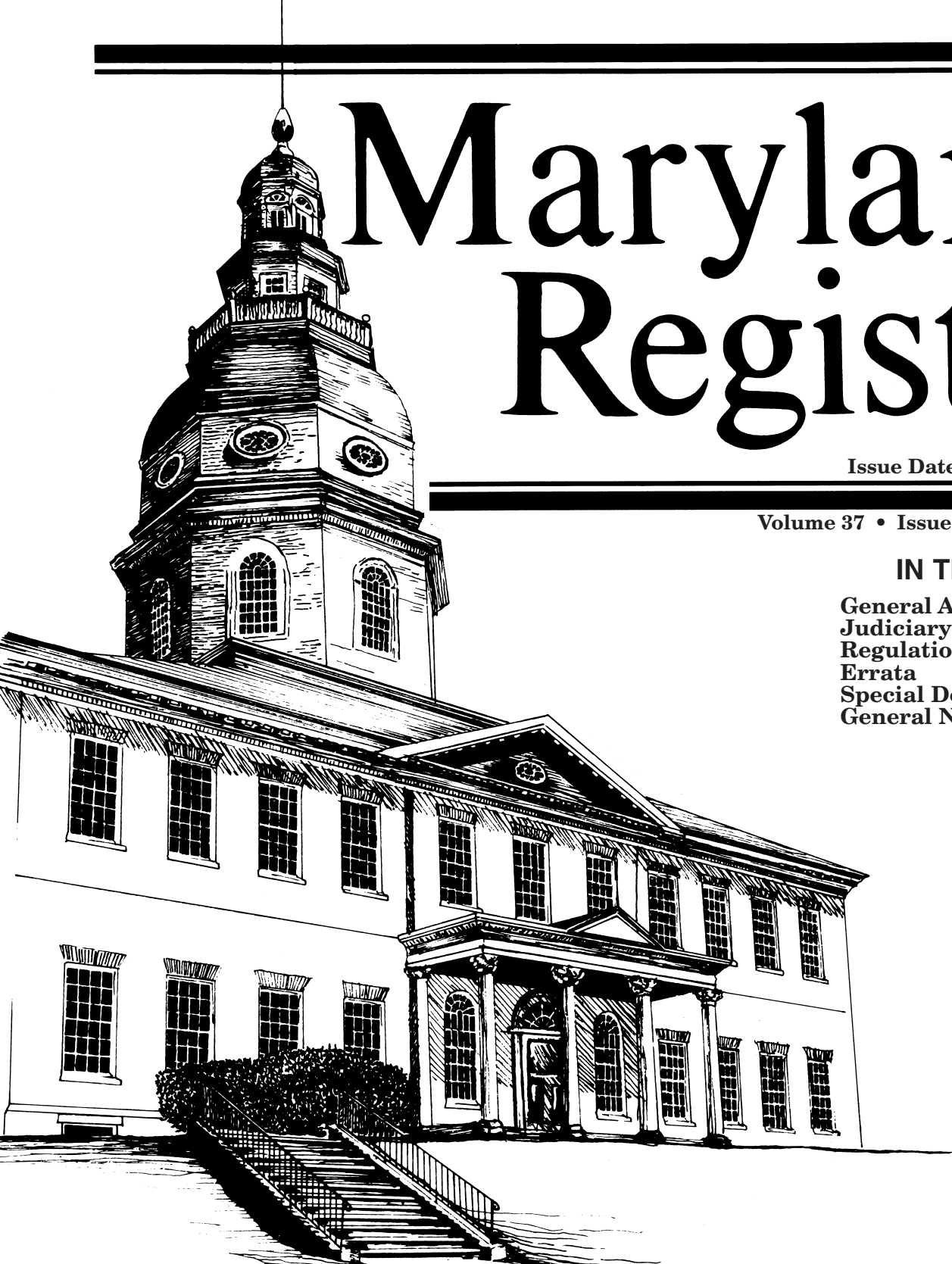

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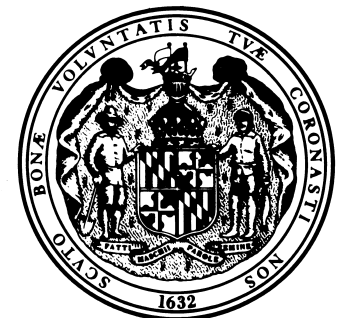
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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before February 8, 2010, 5 p.m.

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 February 8, 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.

CITIZEN PARTICIPATION IN THE REGULATION-MAKING PROCESS

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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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.
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.

Synopsis No. 2 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.

- HB0460** Del McConkey, et al. Real Property - Condominium Bylaws - Surcharge on Assessments.
- HB0461** Del Cardin, et al. Vehicle Laws - Bicycles, EPAMDS, and Motor Scooters - Rules of the Road.
- HB0462** Del Kaiser, et al. Education - Discrimination Prohibited - Protected Classes.
- HB0463** Del Kaiser, et al. Human Relations - Employment Discrimination Based on Family Responsibilities - Prohibitions.
- HB0464** The Spkr (Admin), et al. Maryland Clean Energy Incentive Act of 2010.
- HB0465** The Spkr (Admin), et al. Collective Negotiations by Family Child Care Providers.
- HB0466** The Spkr (Admin), et al. Governor's P-20 Leadership Council of Maryland.
- HB0467** The Spkr (Admin), et al. Education - Maryland Longitudinal Data System.
- HB0468** The Spkr (Admin), et al. Off-Shore Wind Generation - Qualified Submerged Renewable Energy Lines.
- HB0469** The Spkr (Admin), et al. Motor Vehicle Excise Tax - Tax Credit For Electric Vehicles.
- HB0470** The Spkr (Admin), et al. Higher Education Investment Fund - Tuition Stabilization and Funding.
- HB0471** The Spkr (Admin), et al. Renewable Energy Portfolio Standard - Solar Energy.
- HB0472** The Spkr (Admin), et al. Real Property - Residential Property Foreclosure Procedures - Foreclosure Mediation.
- HB0473** The Spkr (Admin), et al. Criminal Procedure - Sexual Offenders - Lifetime Supervision.
- HB0474** The Spkr (Admin), et al. Smart, Green, and Growing - Maryland Sustainable Growth Commission.
- HB0475** The Spkr (Admin), et al. Smart, Green, and Growing - The Sustainable Communities Act of 2010.
- HB0476** Frederick County Delegation. Frederick County - Property Tax Setoff.
- HB0477** Del Barkley, et al. Creation of a State Debt - Montgomery County - Montgomery Village Martin Roy Park Pavilion.
- HB0478** Del Pena-Melnyk, et al. Health Insurance - Prescription Drugs - Cost-Sharing Obligations.
- HB0479** Dels Barkley and Bronrott. Motor Fuel Tax - Increase.
- HB0480** Del Malone. Motor Vehicles - Medium Speed Vehicles - Requirements and Prohibitions.
- HB0481** Del Haynes, et al. Maryland Consolidated Capital Bond Loan of 2009 - Baltimore City - Kennedy Krieger Institute.
- HB0482** Del Walker, et al. Higher Education - Maryland Football Act.
- HB0483** Del Dumais, et al. Uniform Power of Attorney Act.
- HB0484** Del Elliott, et al. Property Tax - Semiannual Payment Schedule - Small Business Property.
- HB0485** Del Malone. Motor Vehicle Equipment - Spare Tire Requirement - Application.
- HB0486** Del Serafini. Environment - Water Appropriation or Use Permits - Wells.
- HB0487** Del McIntosh (Chr ENV). Environment - State Board of Waterworks and Waste Systems Operators - Sunset Extension and Revisions.
- HB0488** Del Jones, et al. Correctional Officers' Retirement System - Membership - Correctional Case Management Specialist.
- HB0489** Del G. Clagett, et al. Vehicle Laws - Use of Wireless Telephone While Driving - Prohibitions.
- HB0490** Del O'Donnell, et al. Child Protection from Predators Act.
- HB0491** Del McConkey. Anne Arundel County - Property Tax Payment Deferral - Eligibility.
- HB0492** Del Smigiel, et al. Motor Vehicle Liability Insurance - Personal Injury Protection Coverage - Minimum Benefits.
- HB0493** Del G. Clagett, et al. Land Use - Development Rights and Responsibilities Agreements.
- HB0494** Del Hubbard, et al. Infant Formula and Baby Food - Auction Sales - Prohibition - Exception.
- HB0495** Charles County Delegation. Creation of a State Debt - Charles County - Hospice House.
- HB0496** Del Pena-Melnyk, et al. No Representation Without Population Act.
- HB0497** Del G. Clagett, et al. Public Safety - Emergency Medical Services Board - Membership.
- HB0498** Del Taylor, et al. Creation of a State Debt - Montgomery County - Damascus Heritage Museum.
- HB0499** Del Malone. Motor Vehicles - Approaching Emergency Vehicles and Personnel.
- HB0502** Del Bohanan, et al. Calvert, Charles, and St. Mary's Counties - Deer Hunting.
- HB0503** Del Walker, et al. Education - High School Sports - Mandatory Playing Guidelines.
- HB0504** Del Rosenberg, et al. Employment Discrimination - Unlawful Employment Practices - Motivating Factor.

HB0505 Del Walker. Student Participation in High School Sports - Academic Requirements.

HB0506 Del Dumais, et al. Higher Education - Delegate Scholarships - Summer School.

HB0507 Del Howard, et al. Creation of a State Debt - Prince George's County - Sheriff Road Village Center.

HB0508 Del Walker, et al. Real Property - Residential Leases - Interest on Security Deposits.

HB0509 Dels G. Clagett and DeBoy. State Police Retirement System - Special Disability Retirees - Reemployment.

HB0510 Del McConkey, et al. Anne Arundel County - Board of Education and School Board Nominating Commission - Open Meetings and Public Records.

HB0511 St. Mary's County Delegation. St. Mary's County - Annual Financial Report - Filing Date.

HB0512 Del Bromwell, et al. Video Lottery Terminals - Baltimore-Washington International Thurgood Marshall Airport.

HB0513 Del Bromwell. Video Lottery Terminals - Expansion to Baltimore-Washington International Thurgood Marshall Airport.

HB0514 Del Shewell, et al. Criminal Procedure - Seizure and Forfeiture - Property Used in Human Trafficking.

HB0515 Del Shewell, et al. Vehicle Laws - Mandatory Use of Ignition Interlock System Program.

HB0516 Del Malone. Hazardous Material Response Team Employees - Death Benefits and Funeral Expenses - Local Government Agencies.

HB0517 Del Simmons, et al. Criminal Law - Narcotic Drugs - Enhanced Penalties.

HB0518 Del Simmons, et al. Criminal Law - Proceeds from Drug Crimes - Misdemeanor.

HB0519 Del Simmons, et al. Creation of a State Debt - Montgomery County - Garrett Park Community Center.

HB0520 Del Stukes, et al. Transportation - Transit Vehicle Operators - Prohibition on Use of Wireless Communication Devices.

HB0521 Del George, et al. Anne Arundel County - Trapping - Rabies Vector Species.

HB0522 Dels Manno and Hecht. Public Service Commission - Report on the State's Long-Term Energy Needs.

HB0523 Del Shank, et al. Justice's Law.

HB0524 Del Manno. Maryland Organic Transition Investment Pilot Program - Funding and Extension of Sunset.

HB0525 The Spkr (Admin), et al. Maryland False Health Claims Act of 2010.

HB0526 Del Shewell, et al. Vehicle Laws - Required Insurance - Minimum Amounts for Vehicles of Drunk Drivers.

HB0527 Del V. Clagett. Natural Resources - Abandoned Vessel - Definition.

HB0528 Del Stukes, et al. Transit Vehicles - Prohibited Acts - Use of Obscene Language.

HB0529 Del Stukes, et al. Maryland Transit Administration - Audio Recording Devices on Vehicles Used for Transit Service.

HB0530 St. Mary's County Delegation. St. Mary's County - Correctional Officers' Bill of Rights.

HB0531 Del Reznik, et al. Task Force to Study the Procurement of Health, Education, and Social Services by State Agencies - Extension.

HB0532 Chr HGO (Dept). Department of Health and Mental Hygiene - Statewide Advisory Commission on Immunizations - Sunset Extension.

HB0533 Del Norman, et al. Business Occupations and Professions - State Board of Plumbing - Membership.

HB0534 Del Waldstreicher, et al. Domestic Violence - Protective Order - Extension.

HB0535 Cecil County Delegation. Cecil County - Alcoholic Beverages - Entertainment Facility License.

HB0536 Chr HGO (Dept). Department of Aging - Long-Term Care Ombudsman Program.

HB0537 Del Frush, et al. Public Utility Companies - University of Maryland, College Park Bus Service - Motor Carrier Permit Exemption - Removal of Sunset.

HB0538 Dels James and Riley. Property Tax - Annual Reassessment.

HB0539 Dels James and Riley. Creation of a State Debt - Harford County - The Citizens Care and Rehabilitation Center.

HB0540 Del Stukes, et al. Creation of a State Debt - Baltimore City - Academy of Success Community Empowerment Center.

HB0541 Del Reznik, et al. Health Occupations - Wellness Practitioners - Exemption from Licensure as Physicians.

HB0542 Charles County Delegation. Creation of a State Debt - Charles County - Kamp A-Kom-Plish Facility.

HB0543 Del Frank, et al. Criminal Procedure - Criminal Injuries Compensation Board - Claimant Confidentiality and Eligibility.

HB0544 Del Frank, et al. Sex Offenders - Homeless and Temporary Residents - Registration and Reporting Requirements.

HB0545 Del Hubbard, et al. Creation of a State Debt - Prince George's County - Bowie Interfaith Pantry.

HB0546 Del Malone. Public Safety - Explosives - Definition

HB0547 Wicomico County Delegation. Wicomico County - Board of Elections - Membership.

HB0548 Del Hubbard, et al. Creation of a State Debt - Prince George's County - Thomas Johnson Middle School Sign Board.

HB0549 Del King. Maryland Perfusion Act.

HB0550 Del Norman, et al. School Bus Seat Belt Corrective Language Act.

- HB0551** Wicomico County Delegation. Wicomico County - Alcoholic Beverages - Beer Tasting - Workers in Licensed Establishments.
- HB0552** Wicomico County Delegation. Wicomico County - Alcoholic Beverages - Micro-Brewery Licenses.
- HB0553** Wicomico County Delegation. Dorchester and Wicomico Counties - Alcoholic Beverages - Pub-Brewery and Micro-Brewery Licenses.
- HB0554** Del Jones, et al. Residential Child Care Facilities - Incident Reporting - Interagency Workgroup.
- HB0555** Del Reznik, et al. Political Subdivisions - Electronic Legal Notices Option.
- HB0556** Prince George's County Delegation. Education - Prince George's County Board of Education - Bonding Authority PG 424-10.
- HB0557** Prince George's County Delegation. Prince George's County - Rent Stabilization - Residential Rental Units for the Elderly PG 421-10.
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- HB0630** Del Simmons. Vehicle Laws - Ignition Interlock System Program - Mandatory Participation.
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- HB0683** Del Riley, et al. Public Safety - Handgun Permits - Repeal of Finding Requirement.
- HB0684** Del Kipke. State Government - Commemorative Day - Young Heroes Day.
- HB0685** Del Stein, et al. Environment - Fluorescent and Compact Fluorescent Light Recycling - County Plans.
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- HB0687** Del G. Clagett. Frederick County - Municipalities - Water and Sewer Classifications.
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- HB0691** Del Jennings, et al. General Assembly - Member Called to Active Duty - Temporary Replacement - Implementing Legislation.
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- HB0710** Del Howard, et al. Blue Ribbon Commission on Maryland Transportation Funding.
- HB0711** Dels Healey and Lafferty. Real Property - Tenants in Foreclosure - Conforming to Federal Law.
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- HB0715** Del Kipke, et al. Department of Planning - Disposition of Real Property.
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- HB0717** Howard County Delegation. Howard County - Alcoholic Beverages - Class A Licenses - Findings Ho. Co. 7-10.
- HB0718** Dels Hixson and Mizeur. Maryland Consolidated Capital Bond Loan of 2005 - Montgomery County - Old Blair High School Auditorium.
- HB0719** Del Schuler, et al. Baltimore County - Four-Way Intersections - Stop Signs.
- HB0720** Dels Bobo and Frush. Public Health - Nontobacco Nicotine Products.
- HB0721** Del Miller, et al. State Procurement - Use of Federal E-Verify Program to Prevent Employment of Unauthorized Alien Workers.
- HB0722** Del Cardin, et al. Income Tax Exemption - Military Health Care Pensions - Health Care Workforce Shortage.
- HB0723** Del Hixson, et al. Education - Age of Compulsory Attendance - Exemptions.
- HB0724** Del Love, et al. Anne Arundel County - Property Tax Credit - Habitat for Humanity of the Chesapeake Restore.
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- HB0727** Del Hubbard. Food Service Facilities - Artificial Trans Fat - Prohibition.
- HB0728** Del Kramer. Criminal Law - Felony Theft - Threshold Value.
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- HB0731** Del Costa. Human Services - Public Assistance - Program Modifications.
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- HB0733** Del Beitzel. Garrett County - Volunteer Fire Departments and Rescue Squads - Emergency Services Board.
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- HB0735** Del Rosenberg. Workers' Compensation - Exemption from Covered Employment - AmeriCorps Program Workers.
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- HB0737** Dorchester County Delegation. Creation of a State Debt - Dorchester County - Dorchester County Family YMCA.
- HB0738** Del Olszewski. Criminal Law - Malicious Destruction of Property - Penalties.
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- HB0742** Dels Rosenberg and Hubbard. Medical Treatment - Homeless, Abandoned, and Runaway Youth.
- HB0743** Del Kramer, et al. Drunk Driving Elimination Act.
- HB0744** Del Rosenberg, et al. Electricity - Competitive Supply - Information.
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- HB0746** Del Bates, et al. Procurement - Living Wage - Repeal.
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- HB0748** Del Krysiak, et al. Creation of a State Debt - Baltimore City - Creative Alliance Building.
- HB0749** Del Pena-Melnyk, et al. State Personnel - Applicants for Employment - Criminal History Records Checks.
- HB0750** Del Olszewski, et al. Criminal Law - Betting, Wagering, and Gambling - Fantasy Competition.
- HB0751** Del Miller, et al. Workers' Compensation - Temporary Total Disability Benefits - Credit.
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- HB0767** Del Montgomery, et al. Maryland Health Security Act of 2010.
- HB0768** Del Griffith (Chr Jt Com on Pnsns), et al. Employees' Retirement and Pension Systems - Maryland School for the Deaf Retirees - Overpayment of Benefits.
- HB0769** Dels Levi and Vallario. Orphans' Court - Minors - Guardianship of Person.
- HB0770** Del Griffith (Chr Jt Com on Pnsns), et al. State Police Retirement System - Deferred Vested Members - Survivor Benefits.
- HB0771** Del Griffith, et al. Blue Ribbon Commission to Study Retiree Health Care Funding Options - Extension of Reporting and Termination Dates.
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- HB0776** Del Lee, et al. Criminal Law - Home Invasion Crime of Violence.
- HB0777** The Spkr (DLS). Local Government - Applicability of Laws to Counties and Baltimore City.

