID: Barrett 410, ABR-20091107, Jackson Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

8. East Resources, Inc., Pad ID: Starks 461, ABR-20091108, Richmond Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

9. Chesapeake Appalachia, LLC, Pad ID: Doss, ABR-20091109, Albany Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: November 16, 2009.

10. East Resources, Inc., Pad ID: Yungwirth 307, ABR-20091110, Charleston Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

11. East Resources, Inc., Pad ID: West 299, ABR-20091111, Richmond Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

12. Chesapeake Appalachia, LLC, Pad ID: CSI, ABR-20091112, Burlington Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: November 16, 2009.

13. East Resources, Inc., Pad ID: Button 402, ABR-20091113, Jackson Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: November 16, 2009.

14. EXCO-North Coast Energy, Inc., Pad ID: Fidatti-Bianconi, ABR-20091114, Scott Township, Lackawanna County, Pa.; Consumptive Use of up to 2.000 mgd; Approval Date: November 16, 2009.

15. Chief Oil & Gas, LLC, Pad ID: Teel Unit #1H, ABR-20091115, Springville Township, Susquehanna County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: November 16, 2009.

16. EOG Resources, Inc., Pad ID: Guinan IV, ABR-20091116, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 0.999 mgd; Approval Date: November 18, 2009.

17. EOG Resources, Inc., Pad ID: Guinan 2H, ABR-20091117, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 18, 2009.

18. Pennsylvania General Energy Company, L.L.C., Pad ID: COP Tract 724 — Pad A, ABR-20091118, Gamble Township, Lycoming County, Pa.; Consumptive Use of up to 2.000 mgd; Approval Date: November 19, 2009, including a partial waiver of 18 CFR Section 806.15.

19. EOG Resources, Inc., Pad ID: Hoppaugh IV, ABR-20091119, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 0.999 mgd; Approval Date: November 20, 2009.

20. EOG Resources, Inc., Pad ID: Hoppaugh 2H, ABR-20091120, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 23, 2009.

21. EOG Resources, Inc., Pad ID: Hoppaugh 3H, ABR-20091121, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 23, 2009.

22. EOG Resources, Inc., Pad ID: Lee 1H, ABR-20091122, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 23, 2009.

23. EOG Resources, Inc., Pad ID: Lee 2H, ABR-20091123, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 23, 2009.

24. EOG Resources, Inc., Pad ID: Lee 2H, ABR-20091124, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: November 23, 2009.

25. Rice Drilling B LLC, Pad ID: Ultimate Warrior #1, ABR-20091125, Upper Fairfield Township, Lycoming County, Pa.; Consumptive Use of up to 1.000 mgd; Approval Date: November 30, 2009.

26. Chief Oil & Gas, LLC, Pad ID: Hodge Unit Drilling Pad #1, ABR-20091201, Juniata Township, Blair County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: December 1, 2009.

27. Citrus Energy Corporation, Pad ID: Martin #1V, ABR-20091202, Sugarloaf Township, Columbia County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: December 1, 2009.

28. XTO Energy Incorporated, Pad ID: Jenzano, ABR-20090713.1, Franklin Township, Lycoming County, Pa.; Consumptive Use total of up to 3.000 mgd; Approval Date: December 1, 2009.

29. EOG Resources, Inc., Pad ID: Houseknecht 1H, ABR-20090423.1, Springfield Township, Bradford County, Pa.; Consumptive Use total of up to 1.999 mgd; Approval Date: December 2, 2009.

30. EOG Resources, Inc., Pad ID: Ward M 1H, ABR-20090421.1, Springfield Township, Bradford County, Pa.; Consumptive Use total of up to 1.990 mgd; Approval Date: December 2, 2009.

31. EOG Resources, Inc., Pad ID: Jones IV, ABR-20091203, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 0.999 mgd; Approval Date: December 2, 2009.

32. Chief Oil & Gas, LLC, Pad ID: Teel Unit Drilling Pad #2H, ABR-20091204, Springville Township, Susquehanna County, Pa.; Consumptive Use of up to 2.000 mgd; Approval Date: December 3, 2009.

33. Chief Oil & Gas, LLC, Pad ID: Teel Unit Drilling Pad #3H, ABR-20091205, Springville Township, Susquehanna County, Pa.; Consumptive Use of up to 2.000 mgd; Approval Date: December 3, 2009.

34. East Resources, Inc., Pad ID: Chapman 237, ABR-20091206, Sullivan Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 8, 2009.

35. East Resources, Inc., Pad ID: Houck 433, ABR-20091207, Shippen Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 9, 2009.