HB0778 Del Lee, et al. Crimes - Unauthorized Computer Access for Sabotage of State Government or Public Utilities.

HB0779 Del Lee, et al. Police Training Commission - Additional Minimum Training Requirements.

HB0780 Del Lee, et al. Identity Fraud - Restitution for Credit Restoration and Satisfaction of Financial Obligations.

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HB0782 Del Lee, et al. Department of Information Technology - Security of Computer Systems.

HB0783 Del Lee, et al. Identity Fraud Crimes - Restitution - Time Lost by Victim.

HB0784 Del Lee, et al. Criminal Injuries Compensation Notification - Law Enforcement Agencies.

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HB0786 Del Healey, et al. State Highway Administration - Sidewalk Construction in Priority Funding Areas.

HB0787 Del Lee, et al. Identity Fraud Crimes - Restitution.

HB0788 Del Olszewski, et al. Campaign Finance - Contributions - Disclosure.

HB0789 Del Howard, et al. Elementary and Secondary Education - Health Curriculum - Diabetes Education.

HB0790 Del Kramer, et al. Correctional Services - Limitation on Total Number of Diminution Credits - Primary Drug, Violent, and Sexual Offenders.

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HB0793 Del Taylor, et al. State Retirement and Pension Boards of Trustees - Membership - Diversity.

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HB0798 Del Lee, et al. Task Force to Study Lyme Disease.

HB0799 Dels Kramer and Manno. Reverse Mortgage Homeowners Protection Act.

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HB0802 Del McHale, et al. Creation of a State Debt - Baltimore City - Museum of Industry.

HB0803 Dels Rudolph and Kullen. Health Insurance - High Deductible Plans and Limited Benefit Plans for Uninsured Individuals.

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HB0805 Del Heller, et al. Property Tax - Homestead Credit for Seniors with Two Homes.

HB0806 Del Heller. Election Law - Campaign Account - Debit Card Disbursements.

HB0807 Del Kach, et al. State Retirement and Pension System - Military Service Credit - Reservists.

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- HB0826** Del Rosenberg, et al. Wiretapping and Electronic Surveillance - Location of a Mobile Communications Device.
- HB0827** Del Hubbard, et al. Biomass and Biofuels - In-State Production Incentives.
- HB0828** Del Busch, et al. Creation of a State Debt - Anne Arundel County - William Paca House.
- HB0829** Del Jameson, et al. Vehicle Laws - Traffic Citations - Option to Request Trial.
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- HB0835** Del Heller (Chr JtCMPF), et al. Energy Performance Contracts - Financing - State Energy Performance Contract Loan of 2010.
- HB0836** Allegany County Delegation. Education - Public School Construction - Procurement - Preference for Local Business Entities.
- HB0837** Washington County Delegation. Washington County - Procurement of Professional or Technical Services.
- HB0838** Del Dumais, et al. Estates and Trusts - Register of Wills - Cost-of-Living Adjustment to Salary.
- HB0839** Del Heller (Chr JtCMPF), et al. Political Subdivisions - Financial Reports.
- HB0840** Del Stein. Homeowner's Insurance - Ordinance or Law Coverage.
- HB0841** Del Conway, et al. Crimes - Sexual Offenses - Children Under the Age of 15.
- HB0842** Del Conway, et al. Condominiums and Homeowners Associations - Priority of Liens - "The Residential Association Sustainability Act of 2010".
- HB0843** Chr APP (Dept). Academic Facilities Bonding Authority.
- HB0844** Del Conway, et al. Local Government Funds - Re-deposit into Insured Accounts.
- HB0845** Del Feldman, et al. State Retirement and Pension System - Investments - Qualified Information Technology, Green Technology, Medical Device Technology, or Bioscience Businesses.
- HB0846** Del Feldman, et al. Creation of a State Debt - Montgomery County - Cabin John Park Tai Chi Court.
- HB0847** Del McDonough. State Government - Notary Public - Requirements.
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- HB0849** Del Hubbard. Department of Health and Mental Hygiene - Home- and Community-Based Services Waiver - Denial of Access Prohibited.
- HB0850** Del Barve, et al. Property Tax Credit - Habitat for Humanity.
- HB0851** Talbot County Delegation. Talbot County - Deer Hunting on Private Property - Sundays.
- HB0852** Del George, et al. Energy Companies - Net Energy Metering Credit Transfers - Municipalities.
- HB0853** Dels Stein and Krebs. State Department of Education - Personal Financial Literacy State Curriculum.
- HB0854** Del Stein, et al. Homeowner's, Farmowner's, and Dwelling Insurance Policies - Claims for Additional Payments.
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- HB0863** Del Hubbard. Maryland Professional Counselors and Therapists Act - Corrections.
- HB0864** Del McDonough. Jessica's Law Part II - Truth in Sentencing.
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- HB0866** Del McDonough, et al. Public Safety - Enforcement of Federal Immigration Law by Law Enforcement Agencies.
- HB0867** Dels Robinson and Glenn. State Units - Contracts - Reporting Requirements - Reports.
- HB0868** Del Montgomery, et al. State Board of Pharmacy - Wholesale Distributors - Accreditation and Reciprocity.
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HB0883 Del V. Turner, et al. Maryland Consolidated Capital Bond Loan of 2008 - Prince George's County - Forest Heights Municipal Building.

HB0884 Del V. Turner, et al. Creation of a State Debt - Prince George's County - Daughter for the Day.

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- HB0919** Dels Anderson and Dumais (By Request). Criminal Procedure - Petition for Writ of Actual Innocence - Newly Discovered Evidence.
- HB0920** Del Pena-Melnyk, et al. Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process.
- HB0921** Del Love, et al. Maryland Winery Modernization Act.
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- HB0924** Del Bates, et al. State Personnel - Land Records Employees - Salaries and Benefits.
- HB0925** Del Carter, et al. Family Law - Child Custody Determinations.
- HB0926** Dels Proctor and Vallario. State Retirement and Pension System - Retiree Organizations - Direct Mailings.
- HB0927** Del Nathan-Pulliam, et al. State Board of Social Work Examiners - Out-of-State Applicants - Licensure.
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- HB0929** The Spkr (Admin), et al. Patient Centered Medical Home Program.
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- HB0931** The Spkr (Admin), et al. Public Safety - Sexual Offender Advisory Board.
- HB0932** Del Rice, et al. Public Schools - New Construction or Renovation - Children's Environmental Health.
- HB0933** Del Montgomery. Hospitals - Financial Assistance and Debt Collection.
- HB0934** Del McIntosh, et al. Vehicle Laws - Use of Wireless Telephone While Driving - Prohibitions.
- HB0935** Dels Proctor and Vallario. Creation of a State Debt - Prince George's County - South County Community Center.
- HB0936** The Spkr (Admin), et al. Criminal Procedure - Sex Offenders - Notification and Registration.
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- HB0940** Del Anderson, et al. Inmates - Life Imprisonment - Parole Approval and In Banc Review.
- HB0941** Del Ross, et al. Creation of a State Debt - Prince George's County - La Vida Sana (Healthy Living Farm).
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- HB0945** Del Robinson, et al. Baltimore City - Alcoholic Beverages - 1-Day Licenses - Applications and Notice.
- HB0946** Del Proctor, et al. Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit.
- HB0947** Del Frush, et al. Anne Arundel County - Alcoholic Beverages - Tasting Licenses.
- HB0948** Del Olszewski, et al. Baltimore County - Bargaining Unit for Public School Employees.
- HB0949** Del Love, et al. Creation of a State Debt - Anne Arundel County - Coordinating Center for Home and Community Care Building Facilities.
- HB0950** Dels McConkey and Schuler. Children - Joint Legal Custody and Equal Parenting Time - Preference.
- HB0951** Del Carter, et al. Health Insurance Carriers - Declinations of Applications for Coverage - Required Reporting.
- HB0952** Del Bates, et al. Great Preschools Tax Credit Program.
- HB0953** Del Hucker, et al. Agriculture - Commercial Feed - Arsenic Prohibition.
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- HB0959** Del Carter, et al. Procurement - Single Minority Business Enterprise Certification Agency for Local Government Procurement.
- HB0960** Dels Olszewski and Kach. Gaming - Video Lottery Terminals - Player Cards.
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HB1002 Del Conaway. Baltimore City - Police Vehicles Engaged in Traffic Stops - Video Recording Systems.

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HB1004 Dels Conaway and Anderson. Credit Regulation - Application Fees for Credit Cards and Loans - Prohibited.

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- HB1013** Del Beitzel. Wind-Powered Electric Generating Facilities - Decommissioning and Restoration - Surcharge, Bond, or Other Security, and Fund.
- HB1014** Del Hecht, et al. Clean Energy Loan Programs.
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- HB1020** Del McDonough, et al. Harford County - English Language - Formal Recognition.
- HB1021** Dels Heller and Vallario. Family Law - Prohibited Marriages - First Cousins.
- HB1022** Del Carr, et al. Human Relations - Sexual Orientation and Gender Identity - Antidiscrimination.
- HB1023** Chr JUD (Md Jud Conf). Criminal Procedure - Expiration Date of Sentences - Repeal.
- HB1024** Chr JUD (Dept). State Boat Act - Operating Vessel While Impaired or Under the Influence of Alcohol - Testing.
- HB1025** Del Tarrant, et al. Baltimore City - Sale of Motor Fuel for Dirt Bikes - Prohibition.
- HB1026** Dels Bromwell and Kach. Health Insurance - Dental Provider Contracts - Prohibited Provision.
- HB1027** Del Mizeur. Gender Equity Health Coverage Act.
- HB1028** Dels Bartlett and Jenkins. Local Correctional Facilities - Inmates - Fees for Medical and Dental Visits.
- HB1029** Del Carr, et al. Election Law - Independent Expenditures - Reporting and Disclosure Requirements.
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- HB1032** Del Kirk, et al. Motor Fuel Refiner or Supplier - Games of Chance - Repeal of Prohibition.
- HB1033** Del G. Clagett. Public Health - Frederick County - Dogs in Outdoor Dining Areas.
- HB1034** Del Costa, et al. Community Services Reimbursement Rate Commission - Developmental Disabilities and Community Mental Health Services - Rate Adjustments.
- HB1035** Del King. Criminal Law - First Degree Escape - Escape from Drug and Alcohol Treatment Facilities.
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- HB1039** Del Bronrott, et al. Tanning Devices - Use by Minors - Prohibition.
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- SB0432** Sen Jones. Creation of a State Debt - Baltimore City - Druid Hill Family Center Y Revitalization.
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- SB0434** Sen Stone, et al. Sexual Offenders - Restrictions on Places of Residence and Entry onto Recreational Areas.
- SB0435** Sen Stone, et al. Criminal Procedure - Sexual Offenders - Tracking Device as Condition of Probation and for Life After Release from Custody.
- SB0436** Sen Robey, et al. Creation of a State Debt - Howard County - Living Farm Heritage Museum.
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- SB0441** Sen Robey. Police Training Commission - Membership - Inclusion of Maryland Police Training Directors Association.
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- SB0457** Sen Glassman. State Highway Administration - Speed Limits - Small Cities and Towns.
- SB0458** Sens Glassman and Peters. Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process.
- SB0459** Sen Middleton. Maryland Consolidated Capital Bond Loan of 2009 - Charles County - Hospice House.
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- SB0461** Sen Stone. Criminal Law - Attempted Sexual Offense in the Third Degree - Penalties.
- SB0462** Sen Raskin, et al. Chesapeake Bay Restoration Consumer Retail Choice Act of 2010.
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- SB0465** Sen Lenett, et al. Developmental Disabilities Administration - Recipient Reevaluations.
- SB0466** Sen Forehand. Vehicle Laws - Off-Highway Recreational Vehicles - Titling.
- SB0467** Sen Conway, et al. Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland.
- SB0468** Sen Currie. Maryland Employment Opportunity Tax Credit.
- SB0469** The Pres (DLS). Annual Curative Bill.
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- SB0471** Sen Madaleno, et al. Private Career Schools - Definition and Regulation.
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- SB0491** Sen Middleton. Creation of a State Debt - Charles County - Kamp A-Kom-Plish Facility.
- SB0492** Sen Astle. Vehicle Laws - Protective Headgear Requirement for Motorcycle Riders - Exceptions.
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- SB0495** Sen McFadden (Chr Jt Com on Pnsns). State Police Retirement System - Deferred Vested Members - Survivor Benefits.
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- SB0505** Sen Gladden, et al. Pet Stores - Sale of Dogs Less than 9 Months of Age Prohibited.
- SB0506** Sen Pinsky. Maryland Consolidated Capital Bond Loan of 2006 - Prince George's County - YMCA Renaissance Square.
- SB0507** Sen Middleton. Injured Workers' Insurance Fund - Status and Renaming.
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- SB0510** Sen Frosh, et al. Creation of a State Debt - Montgomery County - JFGH Activity Center.
- SB0511** Sens Frosh and Forehand. Vehicle Manufacturers - Advertising - Prohibiting Threats to Dealers.
- SB0512** Sen Conway, et al. Maryland Locksmiths Act - Revisions - Definitions and Records Inspection.
- SB0513** Sen Conway, et al. Natural Resources - Vessels - No-Discharge Designation for Maryland Waters.
- SB0514** Sen Lenett. Environment - Permits to Construct or Materially Alter an Incinerator - Limitations on Issuance.
- SB0515** Sens Lenett and Rosapepe. The Renewables First Act.
- SB0516** Sen Lenett, et al. Maryland Assault Weapons Ban of 2010.
- SB0517** Sens Stone and Jacobs. Criminal Law - Criminal Gangs - Offenses and Membership.
- SB0518** Sen Simonaire. Vehicle Laws - Special Registration Plates and Parking Placards for Dependents with Disabilities - Authorized.
- SB0519** Sen Simonaire, et al. Maryland General and Limited Power of Attorney Act (Loretta's Law).
- SB0520** Sen Robey. Homestead Property Tax Credit - Eligibility of Employees of the Federal Government Stationed Outside the State.
- SB0521** Sen Pugh, et al. Family Planning Works Act.
- SB0522** Sen Pugh, et al. Video Lottery Facility Commission - Financial Impact of Additional Games - Study.
- SB0523** Sen Pugh, et al. Credit Card Blacklisting Prevention Act.
- SB0524** Sen Pugh, et al. Health Insurance - Cancer Chemotherapy - Cost Sharing Equity.
- SB0525** Sen Haines. Vehicle Laws - Driver Improvement Programs - Deduction of Accumulated Points.
- SB0526** Sens Brochin and Kittleman. Maryland Estate Tax - Unified Credit Effective Exemption Amount and Deduction for State Death Taxes.
- SB0527** Sen Frosh, et al. Health and Human Services Referral Board - 2-1-1 Maryland - Modifications.
- SB0528** Sens Currie and Raskin. Education - Development of Curriculum Content for Chess Instruction.
- SB0529** Sen Garagiola, et al. Net Energy Metering - Fuel Cell.
- SB0530** Sen Stone, et al. Real Property - Mechanics' Liens - Extent of Lien Applied to Tenant's Interest.
- SB0531** Sen Forehand, et al. Civil Actions - Limitation of Actions - Land Surveyors.
- SB0532** Sen Muse, et al. Office of the Public Defender - Board of Trustees - Membership.
- SB0533** Sen Muse, et al. Property - Tax Sale - Statement of Taxes in Arrears and Notice of Sale.
- SB0534** Sen Muse, et al. Property Tax Credit - Fallen Security Guard.
- SB0535** Sens Brochin and Stone. Criminal Procedure - Postconviction Proceeding - Venue.
- SB0536** Sen Muse, et al. State Board of Education - Student Member - Full Voting Rights Act.
- SB0537** Sen Mooney. Energy Companies - Net Energy Metering - Credit Transfers.
- SB0538** Sen Garagiola, et al. Residential Multiple Occupancy Buildings and Shopping Centers - Master Meters.

SB0539 Sen Harrington, et al. Public Health - Chain Restaurants - Nutrition Information Labeling.

SB0540 Sen Harrington, et al. Child with a Disability - Individualized Education Program.

SB0541 Sen Harrington. Natural Resources - Park Advisory Commission - Membership.

SB0542 Sens Harrington and Colburn. Health - National Human Trafficking Resource Center Hotline - Posting of Information.

SB0543 Sen Harrington, et al. Election Law - Independent Expenditures - Reporting and Disclosure Requirements.

SB0544 Sen Harrington, et al. Public Safety - Regulation of Demolition - Demolition Contractors.

SB0545 Sen Harrington. Assisted Housing - Protected Actions - Extended Leases for Seniors.

SB0546 Sen Peters, et al. Procurement - Minority Business Enterprises - Review of Application for Certification and Notice to Applicant.

SB0547 Sen Pugh, et al. Insurance - Domestic Reinsurers.

SB0548 Sen Astle, et al. Anne Arundel County - Alcoholic Beverages Licenses - Fees.

SB0549 Sens Astle and DeGrange. Anne Arundel County - Board of License Commissioners - Annual Budget.

SB0550 Sen McFadden (Chr Jt Com on Pnsns). State Retirement and Pension System - Eligible Governmental Units.

SB0551 Sen Edwards. Education - Public School Construction - Procurement - Preference for Local Business Entities.

SB0552 Sen Edwards. Allegany County - Property Tax Credit - Memorial Hilltop Centre.

SB0553 Sen Edwards. State Government - Maryland Tort Claims Act - Garrett County Physicians.

SB0554 Sen Gladden. Rental Housing - Protection for Victims of Domestic Violence and Sexual Assault.

SB0555 Sen Conway. Business Occupations and Professions - Individual Tax Preparers - Registration Requirements.

SB0556 Sen Conway, et al. Environment - Decabrominated Diphenyl Ether - Prohibitions.

SB0557 Sen Pinsky. Education - Alternate Maryland School Assessment - Review and Revision.

SB0558 Sen Pinsky, et al. Public Service Commission - Long-Term Power Purchasing Agreements - Renewable Energy.

SB0559 Sen Kelley, et al. Child Protection - Mandatory Reporting of Children Regularly in Contact with Persons Convicted of Child Abuse and Child Sexual Abuse.

SB0560 Sen Forehand, et al. Vehicle Laws - Traffic Citations - Option to Request Trial.

SB0561 Sen Raskin. Estates and Trusts - Register of Wills - Cost-of-Living Adjustment to Salary.

SB0562 Sen Raskin. Real Property - Mortgages and Deeds of Trust - Authority to Exercise a Power of Sale.

SB0563 Sens Raskin and Conway. Public Safety - Possession of Ammunition for Firearms - Penalties.

SB0564 Sen Raskin, et al. Drunk Driving Elimination Act.

SB0565 Sen Raskin, et al. Drunk and Drugged Driving - Refusal to Take a Blood or Breath Test - Prohibition.

SB0566 Sen Raskin, et al. Alcoholic Beverages - Direct Wine Shipper's License.

SB0567 Sen McFadden (Chr Jt Com on Pnsns). State Retirement and Pension System - Noncontributory Former Vested Members - Vested Retirement Allowance.

SB0568 Sen Middleton. Creation of a State Debt - Charles County - Jaycees Field of Dreams.

SB0569 Sen Middleton, et al. Biomass and Biofuels - In-State Production Incentives.

SB0570 Sen Frosh, et al. Corporations - Campaign Material - Stockholder Approval.

SB0571 Sen Madaleno, et al. Public Safety - National Guard Deployment - Governor's Powers.

SB0572 Sen Madaleno. Creation of a State Debt - Montgomery County - Warner Manor.

SB0573 Sens Madaleno and Raskin. Election Law - Polling Places - Electioneering Boundaries.

SB0574 Sen Madaleno, et al. Income Tax - Net Operating Loss Deductions - Loss from Criminal Fraud or Embezzlement.

SB0575 Sen Zirkin. Juvenile Services - Maryland Rising Program - Volunteer Mentors.

SB0576 Sen Zirkin. Residential Child and Youth Care Practitioners - Certification Requirement - Extension.

SB0577 Sen Zirkin. Family Law - Grounds for Absolute Divorce - Time Requirements.

SB0578 Sen Zirkin. Family Law - Grounds for Divorce.

SB0579 Sens Zirkin and Brinkley. Criminal Law - Drug Schedules - Marijuana.

SB0580 Sen Pugh, et al. Maryland Afterschool and Summer Learning Activity Program - Income Tax Checkoff.

SB0581 Sen Pugh, et al. State Personnel - Applicants for Employment - Criminal History Records Checks.

SB0582 Sen Madaleno, et al. Religious Freedom and Civil Marriage Protection Act.

SB0583 Sen Madaleno, et al. Human Relations - Sexual Orientation and Gender Identity - Antidiscrimination.

SB0584 Sen Stone. Criminal Law - Reckless Endangerment - Use of a Motor Vehicle.

SB0585 Sen Kelley, et al. Commission on Surrogate Parenting.

SB0586 Sen King, et al. Creation of a State Debt - Montgomery County - RCI Group Home Renovations.

- SB0587** Sen King, et al. Creation of a State Debt - Montgomery County - Montgomery Village Martin Roy Park Pavilion.
- SB0588** Sen King, et al. Creation of a State Debt - Montgomery County - Cinnamon Woods Environmental and Safety Lighting Upgrade.
- SB0589** Sen King, et al. Creation of a State Debt - Montgomery County - Lake Whetstone Hillside Stabilization.
- SB0590** Sen Raskin, et al. Fairness in Negotiations Act.
- SB0591** Sen Garagiola, et al. Maryland Estate Tax.
- SB0592** Sen Garagiola, et al. Maryland Estate Tax - Exclusion for Qualified Agricultural Property.
- SB0593** Sen Garagiola, et al. Health Facilities - Freestanding Medical Facilities - Rates.
- SB0594** Sen Middleton. Maryland Organic Transition Investment Pilot Program - Funding and Extension of Sunset.
- SB0595** Sen Exum. Creation of a State Debt - Prince George's County - Sheriff Road Village Center.
- SB0596** Sen Rosapepe. Maryland Prepaid College Trust - Student 2+2 Program - Out-of-County Costs.
- SB0597** Sen Rosapepe. Condominiums and Homeowners Associations - Common Elements and Common Areas - Implied Warranties.
- SB0598** Sen Rosapepe. Public Utility Companies - University of Maryland, College Park Bus Service - Motor Carrier Permit Exemption - Removal of Sunset.
- SB0599** Sen Rosapepe. Maryland Perfusion Act.
- SB0600** Sen Raskin, et al. Family Law - De Facto Parents.
- SB0601** Sens Raskin and Pinsky. Elections - Campaign Finance - Prohibition of Contributions and Expenditures by Business Entities.
- SB0602** Sen Raskin, et al. Vehicle Laws - High Occupancy Vehicle (HOV) Lanes - Use by Plug-In Vehicles.
- SB0603** Sen Currie. Creation of a State Debt - Prince George's County - Walker Mill Daycare and Training Center.
- SB0604** Sen Currie, et al. College and Career Readiness Act of 2010.
- SB0605** Sen King, et al. Angel's Law - Foster Care and Child Care - Cordless Window Coverings.
- SB0606** Sen Simonaire. Motor Vehicle Registration - Exemption for Golf Carts Operated on Highway Shoulder.
- SB0607** Sen Miller. Creation of a State Debt - Prince George's County - South County Community Center.
- SB0608** Sen Kittleman. Workers' Compensation - Temporary Total Disability - Incarcerated Employees.
- SB0609** Sen Kittleman. Workers' Compensation - Temporary Total Disability Benefits - Credit.
- SB0610** Sen Kittleman. Workers' Compensation - Jurisdiction Pending Appeal - Proposed Settlement.
- SB0611** Sen Della. Insurers, Health Maintenance Organizations, and Managed Care Organizations - Compensation Reports.
- SB0612** Sen Della. Unemployment Insurance - Filing for Benefits - Notification.
- SB0613** Sen Della, et al. Baltimore City - Binding Arbitration - Police Officers.
- SB0614** Sen Della. Creation of a State Debt - Baltimore City - Creative Alliance Building.
- SB0615** Sen Edwards. Garrett County - Volunteer Fire Departments and Rescue Squads - Emergency Services Board.
- SB0616** Sen Rosapepe. Anti-Deficit and Fiscal Responsibility Act of 2010.
- SB0617** Sen Jacobs, et al. Criminal Law - Plea Agreements - Prohibition of Concurrent Sentences for Child Sexual Offenses.
- SB0618** Sen Jacobs, et al. Criminal Procedure - Violation of Pretrial or Posttrial Release No Contact Order - Expedited Hearing ("Alexis's Law").
- SB0619** Sen Jacobs, et al. Criminal Law - Elimination of Concurrent Sentencing for Child Sexual Offenses.
- SB0620** Sen Jacobs. Correctional Services - Child Sexual Offenders - Diminution Credits and Parole.
- SB0621** Sen Jacobs. Drunk and Drugged Driving - Evidence - Qualified Medical Person.
- SB0622** Sen Jacobs. Crimes - Sexual Offenses Against Children - Penalties.
- SB0623** Sen Jacobs, et al. Criminal Procedure - Child Sexual Offenders - Monitoring with Global Positioning Satellite Tracking Technology.
- SB0624** Sen Frosh, et al. Vehicle Laws - Bicycles and Motor Scooters - Rules of the Road.
- SB0625** Sen Frosh. Health Insurance - Payment and Fee Disclosure.
- SB0626** Sen Dyson. St. Mary's County - Noncertificated Public School Employees - Service Fee.
- SB0627** Sen Brinkley, et al. Public Health - Medical Marijuana.
- SB0628** Sen Stoltzfus. Maryland Stem Cell Research Fund - Annual Report - Requirements.
- SB0629** Sen Muse, et al. Law Enforcement Officers - Unsubstantiated Complaints - Admissibility.
- SB0630** Sen Muse. Property Taxes - Homestead Property Tax Credit - Notification and Recoupment.
- SB0631** Sen Conway. State Board of Dental Examiners - Materials Containing Mercury.
- SB0632** Sen Conway. Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and Medication Technicians - Changes to Licensure Requirements.
- SB0633** Sen Middleton, et al. Community Services Reimbursement Rate Commission - Developmental Disabilities and Community Mental Health Services - Rate Adjustments.

- SB0634** Sen Pipkin, et al. Transportation - Maryland Emergency Medical System Operations Fund - Transport by Privately Owned Helicopter.
- SB0635** Sen Pipkin. Kent County Board of Education - Members - Terms and Vacancies.
- SB0636** Sen Pipkin. Mental Hygiene Administration - Upper Shore Community Mental Health Center - Continued Operation.
- SB0637** Sens Pipkin and Astle. Health Insurance - Dental Provider Panels - Provider Contracts.
- SB0638** Sen Madaleno, et al. Earned Income Credit Information Act.
- SB0639** Sen Pugh, et al. Higher Education - Death of Police Officer or Firefighter - Edward T. Conroy Memorial Scholarship Program.
- SB0640** Sen Pugh, et al. Telephone Companies - Distribution of Telephone Directories - Customer Opt Out.
- SB0641** Sen Pugh, et al. Insurance - Premium Finance Companies - Acceptance of Consideration During Term of Premium Financing Agreement - Prohibited.
- SB0642** Sen Pugh, et al. Insurance - Premium Finance Companies - Premium Finance Agreement Terms - Disclosure and Publication.
- SB0643** Sen Pugh, et al. Telephone Companies and Resellers - Third-Party Vendor Billing.
- SB0644** Sen Pugh, et al. Insurance - Premium Finance Companies - Limitation on Referrals by Insurance Producers.
- SB0645** Sen Frosh. Firearm Safety Act of 2010.
- SB0646** Sen Pugh, et al. Workers' Compensation - Medical Presumptions.
- SB0647** Sen Pugh. Homeowner's, Farmowner's, and Dwelling Insurance Policies - Claims for Additional Payments.
- SB0648** Sen Pipkin. Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact Study for a Third Span.
- SB0649** Sen Pipkin. Chesapeake Bay Bridge - Inspection by Independent Entity Required.
- SB0650** Sen Pipkin. Maryland Transportation Authority - Proposed Toll or Fee Charges - Public Comments.
- SB0651** Sens Pipkin and Astle. Maryland Transportation Authority - Toll Increase - Public Meeting Requirement.
- SB0652** Sen DeGrange, et al. Property Tax Credit - Habitat for Humanity.
- SB0653** Sen Lenett, et al. Environment - Coal Combustion By-Products - Minimum Standards - Beneficial Uses.
- SB0654** Sen Lenett, et al. Real Property - Tenants in Foreclosure - Conforming to Federal Law.
- SB0655** Sen Lenett. Task Force to Study Financial Matters Relating to Long-Term Care Facilities - Extension.
- SB0656** Sen Lenett. Energy Performance Ratings - State, County, and Municipal Buildings.
- SB0657** Sen DeGrange, et al. Recordation Taxes and State Transfer Tax - Debt Forgiven in "Short Sale".
- SB0658** Sen DeGrange, et al. Anne Arundel County - Property Tax Credit - Habitat for Humanity of the Chesapeake ReStore.
- SB0659** Sen Klausmeier, et al. Education - Immunizations - Children Entering Seventh Grade or Higher.
- SB0660** Sen Klausmeier. State Personnel - Natural Resources Law Enforcement Officers - Appointment to Major or Lieutenant Colonel.
- SB0661** Sen Klausmeier. Public Service Commission - Competitive Electricity and Gas Supplier Referral Program.
- SB0662** Sen Klausmeier. Prescription Drugs - Controlled Dangerous Substances - Certification of Information on Delivery.
- SB0663** Sen Klausmeier, et al. Health Insurance - Prescription Drugs - Cost-Sharing Obligations.
- SB0664** Sen Klausmeier, et al. Environment - Dental Radiation Machines - Inspections.
- SB0665** Sens Klausmeier and Astle. Health Insurance - Dental Provider Contracts - Prohibited Provision.
- SB0666** Sen Muse, et al. Real Property - Transfer Fees - Prohibition.
- SB0667** Sen Forehand, et al. Criminal Law - Sexual Crimes - Definitions.
- SB0668** Sen Rosapepe. Creation of a State Debt - Prince George's County - Laurel Boys and Girls Club.
- SB0669** Sen Peters. Creation of a State Debt - Prince George's County - Marlboro Meadows Senior Center.
- SB0670** Sen Simonaire, et al. Criminal Law - Trespass on Posted Property and Wanton Trespass on Private Property - Penalties.
- SB0671** Sen Simonaire. Anne Arundel County - Drug-Free Zones Pilot Program - Public Parks and Recreation Areas.
- SB0672** Sen Dyson, et al. Patient Referrals - Imaging and Radiation Therapy Services - Accreditation.
- SB0673** Sen Harris. Natural Resources - Hand-Launched Vessels - Statewide Pass.
- SB0674** Sen Kittleman. Robert Kittleman Scholarship Reform Act.
- SB0675** Sens Kittleman and Jacobs. Unemployment Insurance - Exemption from Covered Employment - Small Business Directors, Officers, and Members.
- SB0676** Sen McFadden. For-Hire Driving Services - Temporary For-Hire Driver's Licenses and Operator's Dress Code.
- SB0677** Sen Della, et al. Telephone Companies - Acquisitions and Franchises.
- SB0678** Sen Della, et al. Commercial Law - Credit Services Businesses - Limitation on Fees.
- SB0679** Sen Harrington, et al. Campaign Finance Entities - Contribution Records and Reports.