36. Chesapeake Appalachia, LLC, Pad ID: Stoorza, ABR-20091208, Terry Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

37. Chesapeake Appalachia, LLC, Pad ID: Roger, ABR-20091209, Auburn Township, Susquehanna County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

38. Chesapeake Appalachia, LLC, Pad ID: Readinger, ABR-20091210, West Burlington Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

39. Chesapeake Appalachia, LLC, Pad ID: Miller, ABR-20091211, Towanda Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

40. Chesapeake Appalachia, LLC, Pad ID: Grippo, ABR-20091212, Terry Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

41. Chesapeake Appalachia, LLC, Pad ID: Duffield, ABR-20091213, Tuscarora Township, Bradford County, Pa.; Consumptive Use of up to 7.500 mgd; Approval Date: December 9, 2009.

42. Chief Oil & Gas, LLC, Pad ID: Clear Springs Dairy Drilling Pad #1, ABR-20091214, Burlington Township,

Bradford County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: December 14, 2009.

43. East Resources, Inc., Pad ID: Jenkins 523, ABR-20091215, Rutland Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 14, 2009.

44. East Resources, Inc., Pad ID: Pannebaker 515, ABR-20091216, Rutland Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 14, 2009.

45. East Resources, Inc., Pad ID: Starks 460, ABR-20091217, Richmond Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 14, 2009.

46. East Resources, Inc., Pad ID: Oldroyd 509, ABR-20091218, Rutland Township, Tioga County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 14, 2009.

47. XTO Energy Incorporated, Pad ID: Hazlak, ABR-20090715.1, Franklin Township, Lycoming County, Pa.; Consumptive Use total of up to 3.000 mgd; Approval Date: December 14, 2009.

48. XTO Energy Incorporated, Pad ID: Temple, ABR-20090714.1, Moreland Township, Lycoming County, Pa.; Consumptive Use total of up to 3.000 mgd; Approval Date: December 14, 2009.

49. EOG Resources, Inc., Pad ID: Harkness 1V, ABR-20091219, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 0.999 mgd; Approval Date: December 14, 2009.

50. EOG Resources, Inc., Pad ID: Harkness 2H, ABR-20091220, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: December 14, 2009.

51. EOG Resources, Inc., Pad ID: Harkness 3H, ABR-20091221, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 1.999 mgd; Approval Date: December 14, 2009.

52. Seneca Resources Corporation, Pad ID: T. Wivell Horizontal Pad, ABR-20090814.1, Covington Township, Tioga County, Pa.; Consumptive Use total of up to 4.000 mgd; Approval Date: December 18, 2009.

53. Cabot Oil & Gas Corporation, Pad ID: HibbardAM P1, ABR-20091223, Dimock Township, Susquehanna County, Pa.; Consumptive Use of up to 3.575 mgd; Approval Date: December 21, 2009.

54. Cabot Oil & Gas Corporation, Pad ID: HibbardAM P2, ABR-20091224, Dimock Township, Susquehanna County, Pa.; Consumptive Use of up to 3.575 mgd; Approval Date: December 21, 2009.

55. XTO Energy Incorporated, Pad ID: King Unit, ABR-20091225, Shrewsbury Township, Lycoming County, Pa.; Consumptive Use of up to 3.000 mgd; Approval Date: December 22, 2009.

56. XTO Energy Incorporated, Pad ID: Booth, ABR-20091226, Shrewsbury Township, Lycoming County, Pa.; Consumptive Use of up to 4.000 mgd; Approval Date: December 28, 2009.

57. Seneca Resources Corporation, Pad ID: Rich Valley 1V Pad, ABR-20091227, Shippen Township, Cameron County, Pa.; Consumptive Use of up to 0.500 mgd; Approval Date: December 28, 2009.

58. Citrus Energy Corporation, Pad ID: Farver #1V, ABR-20091228, Benton Township, Columbia County, Pa.; Consumptive Use of up to 5.000 mgd; Approval Date: December 28, 2009.

59. Seneca Resources Corporation, Pad ID: Wolfinger, ABR-20091229, Shippen Township, Cameron County, Pa.; Consumptive Use of up to 0.500 mgd; Approval Date: December 28, 2009, including a partial waiver of 18 CFR Section 806.15.

60. Ultra Resources, Inc., Pad ID: Marshlands H. Bergey Unit #1, ABR-20091230, Gaines Township, Tioga County, Pa.; Consumptive Use of up to 4.990 mgd; Approval Date: December 29, 2009.

61. Ultra Resources, Inc., Pad ID: Marshlands K. Thomas Unit #1, ABR-20091231, Elk Township, Tioga County, Pa.; Consumptive Use of up to 4.990 mgd; Approval Date: December 29, 2009.