- SB0680** Sen Harrington. Criminal Law - Simulated Census Documents - Prohibition.
- SB0681** Sen Pinsky, et al. Public Funding and Small Donor Act for General Assembly Elections.
- SB0682** Sen Pinsky, et al. Maryland Health System Act of 2010.
- SB0683** Sen Peters, et al. Property Taxes - Homestead Property Tax Credit.
- SB0684** Sen Peters, et al. Courts - Veterans' Treatment Court Pilot Program - Establishment.
- SB0685** Sen DeGrange, et al. Personal Property Tax - Heavy Equipment.
- SB0686** Sen Raskin, et al. Watershed Protection and Restoration Act.
- SB0687** Sen Raskin. Creation of a State Debt - Montgomery County - National Labor College Academic Services Building.
- SB0688** Sen Raskin. Maryland General Corporation Law - Miscellaneous Provisions.
- SB0689** Sens Raskin and Madaleno. Domestic Violence - Reasonable Corporal Punishment - Limitations.
- SB0690** Sens Raskin and Frosh. Corporations - B (For-Benefit) Corporation.
- SB0691** Sen Raskin, et al. Election Law - Persons Doing Public Business - Independent Expenditures.
- SB0692** Sen Raskin. Condominiums - Conversion of Residential Rental Facilities - Expiration of Registration and Notice.
- SB0693** Sen Raskin, et al. Green Maryland Act of 2010.
- SB0694** Sen Lenett. Labor and Employment - Wage Payment and Collection Law - Definition of Wage.
- SB0695** Sen Haines. Criminal Procedure - Violent Offenders - Parole as Condition for Alcohol or Drug Abuse Treatment.
- SB0696** Sen Haines. Criminal Law - Homicide by Motor Vehicle or Vessel - Penalties.
- SB0697** Sen Haines. Alcohol- or Drug-Related Crimes - Serious Physical Injury by Motor Vehicle or Vessel - Penalties.
- SB0698** Sen Haines. Vehicle Laws - Controlled Dangerous Substances - Per Se Driving Offenses.
- SB0699** Sen Haines. Vehicle Laws - Drug-Related Driving Offense - Penalties.
- SB0700** Sen Exum. Health Insurance - Child Wellness Benefits.
- SB0701** Sen Pugh, et al. Commercial Law - Debt Settlement Services.
- SB0702** Sen Rosapepe, et al. Tuition Cap and College Opportunity Act of 2010.
- SB0703** Sen Garagiola, et al. Tobacco-Related Products - Definitions and Distribution to Minors.
- SB0704** Sens Garagiola and Frosh. Insurance - Coordination of Benefits - Health Insurance and Personal Injury Protection.
- SB0705** Sen Exum. Higher Education - Maryland Football Act.
- SB0706** Sen McFadden. Mental Hygiene Administration - Placement of Individuals with Mental Illness - Study.
- SB0707** Sen McFadden (Balt Co Admin). Vehicle Laws - Parking Violations - Administrative Enforcement by Counties and Municipal Corporations.
- SB0708** Sen Kasemeyer. Maryland Higher Education Business Coalition and Fund.
- SB0709** Sen Kasemeyer. State Retirement and Pension System - Disability Retirement Application - Surviving Beneficiary.
- SB0710** Sens Harris and Raskin. Elections - New Political Party - Petition Signatures.
- SB0711** Sen Harris, et al. Election Law - Qualification of Voters - Proof of Identity.
- SB0712** Sen Harris, et al. Maryland Taxpayer Protection Act.
- SB0713** Sen Lenett, et al. Public and Commercial Buildings - Energy Benchmarking and Disclosure.
- SB0714** Sen Zirkin. Family Law - Grounds for Divorce - Separation.
- SB0715** Sen Dyson, et al. State Government - Commemorative Days - Fire, Rescue, and Emergency Services Workers.
- SB0716** Sen Jones. Baltimore City - Alcoholic Beverages - Bottle Club Registrations.
- SB0717** Sen Jones, et al. The Lorraine Sheehan Health and Community Services Act of 2010.
- SB0718** Sens Robey and Raskin. Tanning Devices - Use by Minors - Prohibition.
- SB0719** Sen Middleton. Health Occupations - Dental Hygienists - Practice in Long-Term Care Facilities.
- SB0720** Sen Middleton. Clean Energy Loan Programs.
- SB0721** Sen Middleton, et al. Public Service Commission - Cost Reimbursement.
- SB0722** Sen Middleton. Public Service Commission - Proceedings and Orders.
- SB0723** Sen Munson. Health Insurance - Clinically Integrated Organizations.
- SB0724** Sens Glassman and Peters. Property Taxes - Assessments and Appeals - Expansion of Property Owner's Bill of Rights.
- SB0725** Sen Glassman. State Government - Priority Funding for Transportation Projects for BRAC.
- SB0726** Cecil County Senators. Cecil County - Collective Bargaining - Representation of Deputy Sheriffs - Arbitration - Referendum.
- SB0727** Sen Pipkin, et al. Vehicle Laws - School Buses - Prohibition on Permitting Sitting on Floor or Standing.

SB0728 Cecil County Senators. Cecil County - Board of Electrical Examiners and Licensing of Electricians.

SB0729 Cecil County Senators. Cecil County - Regulation of Domestic Animals.

SB0730 Sens Pipkin and Jacobs. Cecil County Property Tax Rate - Constant Yield Tax Rate.

SB0731 Cecil County Senators. Cecil County - Emergency Medical Services - Collective Bargaining.

SB0732 Cecil County Senators. Cecil County - Public Facilities Bond Bill.

SB0733 Cecil County Senators. Cecil County - Budget and Taxes.

SB0734 Sen Rosapepe. Creation of a State Debt - Prince George's County - Laurel Police Department Facility - Community Space.

SB0735 Sen Rosapepe. Consumer Protection - Lifetime Warranties on Consumer Goods.

SB0736 Sen Rosapepe. Creation of a State Debt - Prince George's County - Dorset Road Reconstruction.

SB0737 Sen Kramer, et al. Creation of a State Debt - Montgomery County - Sandy Spring Museum Capacity Building.

SB0738 Sen Jacobs, et al. Education - Public Charter School Facilities - Financing.

SB0739 Sen Jacobs, et al. Sales and Use Tax - Rate.

SB0740 Sen Jacobs. Vehicle Laws - Detectable Level of a Controlled Dangerous Substance or Its Metabolites - Prohibition.

SB0741 Sen Jacobs, et al. Charter Schools - Certificated Professional Employees - Exemption from Collective Bargaining Agreements.

SB0742 Sen Colburn. Correctional Services - First Degree Murder - Minimum Sentence.

SB0743 Sen Colburn. Criminal Law - Handguns - Transport in Motor Vehicle by Nonresident.

SB0744 Sen Colburn. Commercial Law - Unfair or Deceptive Trade Practices - Disclosure of Prior Vehicle Use.

SB0745 Sen Colburn. Health Insurance - Ambulance Service Providers - Direct Reimbursement.

SB0746 Sen Colburn. Natural Resources - Land Acquisition - Notification and Approval.

SB0747 Sen Colburn. Juvenile Law - Truancy Reduction Pilot Program - Caroline County and Talbot County.

SB0748 Sen Colburn. Wicomico County - Board of Elections - Membership.

SB0749 Sen Colburn. Creation of a State Debt - Dorchester County - Richardson Maritime Heritage Center.

SB0750 Sen Dyson. Campaign Finance - Contributions by Foreign Nationals.

SB0751 Sen Middleton, et al. Nursing Facilities - Maryland Medical Assistance Program - Rights.

SB0752 Sen Pipkin. Queen Anne's County - Property Tax Credit - Foster Parent.

SB0753 Sen Pipkin. Creation of a State Debt - Queen Anne's County - Kennard High School Restoration.

SB0754 Sen King, et al. State Personnel - Accrual of Annual Leave - Local Government Service.

SB0755 Sen King, et al. Correctional Services - Diminution Credits - Limitations.

SB0756 Sen King, et al. Health Insurance - Assignment of Benefits.

SB0757 Sen King, et al. Crimes - Child Neglect - Penalties.

SB0758 Sen King, et al. Education - Early Learning Challenge Fund - Application for Grants.

SB0759 Sen King, et al. Early Child Care and Education Enhancement Program - Annual Report.

SB0760 Sens Pugh and Harrington. Transportation - Consolidated Transportation Program - Evaluation and Selection of Proposed Capital Projects.

SB0761 Sen Pugh, et al. Mental Health - Local Correctional Facilities - Incarcerated Individuals with Mental Illness.

SB0762 Sens Della and Stone. Commercial Law - Consumer Protection - Refund Anticipation Loans and Checks.

SB0763 Sen Astle. Commercial Law - Sale of Cigarettes - Cost.

SB0764 Anne Arundel County Senators. Creation of a State Debt - Anne Arundel County - Coordinating Center for Home and Community Care Building Facilities.

SB0765 Sen Simonaire. Anne Arundel County Board of Education - Appointed Members Subject to Contested Elections.

SB0766 Sen Gladden, et al. Wiretapping and Electronic Surveillance - Location of a Mobile Communications Device.

SB0767 Sen Gladden. Governor's Office for Children - Division of Licensing and Monitoring of Residential Child Care Programs.

SB0768 Sen Gladden. Civil Actions - Health Care Malpractice Claims - Attesting Expert Report.

SB0769 Sen Gladden. Health Care Malpractice - Noneconomic Damages.

SB0770 Sen Gladden. Baltimore City - Orphans' Court Judges - Qualifications.

SB0771 Sen Gladden. Income Tax - Subtraction Modification - Furlough Days.

SB0772 Sens Mooney and Brinkley. Frederick County - Adult Detention Center - Fees.

SB0773 Sens Mooney and Colburn. Corporate Income Tax - Repeal.

SB0774 Sen Kramer, et al. Life and Health Insurance - Senior Investment Protection.

SB0775 Sen Kramer, et al. Environment - Road Salt Management Programs.

SB0776 Sen Kramer, et al. Assisted Living and Nursing Home Residents Protection Act of 2010.

- SB0777** Sen DeGrange, et al. Local Government Funds - Redeposit into Insured Accounts.
- SB0778** Sen Raskin, et al. Public Schools - Student Information - Availability to Military Recruiters.
- SB0779** Sen Raskin. State Highway Administration - Unauthorized Signs on Highway Rights-of-Way.
- SB0780** Sen Raskin. Real Property - Affordable Housing Land Trusts.
- SB0781** Sen Raskin. Civil Rights Tax Relief Act.
- SB0782** Sen Raskin. Mortgage Foreclosure Bankruptcy Exemption.
- SB0783** Sen Raskin. Financial Crimes - Seizure and Forfeiture of Property.
- SB0784** Sen Raskin. Maryland Statutory Trust Act.
- SB0785** Sen Peters, et al. Public Investment Protection Act.
- SB0786** Sens Peters and Robey. Public Schools - State Aid for School Construction - Planning and Design Costs.
- SB0787** Sen Pugh. Financial Institutions - Mortgage Lenders - Net Worth Requirements.
- SB0788** Sen Pugh (TF to Stdy Mtr Veh Towing Pra). Motor Vehicles - Towing Practices and Procedures.
- SB0789** Sen Garagiola, et al. Labor and Employment - The Healthy Retail Employee Act.
- SB0790** Sen Garagiola, et al. Maryland Estate Tax - Exclusions for Family Farms Subject to Agricultural Preservation Easements.
- SB0791** Sen Garagiola. Procurement - Multi-Year Contracts for Renewable Energy - Termination Clauses.
- SB0792** Sen Garagiola. Department of Assessments and Taxation - Processing Fees and Electronic Document Filing and Processing System.
- SB0793** Sen Garagiola, et al. State Retirement and Pension System - Investments - Qualified Information Technology, Green Technology, Medical Device Technology, or Bioscience Businesses.
- SB0794** Sens Pugh and Jones. Unemployment Insurance - Exemption from Covered Employment - Passenger Motor Vehicle Drivers.
- SB0795** Sen Pugh. Video Lottery Gaming - Table Games.
- SB0796** Sens Middleton and Forehand. Criminal Procedure - Child Advocacy Centers.
- SB0797** Sen Jones. Blue Ribbon Commission on Alzheimer's Disease and Related Disorders.
- SB0798** Sen Astle. Anne Arundel County - Trapping - Rabies Vector Species.
- SB0799** Sen Klausmeier, et al. Electric Companies and Gas Companies - Customer Account Information.
- SB0800** Sen Klausmeier. Common Ownership Communities - Fidelity Insurance - Exemption.
- SB0801** Sen Klausmeier. Baltimore County - Public School Employees - Collective Bargaining and Representation Fees.
- SB0802** Sen Pipkin. Upper Shore Community Mental Health Center - Early Retirement.
- SB0803** Sen Pipkin. Sewage Sludge Utilization Permits - Chesapeake and Atlantic Coastal Bays Critical Area - Judicial Review.
- SB0804** Sen Pipkin. Ratepayer Relief Act of 2010.
- SB0805** Sen Pipkin. Higher Education - Nonpublic Institutions of Higher Education - Free Speech.
- SB0806** Sens Pipkin and Brinkley. Budget - Reductions of Appropriations.
- SB0807** Sen Pipkin, et al. Electricity Market - Goal of the State - Best Possible Price for Ratepayers Through Reregulation.
- SB0808** Sens Pipkin and Colburn. County Oyster Committees - Public Shellfish Fishery Area - Power Dredging.
- SB0809** Sens Pipkin and Colburn. Natural Resources - Designation of Oyster Sanctuaries - Prohibition.
- SB0810** Sens Brinkley and Munson. Local Correctional Facilities - Inmates - Fees for Medical and Dental Visits.
- SB0811** Sen Brinkley, et al. State Personnel - Land Records Employees - Salaries and Benefits.
- SB0812** Sen Lenett. End of Life Health Care Disclosure Act.
- SB0813** Sens Lenett and Madaleno. Maryland Communities for a Lifetime Act.
- SB0814** Sen Lenett, et al. Public Schools - New Construction or Renovation - Children's Environmental Health.
- SB0815** Sen Forehand, et al. Identity Fraud - Uniform Reporting Form.
- SB0816** Sen Forehand, et al. Criminal Restitution - Expansion.
- SB0817** Sen Forehand, et al. Identity Fraud Crimes - Restitution - Time Lost by Victim.
- SB0818** Sen Forehand, et al. Identity Fraud - Restitution for Credit Restoration and Satisfaction of Financial Obligations.
- SB0819** Sen Forehand, et al. Criminal Injuries Compensation - Crime Victim - Definition.
- SB0820** Sen Forehand, et al. Police Training Commission - Additional Minimum Training Requirements.
- SB0821** Sen Forehand, et al. Criminal Injuries Compensation Notification - Law Enforcement Agencies.
- SB0822** Sens Forehand and King. Creation of a State Debt - Montgomery County - Identity House.
- SB0823** Sen Forehand. Family Law - Protective Orders - Burden of Proof.
- SB0824** Sen Madaleno, et al. Sales and Use Tax - Online Sales Presumption.
- SB0825** Sen Madaleno. General Assembly - Start of Legislative Session and Presentation of Budget.
- SB0826** Sen Madaleno. State Finance - Presentation of Bills by Governor to the General Assembly and Notice of State Tax Rates.

- SB0827** Sen Madaleno. Motor Fuel Tax - Index.
- SB0828** Sen Madaleno. Special Taxing Districts - Transportation Improvements - Exemption from County Tax Limitations.
- SB0829** Sen Madaleno. Teachers' Retirement and Pension Systems - Reemployment of Retirees - Retired Higher Education Faculty.
- SB0830** Sen Madaleno. Creation of a State Debt - Montgomery County - MCAD Parkland.
- SB0831** Sens Forehand and Miller. Civil Litigation Funding.
- SB0832** Sen Jones. Maryland Community Enhancement Transit-Oriented Development Fund.
- SB0833** The Pres (Dept), et al. Circuit Court Judges - Election, Qualifications, and Term of Office.
- SB0834** Sen Currie. Base Realignment and Closure - Public Charter Schools Located on a Federal Military Base.
- SB0835** Sens Currie and Peters. Equity in State Aid to Counties Act of 2010.
- SB0836** Sen Lenett, et al. Education - Students Arrested for Reportable Offenses - Prohibition Against Attending School with Victim.
- SB0837** Sens Pipkin and Rosapepe. Utility Consumer Protection Act of 2010.
- SB0838** Sens Raskin and Peters. Maryland Veterans - Post-Traumatic Stress Disorder - Death Benefits.
- SB0839** Sen Raskin. Criminal Procedure - Petition for Writ of Actual Innocence - Newly Discovered Evidence.
- SB0840** Sen Reilly. Budget Reduction Act.
- SB0841** Sen Conway. Bail Bonds - Surety Bondsmen - Licensure, Regulation, and Financing of Bail Bonds.
- SB0842** Sen Kittleman, et al. Regulated Firearms - License Issued by Another State to Current or Former Member of the Armed Forces - Reciprocity.
- SB0843** Sen Kittleman. Prevailing Wage Rate - Public School Construction - Moratorium.
- SB0844** Sen Kittleman, et al. State Procurement - Employment of Unauthorized Aliens and the Federal E-Verify Program.
- SB0845** Sen Kittleman, et al. Procurement - Living Wage - Repeal.
- SB0846** Sens Kittleman and Brochin. State Government - Notary Public - Appointment.
- SB0847** Sen Kittleman, et al. Hunting Licenses - Exemption for Disabled Armed Forces Members.
- SB0848** Sen Kittleman. Real Property - Recordation of Instruments and Foreclosure Procedures on Residential Property - Owner-Occupied Property.
- SB0849** Sen Harrington. Procurement - Minority Business Enterprise Directory - List of Contracts.
- SB0850** Sens Peters and Astle. Family Law - Marital Property - Military Pensions.
- SB0851** Sen Pugh, et al. Maryland Health Improvement and Disease Prevention Act.
- SB0852** Sen Stone, et al. Same Sex Marriages - Foreign Jurisdictions - Invalidity.
- SB0853** Sen Muse. Landlord and Tenant - Stay of Eviction - Reasons for Nonpayment Beyond Tenant's Control.
- SB0854** The Pres (Admin), et al. Criminal Procedure - Sex Offenders - Notification and Registration.
- SB0855** The Pres (Admin), et al. Patient Centered Medical Home Program.
- SB0856** The Pres (Admin), et al. Public Safety - Sexual Offender Advisory Board.
- SB0857** Sen Pipkin. Queen Anne's County - County Commissioners - Gaming Permits.
- SB0858** Sen Conway, et al. Maryland Winery Modernization Act.
- SB0859** Sen Pinsky. Agriculture - Commercial Feed - Arsenic Prohibition.
- SB0860** Sen Pinsky. Creation of a State Debt - Prince George's County - SEED Recreation Center.
- SB0861** Sen Pinsky. Creation of a State Debt - Prince George's County - La Vida Sana (Healthy Living Farm).
- SB0862** Sens Lenett and Harrington. Public Pension Fund Protection Act.
- SB0863** Sen Lenett, et al. Credit Regulation - Loans Secured by Residential Real Property - Late or Delinquency Charges and Crediting of Payments.
- SB0864** Sen McFadden. Income Tax - Subtraction Modification - Maryland Civil Air Patrol.
- SB0865** Sens Lenett and Zirkin. Education - Student-Athletes - Concussions.
- SB0866** Sen King, et al. Education - Enrollment - Average Daily Attendance.
- SB0867** Sen Muse, et al. Domestic Violence - Protective Order - Extension.
- SB0868** Sen Muse. Creation of a State Debt - Prince George's County - Youth Fitness Facility.
- SB0869** Sen Muse. Creation of a State Debt - Prince George's County - Daughter for the Day.
- SB0870** Sen Haines, et al. Criminal Law - Manslaughter by Vehicle or Vessel - Criminal Negligence.
- SB0871** Sen Jones. Creation of a State Debt - Baltimore City - Academy of Success Community Empowerment Center.
- SB0872** Sen Currie. Creation of a State Debt - Prince George's County - Largo High School PTSA Track Renovation.
- SB0873** Sen Middleton. Maryland Consolidated Capital Bond Loan of 2007 - Charles County - Old Waldorf School Community Center.

- SB0874** Sen Frosh, et al. Judgeships - Circuit Courts and District Court - Creation in Areas of Greatest Certified Need.
- SB0875** Sen Zirkin. Criminal Procedure - Sexual Offender Registry - Written Notice of New Electronic Identity Information.
- SB0876** Sen Dyson. St. Mary's County - Certificated Public School Employees - Service or Representation Fee.
- SB0877** Sen Brinkley. Property Tax Assessments - Exterior Physical Inspection of Property - Waiver.
- SB0878** Sen Kramer, et al. Reverse Mortgage Homeowners Protection Act.
- SB0879** Sen Klausmeier. Public Safety - Pool Personnel - Regulation (Connor's Law).
- SB0880** Sens Forehand and Muse. Department of Juvenile Services - Redirection Pilot Program and Plan.
- SB0881** Sen Brinkley. Frederick County - Municipalities - Water and Sewer Classifications.
- SB0882** Sens Edwards and Miller. Gaming - Video Lottery Terminals.
- SB0883** Sens Peters and Currie. Maryland Small Business Investment Companies.
- SB0884** Sens Klausmeier and Stone. Baltimore County - Bargaining Unit for Public School Employees.
- SB0885** Sens Klausmeier and Astle. Health - Administrative Service Provider Contracts - Contracting Provider Definition.
- SB0886** Sen Klausmeier. Financial Institutions - Authority to Conduct Savings Promotion Raffles.
- SB0887** Sen Munson, et al. Correctional Services - State Correctional Officers' Bill of Rights.
- SB0888** Sen Middleton. Office of Student Financial Assistance - Public Service Scholarships - Student Members of County Boards of Education.
- SB0889** Sen Della. Baltimore City - Property Taxes - Vacant and Uninhabitable Real Property.
- SB0890** Sen King. Correctional Services - Limitation on Total Number of Diminution Credits - Primary Drug, Violent, and Sexual Offenders.
- SB0891** Sen Astle. Creation of a State Debt - Anne Arundel County - Annapolis High School Booster Club Concession Stand.
- SB0892** Sen Kelley. Child Abuse and Neglect - Reports and Records - Disclosure to Division of Parole and Probation.
- SB0893** Sen Garagiola. Maryland Clean Energy Center - Miscellaneous Provisions.
- SB0894** Sen McFadden. State Police Retirement System - Special Disability Retirement Allowance - Forfeiture.
- SB0895** Sen McFadden (Chr Jt Com on Pnsns). Employees' Retirement and Pension Systems - Employer Contributions - Baltimore City Sheriff's Department.
- SB0896** Sen McFadden. State Police Retirement System - Special Disability Retirees - Reemployment.
- SB0897** Chr B&T (Dept). Academic Facilities Bonding Authority.
- SB0898** Sen Glassman. Credit Regulation - Installment Loans Secured by Motor Vehicle Lien - Balloon Payments.
- SB0899** The Pres (Admin). Education Reform Act of 2010.
- SB0900** Sen Astle. Title Insurers - Required Reserves.
- SB0901** Sen McFadden. Inmates - Life Imprisonment - Parole Approval and In Banc Review.
- SB0902** Sen McFadden. State Employee and Retiree Health and Welfare Benefits Program - Attorney Grievance Commission and the Client Protection Fund of the Bar of Maryland - Eligibility for Enrollment and Participation.
- SB0903** Sen Della. Creation of a State Debt - Baltimore City - Southeast Neighborhood Development Center.
- SB0904** Sen Dyson. St. Mary's County - Alcoholic Beverages - Off-Sale License Quota.
- SB0905** Sen Edwards. Alcoholic Beverages - Maximum Alcohol Content.
- SB0906** Sen Stone. Homeowner's Insurance - Offer of Coverage for Loss Caused by Discharge of Water.
- SB0907** Sens Stone and Della. Motor Vehicles - Salvage - Standards and Requirements.
- SB0908** Sen Stone. Health Insurance - Coverage for the Treatment of Bleeding Disorders.
- SB0909** Sen Stone. Correctional Services - Repeat Violent Offenders - Diminution Credits and Parole Eligibility.

[10-05-46]

**COURT OF APPEALS
OF MARYLAND****STANDING COMMITTEE ON RULES OF
PRACTICE AND PROCEDURE****NOTICE OF OPEN MEETING**

The Standing Committee on Rules of Practice and Procedure will hold an open meeting on Friday, March 5, 2010, in the Judiciary Education and Conference Center, 2011-D Commerce Park Drive, Annapolis, Maryland, commencing at 9:30 a.m., to consider any questions relating to rules changes as may be brought before the meeting.

For further information contact Sandra F. Haines, Reporter, (410) 260-3630.

[10-05-42]

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 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.06 Mortgage Lenders

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 11-503, and 11-503.1; Annotated Code of Maryland

Notice of Final Action

[09-425-F]

On February 4, 2010, the Commissioner of Financial Regulation adopted amendments to Regulations **.01 — .04, .07, .15, .17, and .18** and the repeal of existing Regulation **.19** under **COMAR 09.03.06 Mortgage Lenders**. This action, which was proposed for adoption in 36:26 Md. R. 2013 — 2015 (December 18, 2009), has been adopted as proposed.

Effective Date: March 15, 2010.

SARAH BLOOM RASKIN
Commissioner of Financial Regulation

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.09 Mortgage Loan Originators

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 11-602, 11-605, 11-612, and 11-612.1; Annotated Code of Maryland

Notice of Final Action

[09-429-F]

On February 4, 2010, the Commissioner of Financial Regulation adopted amendments to Regulations **.01 — .04** and **.07**, the repeal of existing Regulations **.05** and **.06**, and new Regulations **.05** and **.06** under **COMAR 09.03.09 Mortgage Loan Originators**. This action, which was proposed for adoption in 36:26 Md. R. 2016 — 2018 (December 18, 2009), has been adopted as proposed.

Effective Date: March 15, 2010.

SARAH BLOOM RASKIN
Commissioner of Financial Regulation

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.10 Credit and Other Regulation

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 5-909(1), 11-203, 11-503, 11-602, 12-104, 12-403(1), and 12-903(1); Annotated Code of Maryland

Notice of Final Action

[09-427-F]

On February 4, 2010, the Commissioner of Financial Regulation adopted amendments to Regulations **.01** and **.03** under **COMAR 09.03.10 Credit and Other Regulation**. This action, which was proposed for adoption in 36:26 Md. R. 2018 — 2019 (December 18, 2009), has been adopted as proposed.

Effective Date: March 15, 2010.

SARAH BLOOM RASKIN
Commissioner of Financial Regulation

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.11 Recordation of Security Instruments for Residential Property

Authority: Real Property Article, §3-104.1, Annotated Code of Maryland

Notice of Final Action

[09-430-F]

On February 4, 2010, the Commissioner of Financial Regulation adopted amendments to Regulations **.01** and **.02** under **COMAR 09.03.11 Recordation of Security Instruments for Residential Property**. This action, which was proposed for adoption in 36:26 Md. R. 2019 — 2020 (December 18, 2009), has been adopted as proposed.

Effective Date: March 15, 2010.

SARAH BLOOM RASKIN
Commissioner of Financial Regulation

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.12 Foreclosure Procedures for Residential Property

Authority: Real Property Article, §7-105.1(c)(4) and (d)(2)(vii),
Annotated Code of Maryland

Notice of Final Action

[09-431-F]

On February 4, 2010, the Commissioner of Financial Regulation adopted amendments to Regulations .01 and .02 under **COMAR 09.03.12 Foreclosure Procedures for Residential Property**. This action, which was proposed for adoption in 36:26 Md. R. 2020 — 2021 (December 18, 2009), has been adopted as proposed.

Effective Date: March 15, 2010.

SARAH BLOOM RASKIN
Commissioner of Financial Regulation

Subtitle 16 BOARD OF BARBERS

09.16.01 General Regulations

Authority: Business Occupations and Professions Article, §4-206,
Annotated Code of Maryland

Notice of Final Action

[09-286-F]

On December 14, 2009, the Maryland State Board of Barbers adopted amendments to Regulation .08 under **COMAR 09.16.01 General Regulations**. This action, which was proposed for adoption in 36:19 Md. R. 1454 — 1455 (September 11, 2009), has been adopted as proposed.

Effective Date: March 8, 2010.

ROBERT WOOD
Executive Director
State Board of Barbers

Title 15 DEPARTMENT OF AGRICULTURE

Subtitle 01 OFFICE OF THE SECRETARY

15.01.08 Conflicts of Interest Policy for Employees Who Own or Operate a Farm

Authority: Agriculture Article, §2-102(e),
Annotated Code of Maryland

Notice of Final Action

[09-352-F]

On December 22, 2009, the Secretary of Agriculture adopted new Regulations .01 — .08 under a new chapter, **COMAR 15.01.08 Conflicts of Interest Policy for Employees Who Own or Operate a Farm**. This action,

which was proposed for adoption in 36:22 Md. R. 1761 — 1762 (October 23, 2009), has been adopted as proposed.

Effective Date: March 8, 2010.

EARL F. HANCE
Secretary of Agriculture

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, AND SOLID WASTE

26.04.10 Management of Coal Combustion Byproducts

Authority: Environment Article, §§9-281 — 9-286,
Annotated Code of Maryland;
Ch. 480, Acts of 2009

Notice of Final Action

[09-311-F]

On February 3, 2010, the Secretary of the Environment adopted new Regulations .09 and .10 under **COMAR 26.04.10 Management of Coal Combustion Byproducts**. This action, which was proposed for adoption in 36:20 Md. R. 1552 — 1554 (September 25, 2009), has been adopted as proposed.

Effective Date: March 8, 2010.

SHARI T. WILSON
Secretary of the Environment

Title 27 CRITICAL AREA COMMISSION FOR THE CHESAPEAKE AND ATLANTIC COASTAL BAYS

Subtitle 01 CRITERIA FOR LOCAL CRITICAL AREA PROGRAM DEVELOPMENT

Notice of Final Action

[09-373-F]

On February 3, 2010, the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays adopted:

- (1) Amendments to Regulations .01 and .02 under **COMAR 27.01.01 General Provisions**;
- (2) The repeal of existing Regulation .01 and the recodification of existing Regulations .02 and .03 to be Regulations .01 and .02 under **COMAR 27.01.05 Forest and Woodland Protection**; and
- (3) Amendments to Regulation .01 and new Regulations .01-1 — .01-7 under **COMAR 27.01.09 Habitat Protection Areas in the Critical Area**.

This action, which was proposed for adoption in 36:24 Md. R. 1895 — 1904 (November 20, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: March 8, 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 27.01.01.01B(21-2): Amended to provide that the definition of "Disturbance" does not include gardening or maintenance of an existing grass lawn. This amendment responds to several commenters who questioned whether the practice of gardening or maintaining an existing lawn in the buffer would constitute "disturbance" under the definition as proposed.

COMAR 27.01.01.01B(23-1): Amended to substitute more precise terminology in response to questions from commenters about the meaning of "creation of native vegetated cover." The substitution of "planting or regeneration of native vegetation" conveys a more commonly understood meaning without changing the substance of the definition.

COMAR 27.01.09.01B(18): Amended to add the term "replacement" and to respond to a comment that the phrase "existing principal structure" in the proposal could be read to refer to more than one structure. The amendment clarifies that the percentage of the total footprint refers to the "structure that is the subject of the application."

COMAR 27.01.09.01C(1), (2), and (3): Added applicability language to respond to comments about three issues: First, the proposed regulation does not limit the authority of the Secretary of Agriculture; second, the proposed regulation does not apply to a designated buffer exemption area; and third, as set forth in the Annotated Code of Maryland, a local jurisdiction may adopt alternative procedures and requirements in accordance with the provisions of Natural Resources Article, Title 8, Subtitle 18, Annotated Code of Maryland, and the provisions of COMAR.

COMAR 27.01.09.01D(1)(a)(iii): This language was added to state expressly that one of the circumstances in which disturbance in the buffer may be authorized by a local jurisdiction is for development in the expanded buffer pursuant to the provisions of subsection 8 of this section.

COMAR 27.01.09.01D(8): Reworded to better explain the concept of development in the expanded buffer without change in content or meaning. The amendments specify the area described as the "expanded portion of the buffer" within which a local jurisdiction may authorize a development activity.

COMAR 27.01.09.01-1A: The amendments simplify the organizational structure of this regulation, by describing each of the types and locations of development and redevelopment activities to which the requirements of buffer establishment apply. The amendments facilitate ease of reference for the public to determine whether a proposed development activity is subject to this regulation. The amendments do not propose new or different requirements than contained in the proposed regulations.

COMAR 27.01.09.01-1B(1): The amendment substitutes "Approval" for "Creation" to use a more technically accurate term.

COMAR 27.01.09.01-1C: Reworded without change in meaning, to state that an area "fully established in woody or

wetland vegetation" will count as already having been established for purposes of the planting requirements in this regulation.

COMAR 27.01.09.01-2A: The addition of an applicability statement provides better organizational structure to this regulation, by describing each of the types and locations of development and redevelopment activities to which the requirements of buffer mitigation apply.

COMAR 27.01.09.01-2A(1) and (3): The amendments clarify that the requirements of this regulation apply only to the part of the site located in the buffer, and not to the entire site.

COMAR 27.01.09.01-2A(4): This new sentence explains that the plantings required under this regulation are to be distributed evenly throughout the entire area of the buffer. The amendment does not impose any additional planting requirement.

COMAR 27.01.09.01-2B: Insertion of the word "cumulative" explains that the mitigation amounts and standards set forth in subsections (1) through (3) of this section are to be calculated in total, if the development activity is described in more than one of the subsections (1) through (3).

COMAR 27.01.09.01-2B(2): In response to questions from commenters, this amendment inserts a modifying phrase to clarify that, in cases of removal of dead, diseased, or dying trees, mitigation of at least one 1-inch caliper tree for each tree removed is required.

COMAR 27.01.09.01-2B(4): The amendment deletes this subsection, in response to several commenters who expressed concern about the placement of this subsection in Regulation .01-2 (Mitigation). The requirement for revegetation of the area disturbed by removal of invasive species has been moved to Regulation .01-3H (Simplified Buffer Management Plan).

COMAR 27.01.09.01-2I: Inserted the phrase "in accordance with §I" to state expressly that the survival requirement applies only to stock planted pursuant to the standards in the immediately preceding table.

COMAR 27.01.09.01-2K(2)(a): Replaced the phrase "implementation of a" buffer management plan with the more explanatory phrase "planting required under an approved" buffer management plan. This amendment clarifies that the completion required under this regulation is the completion of the planting, and not merely the completion of the buffer management plan.

COMAR 27.01.09.01-2K(2)(b): Amended to more simply describe the circumstances and the timeframe within which financial assurance is required. As amended, the section provides that, if planting cannot be completed due to the time of year, an applicant can provide financial assurance pending completion of the planting; and that long-term survivability is to be covered by financial assurance only when the mitigation or establishment requirement is at least 5,000 square feet. The amendment does not increase any requirement that existed in the proposed regulation.

COMAR 27.01.09.01-2M: Substituted the phrase "measure in a buffer management plan" for the phrase "easement for the buffer." The amendment provides more flexibility for the regulated community and for local governments.

COMAR 27.01.09.01-3H(3)(c): This amendment specifies that, in the case of removal of invasive or noxious species, revegetation is to be provided, in the form of planting, or natural regeneration, in accordance with a Simplified Buffer Management Plan. The requirement for revegetation existed in proposed regulation COMAR 27.01.09.01-2B(4), and it has been reorganized to simplify ease of reference.

The changes do not affect parties subject to the regulations, because the changes consist of rewording and simplification of the requirements set forth in the proposed regulations, without increasing any requirement on any affected person.

27.01.01 General Provisions

Authority: Natural Resources Article, §8-1806,
Annotated Code of Maryland

.01 Definitions.

A. (proposed text unchanged)

B. Terms Defined.

(1) — (21-1) (proposed text unchanged)

(21-2) *Disturbance*.

(a) — (b) (proposed text unchanged)

(c) *“Disturbance” does not include gardening or maintenance of an existing grass lawn.*

(22) — (23) (proposed text unchanged)

(23-1) *“Establishment” means the [[creation]] planting or regeneration of native [[vegetated cover]] vegetation throughout the buffer.*

27.01.09 Habitat Protection Areas in the Critical Area

Authority: Natural Resources Article, §8-1806,
Annotated Code of Maryland

.01 Buffer.