62. Ultra Resources, Inc., Pad ID: Lick Run Pad, ABR-20091232, Gaines Township, Tioga County, Pa.; Consumptive Use of up to 4.990 mgd; Approval Date: December 29, 2009.

63. Ultra Resources, Inc., Pad ID: Hillside Pad, ABR-20091233, Gaines Township, Tioga County, Pa.; Consumptive Use of up to 4.990 mgd; Approval Date: December 29, 2009.

64. Ultra Resources, Inc., Pad ID: Button B 901 Pad, ABR-20091234, West Branch Township, Tioga County, Pa.; Consumptive Use of up to 4.990 mgd; Approval Date: December 29, 2009.

65. EOG Resources, Inc., Pad ID: Kenyon 1V, ABR-20091235, Springfield Township, Bradford County, Pa.; Consumptive Use of up to 0.999 mgd; Approval Date: December 29, 2009.

AUTHORITY: P.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: January 19, 2010.

STEPHANIE L. RICHARDSON
Secretary to the Commission.

[10-04-30]

General Notices

Notice on ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

BOARD OF ARCHITECTS

Subject: Public Meeting
Date and Time: February 24, 2010, 9:30 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6263

[10-04-45]

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: February 25, 2010, 2 — 4:30 p.m.
Place: 300 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223

[10-04-29]

BOARD OF AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS

Subject: Public Meeting
Date and Time: February 18, 2010, 4 — 6 p.m.
Place: Metro Executive Bldg., 4201 Patterson Ave., Baltimore, MD
Contact: Christopher Kelter (410) 764-4725

[10-04-12]

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Meeting
Date and Time: February 25, 2010, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl., Baltimore, MD
Contact: Benjamin Foster (410) 230-6229

[10-04-40]

CHESAPEAKE BAY TRUST

Subject: Public Meeting
Date and Time: February 17, 2010, 3 — 6 p.m.
Place: Loews Hotel Downtown Annapolis, Annapolis, MD
Contact: Heather Adams (410) 974-2941

[10-03-29]

BOARD OF CHIROPRACTIC EXAMINERS

Subject: Public Meeting on Regulations
Date and Time: February 18, 2010, 10 a.m. — 3 p.m.
Place: Dept. of Health and Mental Hygiene, 4201 Patterson Ave., Rms. 108/109, Baltimore, MD

Add'l. Info: At a General Session Meeting on February 18, 2010, the MD Board of Chiropractic and Massage Therapy Examiners will review and vote on proposed revisions to COMAR 10.43.01 — 10.43.20 regarding regulations for chiropractors, chiropractic assistants, and massage therapists. For further information, call the Executive Director, Mr. J.J. Vallone at (410) 764-4726.

Contact: Maria Ware (410) 764-5902

[10-02-19]

MARYLAND COLLECTION AGENCY LICENSING BOARD

Subject: Public Meeting
Date and Time: February 24, 2010, 10:30 a.m. — 12:30 p.m.
Place: Alacrity Collections, 500 Bestgate Rd., Annapolis, MD
Contact: Kelly Mack (410) 230-6079

[10-04-19]

OFFICE OF THE DEAF AND HARD OF HEARING/MARYLAND ADVISORY COUNCIL FOR THE DEAF AND HARD OF HEARING

Subject: Public Meeting
Date and Time: March 2, 2010, 11 a.m. — 2 p.m.

Place: Maryland Dept. of Transportation, Hanover, MD

Add'l. Info: For security reasons, RSVP is required for visitors that are Non-State of MD Employees. This Advisory Council Business meeting is open for the public to observe. (There will be no public forum following this Advisory Council meeting.) Sign Language interpreters, real-time captioning services, and assistive listening devices will be provided. For additional communication accommodations, please contact Laura Quinn at: lquinn@gov.state.md.us. For directions go to www.e-mdot.com.

Contact: Laura Quinn (410) 767-7794

[10-03-42]

JOINT CHAIRS OF THE DESIGN BOARDS

Subject: Public Meeting
Date and Time: February 24, 2010, 1:30 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6263

[10-04-46]

PROFESSIONAL STANDARDS AND TEACHER EDUCATION BOARD

Subject: Public Meeting
Date and Time: March 4, 2010, 9:30 a.m. — 12 p.m.
Place: Nancy S. Grasmick State Education Bldg., 200 W. Baltimore St., Baltimore, MD
Contact: Madeline Koum (410) 767-0385