A. (proposed text unchanged)

B. Terms Defined.

(1) — (17) (proposed text unchanged)

(18) *“Substantial alteration” means a repair, reconstruction, replacement, or improvement of a principal structure, with a proposed total footprint that is at least 50 percent greater than that of the [[existing principal]] structure that is the subject of the application.*

(19) — (20) (proposed text unchanged)

C. (proposed text unchanged)

D. Authority of Secretary; Scope; Alternative Procedures and Requirements.

(1) The provisions of this chapter may not be construed to limit the authority of the Secretary of Agriculture under Agriculture Article, Title 9, Subtitle 4, Annotated Code of Maryland.

(2) The provisions of Regulations .01-1 through .01-6 of this chapter do not apply to an area of the buffer that is designated as a buffer exemption area under Regulation .01-7 of this chapter.

(3) A local jurisdiction may adopt alternative procedures and requirements for the provisions of this chapter if:

(a) The alternative procedures and requirements are at least as effective as the Critical Area program under Natural Resources Article, Title 8, Subtitle 18, Annotated Code of Maryland, regulations adopted under the authority of that subtitle, and any additional requirements of the local program; and

(b) The Commission has approved those alternative procedures and requirements.

[[D.]] E. Buffer Standards.

(1) A local jurisdiction may authorize disturbance in the buffer for:

(a) A new development activity or a redevelopment activity:

(i) Associated with a water-dependent facility under COMAR 27.01.03; [[or]]

(ii) (proposed text unchanged)

(iii) *In accordance with §E(8) of this regulation; or*

(b) (proposed text unchanged)

(2) Except as authorized under [[§D(1)]] §E(1) of this regulation, a local jurisdiction may not authorize disturbance in the buffer.

(3) Except for the minimum buffer widths under [[§D(5) — (8)]] §E(5) — (8) of this regulation, a local jurisdiction shall establish a buffer of at least 100 feet landward from:

(a) — (c) (proposed text unchanged)

(4) For purposes related to the calculation of the minimum buffer widths under [[§D(5) — (8)]] §E(5) — (8) of this regulation, a local jurisdiction shall measure landward from the points specified under [[§D(3) and (4)]] §E(3) and (4) of this regulation.

(5) Except as provided under [[§D(6)]] §E(6) of this regulation, and in accordance with [[§D(4)]] §E(4) of this regulation, if a local jurisdiction grants final local approval for a subdivision or a site plan in the Resource Conservation Area on or after July 1, 2008, the local jurisdiction shall establish:

(a) An expanded buffer in accordance with [[§D(7) and (8)]] §E(7) and (8) of this regulation; and

(b) (proposed text unchanged)

(6) The provisions of [[§D(5)(b)]] §E(5)(b) of this regulation do not apply if:

(a) — (b) (proposed text unchanged)

(c) A local program procedure approved by the Commission provides for the reduction of the strict application of the minimum 200-foot buffer under [[§D(5)(b)]] §E(5)(b) of this regulation if that minimum would preclude a subdivision of the property at a density of one dwelling unit per 20 acres or an intra-family transfer authorized under Natural Resources Article, §8-1808.2, Annotated Code of Maryland.

(7) If a buffer is contiguous to a steep slope, a nontidal wetland, a nontidal wetland of special State concern under COMAR 26.23.06.01, a hydric soil, or a highly erodible soil, a local jurisdiction shall expand the minimum buffer required under [[§D(3) or (5)]] §E(3) or (5) of this regulation and shall calculate the extent of that expansion in accordance with the following requirements:

(a) — (c) (proposed text unchanged)

(d) A highly erodible soil on a slope less than 15 percent or a hydric soil, to the lesser of:

(i) (proposed text unchanged)

(ii) 300 feet, including the minimum buffer required under [[§D(3) or (5)]] §E(3) or (5) of this regulation.

(8) [[On a lot or parcel that was created before January 1, 2010, a local jurisdiction may authorize in the expanded buffer a development activity that impacts a highly erodible soil on a slope less than 15 percent or a hydric soil, if:]] If a buffer is contiguous to a highly erodible soil on a slope less than 15% or a hydric soil and is located on a lot or parcel that was created before January 1, 2010, a local jurisdiction may authorize a development activity in the expanded buffer, if:

(a) The location of the development activity is in the expanded portion of the buffer for a highly erodible soil on a slope less than 15 percent or a hydric soil, but not the 100-foot buffer;

(b) The [[entire]] buffer for a highly erodible soil on a slope less than 15 percent or a hydric soil occupies at least 75 percent of the lot or parcel; and

(c) (proposed text unchanged)

.01-1 Buffer Establishment.

A. Applicability.

(1) [[The requirements of this regulation are applicable to a lot or parcel that includes a buffer to tidal waters, a tidal wetland, or a tributary stream.]] The requirements of this regulation are applicable to:

(a) A development or redevelopment activity that occurs on a lot or parcel that includes a buffer to tidal waters, a tidal wetland, or a tributary stream if that development or redevelopment activity is located outside the buffer; or

(b) The approval of a new subdivision that includes a buffer to tidal waters, a tidal wetland, or a tributary stream.

(2) (proposed text unchanged)

B. A local jurisdiction shall require an applicant to establish the buffer in vegetation in accordance with §C of this regulation and Regulation .01-2 of this chapter and to provide a buffer management plan under Regulation .01-3 of this chapter when an applicant applies for:

(1) [[Creation]] Approval of a new subdivision or a new lot;

(2) — (3) (proposed text unchanged)

C. [[If the buffer is not fully forested at the time of application, an applicant shall establish the buffer to the extent required in the following table]] At the time of application, if the buffer is not fully forested or is not fully established in woody or wetland vegetation, an applicant shall establish the buffer to the extent required in the following table:

Table. (proposed text unchanged)

D. — E. (proposed text unchanged)

.01-2 Mitigation and Planting Standards.

A. Applicability. The requirements of this regulation are applicable to a development or redevelopment activity that occurs on a lot or parcel that includes a buffer to tidal waters, a tidal wetland, or a tributary stream when that development or redevelopment activity is located inside the buffer.

[[A.]] B. As applicable to a site, a local jurisdiction shall require that a buffer management plan in accordance with Regulation .01-3 of this chapter satisfy the planting and mitigation standards of this regulation and satisfy the buffer establishment standards required under Regulation .01-1 of this chapter so as to:

(1) Prohibit the installation or cultivation of new lawn or turf on-site in the buffer;

(2) Ensure the planting of native species in compliance with the amounts specified under [[§§B, F, and G]] §§C, G, and H of this regulation;

(3) Ensure coverage of the [[site]] buffer with mulch or ground cover or both until buffer plantings are established; [[and]]

(4) Ensure planting is evenly distributed throughout the entire buffer; and

[[4]] (5) (proposed text unchanged)

[[B.]] C. As applicable to a site, a local jurisdiction shall calculate the cumulative amount of buffer mitigation required in accordance with the following standards:

(1) For a development activity within the buffer, mitigation shall be based on the limits of disturbance and calculated in accordance with the ratios under [[§F]] §G of this regulation;

(2) [[For a development activity that results in]] Except for the mitigation required under §C(3) of this regulation, for the removal of an individual tree with a diameter of at least 2 inches when measured at 4.5 feet above the ground surface, mitigation shall be at a rate of 100 square feet for every 1 inch of diameter; and

(3) For removal of a dead, diseased, or dying tree, mitigation shall be at least one 1-inch caliper tree for each tree removed [[; and

(4) For disturbance associated with invasive species control, replanting shall be equivalent to the size of the area disturbed and in accordance with the buffer management plan]].

[[C.]] D. Except as authorized under [[§D]] §E of this regulation, if mitigation planting cannot be located on-site within the buffer because of site constraints, a local jurisdiction shall require planting in the following order of priority:

(1) — (2) (proposed text unchanged)

[[D. — F.]] E. — G. (proposed text unchanged)

[[G.]] H. A local jurisdiction may authorize the combination of the planting and mitigation standards found in [[§G(3) and (4)]] §§I and K of this regulation in accordance with the following table:

Requirement	Amount	Options
Establishment	Less than 1/4 acre	Landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation for the entire area
	1/4 acre to less than or equal to 1 acre	At least 50 percent of area in landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation, the remainder according to <u>[[§J]]</u> <u>§K</u> of this regulation
	Greater than 1 acre to less than or equal to 5 acres	At least 25 percent of area in landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation, the remainder according to <u>[[§J]]</u> <u>§K</u> of this regulation
Mitigation	Greater than 5 acres	At least 10 percent of area in landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation, the remainder according to <u>[[§J]]</u> <u>§K</u> of this regulation
	Less than 1 acre	Landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation for the entire area
	1 acre or greater	At least 50 percent of area in landscaping stock according to <u>[[§H]]</u> <u>§I</u> of this regulation, the remainder according to <u>[[§J]]</u> <u>§K</u> of this regulation

[[H.]] I. (proposed text unchanged)

[[I.]] J. All landscaping stock planted in accordance with §I shall be 100 percent guaranteed for at least 2 years after planting is completed.

[[J.]] K. A local jurisdiction may use the following table to allow flexible stocking size when authorized under [[§G]] §H of this regulation:

[[K.]] *L.* A local jurisdiction may not:

- (1) (proposed text unchanged)
- (2) Issue a final use and occupancy permit for an application under Regulation .01-3B(2) of this chapter unless the applicant:

(a) Completes the [[implementation of a]] planting required under an approved buffer management plan; or

(b) [[Provides]] Pending completion of the planting required under an approved buffer management plan during the next planting season, provides financial assurance to cover the costs for:

(i) (proposed text unchanged)

(ii) [[Long-term]] In the case of a mitigation or establishment requirement that is at least 5,000 square feet, long-term survivability in accordance with the requirements of Regulation .01-3J(2)(d) of this chapter.

[[L.]] *M.* Before recordation of a final subdivision, an applicant shall:

(1) (proposed text unchanged)

(2) Design each sign required under [[§L(1)]] §M(1) of this regulation so that it:

(a) — (c) (proposed text unchanged)

[[M.]] *N.* Concurrent with the recordation of a final plat, an applicant shall record a protective [[easement for the buffer]] measure in a buffer management plan in accordance with Regulation .01-3 of this chapter.

[[N.]] *O.* (proposed text unchanged)

.01-3 Buffer Management Plans.

A. — G. (proposed text unchanged)

H. *Simplified Buffer Management Plan.*

(1) — (2) (proposed text unchanged)

(3) A simplified buffer management plan shall include:

(a) — (b) (proposed text unchanged)

(c) In the case of the removal of invasive or noxious species, the revegetation of the area in accordance with Regulation .01-2 B(1) and (3) of this chapter;

[[c)] (d) — [(d)] (e) (proposed text unchanged)

I. *Minor Buffer Management Plan.*

(1) (proposed text unchanged)

(2) A minor buffer management plan shall include:

(a) — (b) (proposed text unchanged)

(c) A maintenance plan for the control of invasive species, pests, and predation that shows invasive species and pest control practices, the provision of at least 2 years of monitoring, and a reinforcement planting provision if survival rates fall below the standards in Regulation [[.01-2H]] .01-2J and K of this chapter;

(d) — (g) (proposed text unchanged)

J. *Major Buffer Management Plan.*

(1) (proposed text unchanged)

(2) A major buffer management plan shall include:

(a) — (b) (proposed text unchanged)

(c) A maintenance plan for the control of invasive species, pests, and predation that shows invasive species and pest control practices, the provisions of at least 2 years of monitoring, and a reinforcement planting provision if survival rates fall below the standards in Regulation [[.01-2H]] .01-2J and K of this chapter [[and §E(2)(d) of this regulation]];

(d) A long-term protection plan that includes evidence of financial assurance that adequately covers the planting and survivability requirement, a provision for at least 2 years of monitoring as required in Regulation [[.01-2H]] .01-2J and K of this chapter, and if planting, an anticipated planting date before construction or the sale of the lot;

(e) — (h) (proposed text unchanged)

MARGARET G. McHALE
Critical Area Commission for the
Chesapeake and Coastal Bays

Title 29 DEPARTMENT OF STATE POLICE

Subtitle 08 INVESTIGATIONS INVOLVING THE EXERCISE OF FIRST AMENDMENT ACTIVITIES

29.08.01 Covert Investigations and Criminal Intelligence

*Authority: Public Safety Article, §3-701,
Annotated Code of Maryland*

Notice of Final Action

[09-399-F]

On February 4, 2010, the Secretary of State Police adopted new Regulations .01 — .05 under a new chapter, **COMAR 29.08.01 Covert Investigations and Criminal Intelligence**. This action, which was proposed for adoption in 36:26 Md. R. 2076 (December 18, 2009), has been adopted with the nonsubstantive changes shown below.

Effective Date: March 8, 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 .04A(4): This is a nonsubstantive clarification denoting who has responsibility for oversight, without diminishing it in any respect.

.04 Procedures.

A. *Covert Investigations Involving First Amendment Activities.*

(1) — (3) (proposed text unchanged)

(4) *Reports.*

(a) It is the responsibility of the sworn Criminal [[Investigation]] Intelligence Section (CIS) supervisor to ensure that all activities are properly reported and documented by the covert operative.

(b) — (e) (proposed text unchanged)

(5) (proposed text unchanged)

B. — C. (proposed text unchanged)

TERRENCE B. SHERIDAN
Secretary of State Police

Title 31

MARYLAND INSURANCE ADMINISTRATION

Subtitle 10 HEALTH INSURANCE—GENERAL

31.10.38 Wellness Program Incentives

Authority: Insurance Article, §§2-109(a)(1) and 27-210(h)(4),
Annotated Code of Maryland

Notice of Final Action

[09-418-F]

On February 2, 2010, the Acting Insurance Commissioner adopted amendments to Regulations .02 and .03 under COMAR 31.10.38 Wellness Program Incentives. This action, which was proposed for adoption in 36:26 Md. R. 2081 (December 18, 2009), has been adopted as proposed.

Effective Date: March 8, 2010.

ELIZABETH SAMMIS
Acting Insurance Commissioner

Subtitle 12 HEALTH MAINTENANCE ORGANIZATIONS; ENTITIES THAT ACT AS HEALTH INSURER

31.12.08 Payments to Nonparticipating Providers

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

Notice of Final Action

[09-419-F]

On February 2, 2010, the Acting Insurance Commissioner in consultation with the Maryland Health Care Commission adopted new Regulations .01 — .06 under a new chapter, COMAR 31.12.08 Payments to Nonparticipating Providers. This action, which was proposed for adoption in 36:26 Md. R. 2081-2083 (December 18, 2009), has been adopted with the nonsubstantive changes below.

Effective Date: March 8, 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(9): Adding “hospital or” in order to make the text of Regulation .02B(9) similar to .02B(10). These are definitions that share a common wording. The text left out of §B(9) was a typographical error.

Regulation .04C(2): Remove “of” and replace with “or.” The text is being altered to correct a typographical error.

.02 Definitions.

A. (proposed text unchanged)

B. *Terms Defined.*

(1) — (8) (proposed text unchanged)

(9) “Nonparticipating provider” means a provider other than a hospital or trauma physician who is not included on the provider panel of a health maintenance organization.

(10) — (15) (proposed text unchanged)

.04 Annual Rate Schedule.

A. — B. (proposed text unchanged)

C. The rate in the annual rate schedule for each CPT code or HCPCS code shall be developed as follows:

(1) (proposed text unchanged)

(2) For any new CPT code ~~[[of]]~~ or HCPCS code, the rate paid for the CPT code or HCPCS code shall be equal to 125 percent of the rate paid to a similarly licensed provider in the same geographic area.

D. (proposed text unchanged)

ELIZABETH SAMMIS
Acting Insurance Commissioner

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 07 DEPARTMENT OF HUMAN RESOURCES

Subtitle 07 CHILD SUPPORT ENFORCEMENT ADMINISTRATION

07.07.05 Establishment of Support Obligations

Authority: Family Law Article, §§10-114, 10-204, 10-301 — 10-307, 10-332, 10-354, and 12-101 — 12-204, Annotated Code of Maryland;

Agency Note: Federal Regulatory Reference — 45 CFR §§302.56, 303.4 — 303.5, 303.8, and 303.31; 42 U.S.C. §652(f)

Notice of Proposed Action

[10-098-P]

The Secretary of Human Resources proposes to amend Regulations .02 and .03 under **COMAR 07.07.05 Establishment of Support Obligation**.

Statement of Purpose

The purpose of this action is to include a provision when establishing or modifying an order:

A. For health insurance that is reasonable in cost with services that are accessible for the child; or

B. For cash medical support that is reasonable in cost, until health insurance is available. These actions are to comply with an amended State statute. These actions comply with federal regulations that became effective July 24, 2008.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

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 LaVonne Oliver, Regulations Coordinator, DHR, Office of Government, Corp. and Comm. Affairs, 311 West Saratoga Street, Rm. 270, Baltimore, Maryland 21201, or call 410-767-7193, or email to regulations@dhr.state.md.us, or fax to 410-333-0637. Comments will be accepted through March 29, 2010. A public hearing has not been scheduled.

.02 Legal Action to Establish a Support Obligation.

A. — C. (text unchanged)

D. For any other situation not listed in §C of this regulation, the support enforcement agency, within 90 days of locating an absent parent, shall:

(1) Establish an order for support, including [an appropriate] a provision:

(a) [for] For health insurance for a child that is:

(i) Reasonable in cost; and

(ii) Accessible for the child; or

(b) For cash medical support that is reasonable in cost, until health insurance is available;

(2) — (3) (text unchanged)

E. — G. (text unchanged)

.03 Review and Modification of Child Support Orders.

A. — B. (text unchanged)

C. Conduct of Review.

(1) (text unchanged)

(2) In cases when a review is conducted, the support enforcement agency shall:

(a) (text unchanged)

(b) Determine if the order provides for [the] a provision for health insurance [needs of] or cash medical support, until health insurance is available for the child.

(3) (text unchanged)

(4) The support enforcement agency shall initiate action to modify the support order if:

(a) (text unchanged)

(b) Modification is needed to provide for [the] a provision for health insurance [needs of] or cash medical support, until health insurance is available for the child; or

(c) (text unchanged)

(5) — (6) (text unchanged)

BRENDA DONALD
Secretary of Human Resources

Title 09
DEPARTMENT OF
LABOR, LICENSING, AND
REGULATION

Subtitle 10 RACING COMMISSION

09.10.01 Thoroughbred Rules

Authority: Business Regulation Article, §11-210,
Annotated Code of Maryland

Notice of Proposed Action

[10-097-P]

The Racing Commission proposes to adopt new Regulation .87 under **COMAR 09.10.01 Thoroughbred Rules**. This action was considered by the Racing Commission at a public meeting held on August 18, 2009, notice of which was given by publication in 36:15 Md. R. 1235 (July 17, 2009) pursuant to State Government Article, §10-506, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to permit a thoroughbred licensee to offer a new type of wager that allows a patron to wager on the jockey participating in a race and providing for a point system which is cumulative for each successful selection of a jockey finishing in a particular position.

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 J. Michael Hopkins, Executive Director, Maryland Racing Commission, 300 East Towson-town Boulevard, Baltimore, MD 21286, or call 410-296-9682, or email to mhopkins@dllr.state.md.us, or fax to 410-296-9687. Comments will be accepted through April 9, 2010.

Open Meeting

Final action on the proposal will be considered by Racing Commission during a public meeting to be held on April 13, 2010, at 12:30 P.M., at Laurel Park, Laurel, MD 20725.

.87 Jockey Challenge.

A. A jockey challenge event is one in which the Racing Association:

(1) Designates the specific races on a racing program that will comprise the event;

(2) Designates those jockeys who are scheduled to ride in each of the races comprising the event; and

(3) Assigns a number to each of the jockeys participating in these races.

B. The number of horses scheduled to participate in each race comprising the event shall be the same or greater than the number of jockeys selected by the Association to participate in the event.

C. A racing association conducting a jockey challenge event may offer win and exacta wagering on the event.

D. Points.

(1) Points shall be awarded to each betting interest according to the finish of the horses in each race comprising the jockey challenge event as follows:

(a) 12 points for a first place finisher;

(b) 6 points for a second place finisher;

(c) 4 points for a third place finisher; and

(d) 3 points for a fourth place finisher.

(2) If there is a dead heat for any position in one or more of the races comprising this event, the points for the position dead-heated and subsequent position or positions, as appropriate, shall be aggregated and then allocated proportionately for the horses involved in the dead heat.

(3) If a horse is scratched or declared a nonstarter in the race and the selected jockey is not reassigned a mount, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of that race will be substituted for the non-starting selection.

(4) If the rider is reassigned a mount due to a scratch, any points earned in accordance with the scale described in §D(1) of this Regulation by the re-assigned mount shall be credited to the jockey's point score.

(5) If a jockey fails to ride a horse to which the jockey has been assigned for any reason other than a scratch or that horse being declared a "non-starter," and the jockey is not re-assigned to another mount in that same race, points shall be awarded based upon the finish of the horse to which the jockey originally was assigned.

E. Cancellation of Races — "No Race".

(1) If a race in the jockey challenge event is cancelled or declared "No Race", the winners shall be determined by the points awarded in the remaining races comprising the jockey challenge event.

(2) If two or more of the races comprising the jockey challenge event are cancelled or declared "No Race", the entire jockey challenge event pool shall be refunded.

F. After the last race of the jockey challenge event, the points earned by each of the participating jockeys shall be totaled and the betting interest with the:

(1) Highest number of points shall be considered to have finished first; and

(2) Second highest number of points shall be considered to have finished second.

G. Ties.

(1) Any ties for the places determined under §F of this regulation shall be considered dead heats.

(2) Payout prices for ties determined under §F of this regulation shall be calculated as prescribed in Regulation .70G of this chapter.

J. MICHAEL HOPKINS
Executive Director
Maryland Racing Commission

Subtitle 11 REAL ESTATE COMMISSION

09.11.06 Continuing Education

Authority: Business Occupations and Professions Article,
§§17-208 and 17-315,
Annotated Code of Maryland

Notice of Proposed Action

[10-096-P]

The Real Estate Commission proposes to amend Regulation .01, repeal Regulations .02 — .05 and adopt new Regulations .02 — .10 under COMAR 09.11.06 **Continuing Education**. This action was considered by the Real Estate Commission at its meeting on September 30, 2009, notice of which was given pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to formalize the current informal practices governing continuing education course and course provider approval by the Real Estate Commission, as well as the guidelines that currently govern the manner in which courses are conducted, the advertising for the courses, the earning of course credit, and the documentation that must be maintained by the course providers.

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 Katherine Connelly, Executive Director, Real Estate Commission, 500 North Calvert Street, 3rd Floor, Baltimore, MD 21202, or call 410-230-6227, or email to kconnelly@dllr.state.md.us, or fax to 410-333-0023. Comments will be accepted through April 15, 2010. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Real Estate Commission during a public meeting to be held on April 21, 2010 at 10:30 a.m., at 500 N. Calvert Street, 3rd Floor, Baltimore, Maryland.

.01 Definitions.

- A. (text unchanged)
- B. Terms Defined.
 - (1) — (2) (text unchanged)

(3) “Clock hour” means a minimum of 50 minutes of instruction per 60-minute hour.

[(3)] (4) — [(8)] (9) (text unchanged)

.02 Education Committee.

A. There is an Education Committee consisting of Commission members appointed by the Chairman. The Committee shall include at least two licensee members and one consumer member.

B. A course provider who has been denied approval of a course by Commission staff may request the Committee to review that decision. The request for review shall be filed within 10 days of receipt of the denial notice.

C. The Committee shall review the request and issue a decision within 20 days.

D. An applicant for approval as a course provider whose application has been turned down or a course provider whose approval to offer courses has been suspended or withdrawn by Commission staff may request a hearing before the Committee to review that decision. The request for hearing shall be filed within 10 days of receipt of the denial, suspension, or withdrawal notice.

E. The Committee shall hold a hearing within 60 days of the request, and issue a decision within 30 days after the hearing.

F. An applicant or course provider may waive the right to a hearing and request the Committee to review the decision to deny, suspend, or withdraw approval based on documentary evidence.

G. The decision of the Committee as to suspension or withdrawal of course provider approval shall be based on the seriousness of the offense charged, the good faith of the provider, and any prior history of violations by the provider.

H. The decision of the Committee is the final decision of the Commission with respect to course and course provider approval.

.03 Course Providers.

A. In order to qualify as an educational institution approved by the Maryland Higher Education Commission, the institution shall provide the Commission with evidence of its approval as a career school eligible to provide the Real Estate Principles and Practices course at the currently mandated hours for prelicensing education.

B. A completed application for approval as a course provider shall be submitted to the Commission at least 30 days prior to the first course offering date.

C. Course providers shall have the following responsibilities:

- (1) To provide instructors qualified to teach the subjects offered;
- (2) To train all instructors and course monitors in course protocol, including classroom conduct and record keeping;
- (3) To oversee all aspects of course provision;
- (4) To maintain all required records; and
- (5) To respond to all inquiries from the Commission within 10 days.

D. A course provider who has not offered at least one Commission-approved course in a 12-month period shall requalify as a course provider.

E. All payments for courses shall be made directly to the approved course provider.

F. All course completion certificates shall be approved and issued, in the name of the attendee, by the course provider.

G. The course provider shall set and administer course cancellation and fee refund policies in a non-discriminatory manner.

H. The course provider shall maintain records of course attendees including sign-in sheets; detailed course outlines; instructor information including resumes and other background information; evaluations; and, if required, final grades for at least 5 years after the expiration date of each course offering.

I. The course provider shall give Commission representatives access to course records on request.

J. The following situations could form the basis on which course provider approval is denied, suspended, or withdrawn:

(1) Submission of false information in an application for provider or course approval;

(2) Failure of the course provider to maintain its status as a professional association or educational institution under the laws of Maryland;

(3) Discipline of a licensed course provider by the Commission;

(4) Repeated cancellation of scheduled courses by the course provider;

(5) Failure of the course provider to reimburse prepaid fees to licensees after scheduled courses have been cancelled;

(6) Issuance of blank certificates of course completion;

(7) Repeated issuance of inaccurate certificates of course completion with regard to topic, course number, and course title;

(8) Repeated issuance of certificates of course completion to licensees who were not entitled to them;

(9) Failure to maintain the records required by the Commission, including rosters of attendees and sign in sheets;

(10) Failure to timely respond to inquiries and requests for records from the Commission; and

(11) Failure of the course provider or any representative of the course provider, including instructors and monitors, to comply with regulations governing continuing education.

.04 Course Approval.

A. The course provider shall submit an application for a class in a particular subject matter, together with an outline of the offering, at least 30 days prior to the date of the first offering of the course.

B. The Commission may request an outline of the course content as part of the approval process.

C. The Commission shall approve or deny the application within 20 days of the submission of the completed application.

D. The Commission may approve a course for up to 2 years from the approval date.

.05 Course Content.

A. The Commission may approve a continuing education course that meets all of the following six criteria:

(1) The course is a mandated or elective course designed for:

(a) Protecting the general public in their real estate transactions;

(b) Enabling the licensee to serve the objectives of the consumer in a real estate transaction; or

(c) Enabling the licensee to develop competency and professionalism in a changing marketplace;

(2) The course covers the topic area cited in the application;

(3) The course is related to the activities for which a licensee has responsibility under the Real Estate Brokers Act;

(4) The course is developed for a knowledge and ability level beyond the professional entry level;

(5) The course has an outline detailing the sequence of topics and the amount of time allotted to each topic; and

(6) The course consists of at least 1.5 clock hours.

B. A course provider may not materially change the content of an approved course without the prior written approval of the Commission.

.06 Advertising.

A. Course advertising shall be solely in the name of the approved course provider.

B. The course provider's name as reflected in the application form, its telephone and electronic contact information, and its office address shall appear in all course advertising.

C. Contact information for individuals or entities other than the approved course provider may not appear in the advertising material for a course.

D. Sponsorship credit may not appear in the advertising material for a course.

E. The advertising material for a course shall include the title, topic, Commission approval number, number of approved hours, and cost of the course.

F. For programs where the continuing education credits are less than the classroom hours, the course provider shall inform students in advance that the full program must be completed in order to receive the continuing education credits.

G. A course pending approval by the Commission shall be advertised as "subject to Commission approval".

H. Course provider policies on refunds and cancellations shall be available to licensees prior to payment of the course fee.

I. Advertising for all approved classroom courses offered by a course provider shall state that the course is available to all licensees on a first-come/first-served basis.

J. Prior to enrollment, the provider of distance learning courses shall:

(1) Provide to licensees information on course requirements, including minimum system needs for interactive programs, and availability of technical and instructor assistance; and

(2) Notify licensees that the time for completion of a distance learning course could exceed the credit hours received for the course.

.07 Facilities.

Each classroom in which courses are given shall:

A. Meet all fire, safety, zoning, and Americans with Disabilities Act (ADA) requirements;

B. Be of sufficient size to comfortably accommodate all enrolled students;

C. Provide an appropriate learning environment; and

D. Be free of distractions that would disrupt class sessions.

.08 Conduct of Courses.

A. Scheduling.

(1) The maximum permissible class session without a break is 90 minutes.

(2) A course scheduled for more than 4 hours in one day shall include a meal break of at least 30 minutes, but no more than 60 minutes.

(3) A course shall begin promptly at the scheduled time.

B. Records.

(1) The course provider shall require each licensee to show a picture ID and to provide the licensee's license number in order to be admitted to a class for which the licensee has enrolled.

(2) The course provider shall maintain a sign-in sheet containing:

(a) The printed names and the signatures of all enrolled licensees on their arrival and departure; and

(b) Notation by the instructor or monitor of the beginning and end times of any absences of the licensee from the class during the instructional period.

(3) The course provider shall give each student at check-in a copy of the continuing education student information sheet furnished to the provider by the Commission.

C. Classroom Conduct.

(1) Students may not take reading material unrelated to the course into the classroom.

(2) Instructors, monitors, and students may not consult any personal electronic communication devices (Blackberries or i-Phones, for example) during a class session.

(3) Class time may not be used to promote or sell any materials or services or to solicit affiliation or membership in any business or organization.

D. Monitors.

(1) A monitor is not required where the class consists of 20 or fewer students.

(2) Monitors in addition to the instructor are required under the following conditions:

(a) 21 to 50 students — 1 monitor;

(b) 51 to 100 students — 2 monitors;

(c) More than 100 students — 1 additional monitor for each additional 100 students.

E. Instructors. The instructor shall teach the course in substantially the same manner as that set forth in the outline submitted to the Commission.

F. Course Credit.

(1) A student may not receive credit hours for a course if:

(a) The student arrives after the classroom instruction begins or departs prior to the class being dismissed; or

(b) The student is out of the classroom during the instruction period for more than 5 minutes during a 60-minute period.

(2) A course provider, instructor, or monitor may not make an exception to the attendance requirements under any circumstances.

(3) A student may not receive partial credit for a course.

G. Certificate of Completion.

(1) A certificate of completion shall include:

(a) The full name and license number of the student;

(b) The approved course provider's name and address, and the course approval number;

(c) The title of the course as approved by the Commission, the approved topic letter, and the number of clock hours for which it was approved;

(d) The date of completion; and

(e) An official signature or seal.

(2) A certificate of completion shall be issued by the course provider to each student who has met all the requirements for completion of the course, and is entitled to receive the certificate.

(3) The certificate of completion may be distributed by the instructor at the end of the class or mailed to the student at a later date.

(4) A course provider or instructor may not issue:

(a) A blank certificate of completion to a student; or

(b) A certificate of completion to a student who has not complied with all regulations governing the conduct of the course, including the timeliness and attendance requirements.

(5) A licensee who completes an approved continuing education course to qualify for license renewal shall submit the certificate of completion to the Commission on request.

H. Cancellation of Course. In the event of a course cancellation, the course provider shall:

(1) Make reasonable efforts to notify preregistered students of the cancellation; and

(2) Refund all prepaid fees within 30 days of the date of cancellation, or, with the permission of the student, apply the fees to another course.

.09 Licensee Credit Hours.

A. Pre-approval. A course will qualify for continuing education credit only if the Commission has approved the form, substance, and subject matter of the course before the course is given.

B. Prelicensing Courses. An instruction program for prelicensing examination preparation are not qualifying credit hours for the continuing education requirement.

C. Technology. Clock hours on the topic of technology relating to real estate brokerage services may not exceed 3 clock hours of the total continuing education requirement during a 2-year licensing period.

D. Licenses Originating in Other Jurisdictions.

(1) Subject to §D(2) of this regulation, unless a licensee originally licensed in another jurisdiction has received the Maryland license pursuant to a written reciprocity agreement, the licensee shall meet all Maryland continuing education requirements.

(2) A licensee may receive credit for an elective course taken in the jurisdiction where the licensee holds an original license if that course was approved for continuing education credit by the real estate licensing authority in that jurisdiction, and the course meets the requirements of Maryland law and regulation.

(3) All courses in subject areas mandated by Maryland law shall be taken from a course provider approved by the Commission.

(4) A licensee holding a reciprocal category license based on a reciprocity agreement with another jurisdiction is required to complete only the continuing education requirements set forth in the agreement.

E. Legislators. A member of the General Assembly who holds a current real estate license may receive credit for the 3-hour continuing education requirement for legislative update based on service in the General Assembly during that 2-year licensing period.

F. Disciplinary Action. A licensee may not receive continuing education course hour credit for course hours completed as part of the resolution of a Commission disciplinary action.

G. Instructors and Monitors. A course instructor and a monitor may receive continuing education credit for the first time an approved course is taught or monitored during each licensing cycle.

.10 Distance Learning.

A. The provider of a distance learning course shall obtain approval of the technical aspects of a course from an entity recognized by the Commission in the field of technical expertise before submitting the course to the Commission for review of its substance and subject matter.

B. In a distance learning course, if the course provider and the student are separated by space and time:

(1) The provider's technical staff:

(a) May answer student questions about technical support and delivery method; but

(b) May not answer questions about content; and

(2) The assigned instructor shall respond to questions from students about course content within 2 business days.

C. The course provider shall be responsible for establishing guidelines for the completion of a distance learning course and any specific components of the course.

D. A distance learning instruction course shall include the following requirements:

(1) The student shall complete the instructional module or modules and receive a passing grade on a final examination administered and graded by the approved provider;

(2) The passing grade shall be 70 percent or higher; and

(3) If a student fails initially to achieve a passing score on a final examination, the student shall successfully pass the examination within a time frame set by the course provider in order to use the course for credit toward the continuing education requirement.

E. The course provider shall be responsible for obtaining from students who have completed a distance learning course the following affirmation: "I (name of student) affirm that I have personally completed every requirement of the course and that I have not provided any aspect of the course to others."