[10-04-01]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Meeting
Date and Time: February 23, 2010, 9 a.m. — 5 p.m.; February 24, 2010, 9 a.m. — 12 p.m.
Place: Nancy S. Grasmick State Education Bldg., 200 W. Baltimore St., Baltimore, MD
Contact: Charlene Necessary (410) 767-0467

[10-03-05]

DEPARTMENT OF EDUCATION/DIVISION OF REHABILITATION SERVICES

Subject: Public Meeting
Date and Time: February 19, 2010, 12 — 3 p.m.; Additional Dates: April 16, June 18, August 20, October 15, and December 17, 2010
Place: Workforce & Technology Center, 2301 Argonne Dr., Rm. T-130, Baltimore, MD
Add'l. Info: Toll Free Number 866-996-0961
Contact: Tonya Gilchrist, Administrative Officer (410) 554-5412

[10-03-15]

BOARD OF MASTER ELECTRICIANS

Subject: Public Meeting
Date and Time: March 23, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Gae Herzberger (410) 230-6163

[10-04-28]

BOARD OF MASTER ELECTRICIANS

Subject: Public Meeting

Date and Time: April 27, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Gae Herzberger (410) 230-6163

[10-04-31]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MIEMSS)

Subject: Public Meeting

Date and Time: March 19, 2010, 10 a.m. — 12 p.m.

Place: 653 W. Pratt St., Ste. 508, Baltimore, MD

Add'l. Info: The EMS Provider Review Panel meets regularly on the 3rd Friday of every other month.

Contact: Leandra M. Gilliam (410) 706-4449

[10-04-64]

BOARD OF EXAMINING ENGINEERS

Subject: Public Meeting

Date and Time: March 16, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Gae Herzberger (410) 230-6163

[10-04-32]

BOARD OF EXAMINING ENGINEERS

Subject: Public Meeting

Date and Time: April 20, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Gae Herzberger (410) 230-6163

[10-04-33]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MARYLAND BOARD OF PHYSICIANS

Subject: Public Meeting

Date and Time: February 24, 2010, 9 a.m. — 12 p.m.; Open Meetings will be held at 9 a.m. and 3 p.m.

Place: 4201 Patterson Ave., Rms. 108/109, Baltimore, MD

Add'l. Info: Appropriate auxiliary aids and services provided for qualified individuals upon request. Call Ellen Smith at (410) 764-2477

Contact: Tammy Austin (410) 764-4769

[10-04-10]

BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS (HVACR)

Subject: Public Meeting

Date and Time: March 10, 2010, 9:30 a.m. — 12 p.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Steve Smitson (410) 230-6169

[10-04-08]

DIVISION OF LABOR AND INDUSTRY/AMUSEMENT RIDE SAFETY ADVISORY BOARD

Subject: Public Meeting

Date and Time: February 24, 2010, 10 a.m.

Place: Laurel College Center, 312 Marshall Ave., 6th Fl., Laurel, MD

Add'l. Info: The Board is scheduled to meet to discuss legislation, operating procedures for Certificates of Operation for Inflatables, and other issues relating to amusement ride safety.

Contact: Debbie Stone (410) 767-2225

[10-04-58]

BOARD FOR PROFESSIONAL LAND SURVEYORS

Subject: Public Meeting

Date and Time: March 3, 2010, 9:30 a.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Pamela J. Edwards (410) 230-6263

[10-04-47]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: February 18, 2010, 1 p.m.

Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD

Add'l. Info: Individuals requiring special accommodations are requested to contact Valerie Wooding at (410) 764-3460, or the Department of Health and Mental Hygiene TTY at (410) 383-7755, not later than 20 working days before the meeting to make arrangements.

Contact: Valerie Wooding (410) 764-3460

[10-04-25]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: March 18, 2010, 1 p.m.

Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD

Add'l. Info: Individuals requiring special accommodations are requested to contact Valerie Wooding at (410) 764-3460, or the Department of Health and

Mental Hygiene TTY at (410) 383-7755, not later than 20 working days before the meeting to make arrangements.

Contact: Valerie Wooding (410) 764-3460

[10-04-26]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review

Add'l. Info: Kaiser Permanente Gaithersburg Surgical Center — Docket No. 09-15-2303 — Establishment of a new free-standing ambulatory surgery facility through the relocation of 2 operating rooms from the Kaiser Kensington facility to a new location at 665 Watkins Mill Road, Gaithersburg. Cost: \$9,780,233

Kaiser Permanente Largo Surgical Center — Docket No. 09-16-2304 — Establishment of a new free-standing ambulatory surgery facility with 6 operating rooms to be located at 1221 Mercantile Lane, Largo. Cost: \$18,700,211

Pursuant to COMAR 10.24.01 et seq., on February 12, 2010, the Maryland Health Care Commission hereby gives notice of docketing of the above-referenced applications. Persons desiring to become interested parties in the Commission's review of the above-referenced applications must meet the requirements of COMAR 10.24.01.01B (2) and (20) and must also submit written comments to the Commission not later than close of business March 15, 2010. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

Questions may be directed to Pamela Barclay, Director, Center for Hospital Services at (410) 764-5982, or send to the MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276

[10-04-63]

MINORITY BUSINESS ENTERPRISE ADVISORY COMMITTEE

Subject: Public Meeting

Date and Time: March 3, 2010, 8:30 a.m. — 5 p.m.

Place: Harry R. Hughes Dept. of Transportation Bldg., Harry Hughes Stes. 1 and 2, Ground Fl., Hanover, MD

Contact: Catherine Svoboda (410) 865-1357

[10-04-56]

BOARD OF MORTICIANS AND FUNERAL DIRECTORS

Subject: Public Meeting

Date and Time: March 10, 2010, 10:30 a.m. — 12:30 p.m.

Place: 4201 Patterson Ave., Rms. 108/109, Baltimore, MD

Add'l. Info: Review statutes and regulations and vote as necessary. Sign language interpreter and/or other appropriate accommodations for qualified individuals with disabilities will be provided upon request.

Contact: Louann Cox (410) 764-4792
[10-04-05]

**BOARD OF EXAMINERS OF
NURSING HOME ADMINISTRATORS**

Subject: Public Meeting

Date and Time: March 10, 2010, 9:30 a.m.

Place: 4201 Patterson Ave., Rm. 110, Baltimore, MD

Contact: Patricia A. Hannigan (410) 764-4750

[10-04-14]

**BOARD OF OCCUPATIONAL
THERAPY PRACTICE**

Subject: Public Meeting

Date and Time: March 19, 2010, 8:30 a.m. — 2 p.m.

Place: Spring Grove Hospital Center, Benjamin Rush Bldg., 55 Wade Ave., Tulip Dr., Catonsville, MD

Add'l. Info: Health Occupations Article, Title 10, Annotated Code of Maryland, and COMAR 10.46, amendments, additions, and revisions, including fee changes, may be discussed/voted on. Budget information may also be discussed. It may be necessary to go into executive session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 1-800-735-2255.

Contact: Marilyn Pinkney (410) 402-8556

[10-04-16]

**PROCUREMENT ADVISORY
COUNCIL (PAC)**

Subject: Public Meeting

Date and Time: February 26, 2010, 10 a.m. — 12 p.m.

Place: 45 Calvert St., Rm. 158, Annapolis, MD

Contact: Melissa Hodges (410) 260-7335

[10-04-27]

**STATE ADVISORY COUNCIL ON
QUALITY CARE AT THE END OF
LIFE**

Subject: Public Meeting

Date and Time: February 26, 2010, 10 a.m. — 12 p.m.

Place: Office on Aging, 301 W. Preston St., Rm. 1007, Baltimore, MD

Contact: Kathy Izdebski (410) 576-6327

[10-04-62]

**MARYLAND BUSINESS TAX
REFORM COMMISSION**

Subject: Public Meeting

Date and Time: February 22, 2010, 2 — 4 p.m.

Place: Louis L. Goldstein Treasury Bldg., 80 Calvert St., Assembly Rm., Annapolis, MD

Contact: Linda I Vasbinder (410) 260-7450

[10-04-06]

**BOARD OF WATERWORKS AND
WASTE SYSTEMS OPERATORS**

Subject: Public Meeting

Date and Time: March 18, 2010, 10 a.m. — 3 p.m.

Place: Maryland Environmental Service, Millersville, MD

Add'l. Info: A portion of this meeting may be held in closed session.

Contact: Pat Kratochvil (410) 537-3167

[10-04-03]

**WORKERS' COMPENSATION
COMMISSION**

Subject: Public Meeting

Date and Time: February 25, 2010, 9 — 11 a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: A portion of this meeting may be held in closed session.

Contact: Amy Lackington (410) 864-5300

[10-04-02]



Date: _____

Acct.# _____

Maryland Register

Archive and E-Version Order Form

The Division of State Documents has created pdf files of all the Maryland Register issues since 1974. The issues from 1974—2003 are scanned images in pdf format of the actual Register and, as such, are not searchable, while the issues beginning with 2004 are *searchable text* in pdf format.

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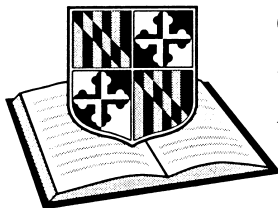
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