KATHERINE F. CONNELLY
Executive Director
Real Estate Commission

**Title 12
DEPARTMENT OF
PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

**Subtitle 14 COMMISSION ON CORRECTIONAL
STANDARDS**

12.14.01 Administrative Procedures

Authority: Correctional Services Article, Title 8, Subtitle 1,
Annotated Code of Maryland

Notice of Proposed Action

[10-094-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Commission on Correctional Standards, proposes to amend Regulation .02 under **COMAR 12.14.01 Administrative Procedures**.

Statement of Purpose

The purpose of this action is to update existing language to conform with current practices. The Commission on Correctional Standards has changed the minimum audit requirement from 2 years to 3 years.

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 Howard Ray, Executive Director, Commission on Correctional Standards, 115 Sudbrook Lane, Suite 200, Pikesville, MD 21208, or call 410 585 3830. Comments will be accepted through March 29, 2010. A public hearing has not been scheduled.

.02 Audits-General.

A. — B. (text unchanged)

C. Audits of adult correctional institutions, adult detention centers, and adult community correctional facilities shall be conducted at least every [2] 3 years and shall be announced.

GARY D. MAYNARD
Secretary of Public Safety and Correctional Services

**Title 21
STATE PROCUREMENT
REGULATIONS**

Notice of Proposed Action

[10-095-P]

The Board of Public Works proposes to amend:

(1) Regulation .07 under **COMAR 21.05.08 Mandatory Written Solicitation Requirements**; and

(2) Regulation .09 under **COMAR 21.11.03 Minority Business Enterprise Policies**. This action was considered at a public meeting held on January 6, 2010, notice of which was published pursuant to State Government Article, §10-506, Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to 1) clarify requirements for completion of MBE forms submitted with bids and proposals; and 2) modify the Bid/Proposal Affidavit to include certification of compliance with State Finance and Procurement Article, §14-308(a)(2), Annotated Code of Maryland.

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 Mary Jo Childs, Procurement Advisor, Board of Public Works, 80 Calvert Street, Room 117, Annapolis, MD 21401, or call 410.260.7335, or email to mchilds@comp.state.md.us, or fax to 410.974.5240. Comments will be accepted through March 29, 2010. A public hearing has not been scheduled.

21.05.08 Mandatory Written Solicitation Requirements

Authority: State Finance and Procurement Article, §§12-101, 14-303, and 14-308,
Annotated Code of Maryland; Ch. 293, Acts of 2009

.07 Bid/Proposal Affidavit.

A. (text unchanged)

B. Mandatory Solicitation Addendum. The solicitation addendum shall be in substantially the same form as follows:

BID/PROPOSAL AFFIDAVIT

A. (text unchanged)

B. *Certification Regarding Minority Business Enterprises.*

The undersigned bidder hereby certifies and agrees that it has fully complied with the State Minority Business Enterprise Law, State Finance and Procurement Article, §14-308(a)(2), Annotated Code of Maryland, which provides that, except as otherwise provided by law, a contractor may not identify a certified minority business enterprise in a bid or proposal and:

(1) *Fail to request, receive, or otherwise obtain authorization from the certified minority business enterprise to identify the certified minority proposal;*

(2) *Fail to notify the certified minority business enterprise before execution of the contract of its inclusion in the bid or proposal;*

(3) *Fail to use the certified minority business enterprise in the performance of the contract; or*

(4) *Pay the certified minority business enterprise solely for the use of its name in the bid or proposal.*

Without limiting any other provision of the solicitation on this project, it is understood that if the certification is false, such false certification constitutes grounds for the State to reject the bid submitted by the bidder on this project, and terminate any contract awarded based on the bid.

[B.] C. — [O.] P. (text unchanged)

I DO SOLEMNLY DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS OF THIS AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

Date: _____ By: _____
(Authorized Representative and Affiant)

21.11.03 Minority Business Enterprise Policies

Authority: State Finance and Procurement Article, §§12-101, 14-303, and 14-308,
Annotated Code of Maryland; Ch. 293, Acts of 2009

.09 Procurement Solicitations.

A. — B. (text unchanged)

C. MBE Subcontracting Provisions.

(1) — (3) (text unchanged)

(4) The MBE participation schedule shall:

(a) Include the name of each certified MBE that will participate in the project including [its respective MBE classification] *the certification category under which the MBE is participating*; and

(b) (text unchanged)

(5) The failure of a bidder to *accurately* complete and submit the MBE utilization affidavit and the MBE participation schedule shall result in a determination that the bid is not responsive.

(6) The failure of an offeror to *accurately* complete and submit the MBE utilization affidavit and the MBE participation schedule shall result in a determination that the proposal is not susceptible of being selected for award.

(7) — (8) (text unchanged)

D. — G. (text unchanged)

SHEILA McDONALD
Executive Secretary
Board of Public Works

Title 26 DEPARTMENT OF THE ENVIRONMENT

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, AND SOLID WASTE 26.04.10 Management of Coal Combustion Byproducts

Authority: Environment Article, §§2-301, 9-252, 9-289, 9-302, 9-313, 9-314,
15-503, and 15-803,
Annotated Code of Maryland

Notice of Proposed Action

[10-092-P]

The Secretary of the Environment proposes to amend Regulation .03 under **COMAR 26.04.10 Management of Coal Combustion Byproducts.**

Statement of Purpose

The purpose of this action is to amend and clarify the existing requirements for the control of air emissions of coal combustion byproducts that can arise from the transportation of coal combustion byproducts, as authorized by and in accordance with the provisions of Environment Article, §9-289, Annotated Code of Maryland. Specifically, a new paragraph is proposed as COMAR 26.04.10.03B(3)(b), which clarifies and adds to the responsibilities of those persons engaged in the transportation of coal combustion byproducts.

Coal combustion byproducts (CCBs) include coal flyash, bottom ash, and related materials, and are known to the Department of the Environment to have the potential to pollute the air, surface water, and groundwater if they are mismanaged. They also have the potential to be constructively recycled and put to beneficial uses. These activities generally require the transportation of the CCBs in trucks or other vehicles that have the potential to release CCBs to the air by allowing the CCBs to blow out of open trucks, or to be carried out onto roads by the wheels of the transport vehicles, and agitated by the movement of traffic, causing a subsequent release to the air. The proposed regulations are needed to ensure the safety of the environment and citizens of Maryland by controlling these potential releases.

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 requires persons transporting CCBs to utilize reasonable measures to prevent dust emissions from the CCBs. These requirements are:

A) The vehicles transporting coal combustion byproducts must be fully enclosed, or fully enclosed on all sides and covered with a firmly secured canvas or other covering, so as to prevent any coal combustion byproducts from blowing off, falling off, or spilling out of the vehicle;

B) Before leaving a site where coal combustion byproducts are loaded or off-loaded, the vehicles transporting the CCBs must be cleaned of CCBs that could blow off, fall off, or spill during transportation;

C) Coal combustion byproducts being loaded into or off-loaded from a vehicle must be contained, e.g., with a chute or other device, or be sufficiently moistened or otherwise conditioned or contained to prevent the CCBs from becoming airborne or causing fugitive air emissions; and

D) The vehicle drivers must maintain an inspection log for 30 days that indicates that they checked their vehicle to make sure that it complied with these regulations when they were transporting CCBs.

The economic impact of the proposed action is believed to be minimal as the primary requirements, e.g., that vehicles transporting CCBs be sealed or covered to prevent CCBs from blowing or falling out of vehicles, and that they not otherwise track CCBs out of controlled areas, are already required by other Maryland regulations (e.g., Department of Transportation Regulations under COMAR 11.13.11 Load Covers; and Maryland Department of the Environment Regulation 26.11.06.03 Particulate Matter). These requirements are reiterated in the current proposal to comply with the intent of Environment Article Section 9-289 of the Annotated Code of Maryland, which requires the Department to propose regulations providing requirements for the transportation of coal combustion byproducts. Also, the Department is aware that the principal generators of coal combustion byproducts, the power utilities, generally already employ means of dust control at their loading locations.

Therefore, the only new economic impact engendered by these proposed regulations are for persons who are engaged in handling of CCBs for disposal or recycling, who will have to ensure that their facilities comply with the loading requirements; and transporters, who will have to ensure that their vehicles are properly covered and cleaned of CCBs before setting out with a load of CCBs, and must maintain a log demonstrating that they checked to be certain that the vehicle met the requirements.

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:	(-)	\$173,700/year
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. Environment Article Section 9-289 of the Annotated Code of Maryland authorizes and requires the Department to propose regulations governing the transportation of CCBs. The estimated cost to the industry is based on an approximation of costs for new or retrofitted dust control equipment at facilities that may not now meet the requirements of the proposed regulation; and for the minimal costs to drivers of CCB transport vehicles for keeping a log. The Department is aware that contained loading equipment is commercially available to ensure that vehicles are loaded with CCBs in a manner that prevents fugitive dust releases of the CCBs. Also, simpler procedures such as use of water mists can be implemented to satisfy both the dust control and moistening requirements. Therefore, the Department considers that the annual impact to the industry will be on the order of 15 new or retrofitted loading dust control systems per year, at an added cost of \$1,500 per facility, or a total annual cost to the industry for this requirement of \$22,500.

Also considered is the additional time required for drivers to inspect their vehicles, and maintain a log of their observations and corrective actions. It is estimated that the average time to conduct an inspection and maintain the log is 5 minutes, including time for some percentage of the drivers to take corrective action to tighten a tarp or re-clean vehicle tires. It is assumed that the current annual generation rate of 2 million tons of CCBs generated in Maryland will be hauled by vehicles having an average capacity of 25 tons (e.g., a mix of 20-ton dump trucks and 40-ton semi-trailers), producing approximately 80,000 vehicle trips per year. At an average annual salary of \$40,000 per year, or per hour for (derived from a summary of salaries reported by the Economic Research Institute for dump truck drivers nationally, see <http://www.eri.com/job-salary-data/185/Truck-Driver-Dump.htm>) or (assuming 1760 work hours per year, or 220 man-days times 8 hours per day) \$22.73 per hour, the 5-minute inspection will cost approximately \$1.89 per trip, for a total annual inspection cost to the industry of \$151,200.

Thus, the total impact of the regulation on the industry as a whole is estimated to be (\$151,200 + \$22,500 =) \$173,700 per year. Most of this impact is estimated to occur to the utilities and their contractors.

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 Gail Castleman, Hearings Coordinator, MDE/LMA, 1800 Washington Blvd. Baltimore MD 21230, or call (410) 537-3310, or email to gcastleman@mde.state.md.us, or fax to (410) 537-3156. Comments will be accepted through March 29, 2010. A public hearing has not been scheduled.

.03 General Restrictions and Specifically Prohibited Acts.

A. (text unchanged)

B. Specific Prohibited Acts.

(1) — (3) (text unchanged)

(4) *Transportation.* In addition to the requirements of §B(3) of this regulation, a person may not transport coal combustion byproducts without taking reasonable precautions to control fugitive air emissions relating to the transportation. These reasonable precautions shall include, at a minimum, the following:

(a) *Vehicles transporting coal combustion byproducts shall be fully enclosed, or fully enclosed on all sides and covered with a firmly secured canvas or other covering, so as to prevent any coal combustion byproducts from blowing off, falling off, or spilling out of the vehicle, or the coal combustion byproducts shall be handled and transported in sealed containers designed for transportation of powdery solids;*

(b) *Before leaving a site where coal combustion byproducts are loaded or off-loaded, vehicles transporting coal combustion byproducts shall be rendered clean and free of excess material or debris that could blow off, fall off, or spill during transportation;*

(c) *Coal combustion byproducts being loaded into or off-loaded from a vehicle shall be sufficiently moistened or otherwise conditioned or contained to prevent particulate coal combustion byproducts from becoming airborne or causing fugitive air emissions;*

(d) *Following loading but prior to any transportation of coal combustion byproducts, the transporter shall inspect each vehicle that contains coal combustion byproducts to ensure that the requirements of §B(4) of this regulation are met;*

(e) *A transporter of coal combustion byproducts shall maintain an inspection log for each vehicle that shall be maintained in the vehicle at all times during transport of coal combustion byproducts, and for 30 days thereafter that shall certify compliance with the standards in §B(4) of this regulation; and*

(f) *An inspection log maintained by a transporter of coal combustion byproducts shall consist of an entry for each inspection of a vehicle that has been conducted by the transporter. An inspection entry shall consist of the following information:*

(i) *The date the inspection occurred;*

(ii) *The time of day the inspection occurred;*

(iii) *The name of the person conducting the inspection;*

(iv) *The condition of the vehicle and any corrective action required to ensure compliance with this subsection, for example, “truck cleaned and covered” for a vehicle that meets the requirements, or “cover OK, right side wheels hosed off again” for a vehicle that was properly covered but which required re-cleaning of wheels on the right side; and*

(v) *The signature of the individual certifying compliance with §B(4) of this regulation.*

SHARI T. WILSON
Secretary of the Environment

Subtitle 04 REGULATION OF WATER SUPPLY, SEWAGE DISPOSAL, AND SOLID WASTE

26.04.11 Beneficial Use of Coal Combustion Byproducts

Authority: Environment Article, §9-289,
Annotated Code of Maryland

Notice of Proposed Action

[10-093-P]

The Secretary of the Environment proposes to adopt new Regulations .01 — .10 under a new chapter, **COMAR 26.04.11 Beneficial Use of Coal Combustion Byproducts**.

Statement of Purpose

The purpose of this action is to establish requirements for persons seeking to use coal combustion byproducts (CCBs) in the State, as authorized by and in accordance with the provisions of Environment Article, §9-289, Annotated Code of Maryland. Coal combustion byproducts include coal fly-ash, bottom ash, and related materials, and are known to the Department of the Environment to have the potential to pollute the air, surface water, and groundwater if they are mismanaged. They also have the potential to be constructively recycled and put to beneficial uses. These regulations establish the regulatory system under which persons may use CCBs, authorize the types of beneficial and other uses of CCBs which can be performed, establish the conditions under which the allowed uses of CCBs can be performed, and establish the procedures for seeking approval from the Department for those allowed uses of CCBs for those uses of CCBs where such approval is required. These regulations were required to be developed by December 31, 2009 by Environment Article, §9-289, Annotated Code of Maryland, and are needed to ensure the safety of the environment and citizens 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 economic impact of the proposed action will only apply to those persons seeking to utilize coal combustion byproducts (CCBs), and will be more than offset by cost avoidance and reductions in the coal combustion byproducts generator fee.

The proposed regulation will result in some minor increases in cost to the generators or users of coal combustion byproducts in the form of additional chemical analytical work, for filing requests to utilize the material, or for filing periodic reports to the Department to document the amounts and locations that CCBs were recycled. However, in the past, the bulk of CCBs have either been disposed of or used in the reclamation of coal or other surface mines; the current regulations do not affect disposal or use in mines. In recent years the only uses of CCBs in Maryland that the Department is aware of other than mine reclamation, and that are covered in the current proposal, are 1) use of CCBs in cement and asphalt; 2) use of bottom ash as a substitute for aggregate in road construction; and 3) use of CCBs as a traction aid in winter driving conditions.

By establishing rules for the safe uses of CCBs, the Department will ensure that reuse is protective of public health and the environment and generators of CCBs will be encouraged to reuse these materials rather than disposing of them. Because CCB materials are not widely recycled now except as an additive for cement, and because the reporting requirements for the cement plants were already imposed by the promulgation of COMAR 26.04.10 — Management of Coal Combustion Byproducts in December 1, 2008, the

Department does not consider that the establishment of requirements for acceptable uses to create a significant economic impact.

In making a determination relating to the fitness of CCBs for some beneficial uses, the Department in these proposed regulations is principally relying on the Toxicity Characteristic Leaching Procedure (TCLP) test (specified in EPA Document SW-846, Method 1311). The TCLP test is widely used in industry as it is the test specified in State and federal regulations to determine whether a material is a hazardous waste by virtue of the concentration of potential pollutants that leach out of the material when subjected to the test. It is periodically performed on CCBs by the generators of CCBs in Maryland, so this is not a new requirement. The Department is proposing to require lower analytical limits for this test for CCBs which will be used in a loose form (e.g., not chemically and physically bound up, as when CCBs are added to concrete). This may increase the cost of the analyses. However, by allowing the material to be recycled instead of disposed of as an industrial waste, these costs should be more than offset by avoidance of disposal fees. As generators are not obliged to find a beneficial use for their CCBs, and are free to continue disposing of their CCBs or utilizing them for mine reclamation, this is not considered to create a significant financial impact.

The proposed regulations require the review and approval of some types of proposals to utilize CCBs, and will require notification of the Department before initiating some uses, with the prior notification period being 5 or 60 days depending on the type of use and the volume of CCBs to be used. These notifications and approvals (where required) will allow the Department to deny or set conditions for certain types of uses, and to inspect the sites where CCB use is occurring, to ensure that air and water pollution is being adequately prevented. MDE already performs reviews and inspections of these types for other sorts of materials that are proposed to be recycled and in this case, the Legislature has provided a source of funding specifically for review, inspection, and compliance activities by the Department relating to coal combustion byproducts as authorized by and in accordance with the provisions of Environment Article Sections 9-281 through 286 inclusive of the Annotated Code of Maryland. Emergency regulations implementing these fees were promulgated in 2009, and the fees for FY 2010 have been collected.

These costs are associated with the staff and support equipment needed to conduct normal regulatory activities that include reviewing geologic and environmental information, performing engineering evaluations, conducting inspections, and reviewing environmental monitoring data. These activities were included in the promulgation of COMAR 26.04.10 — Management of Coal Combustion Byproducts in December 1, 2008, so the Department will not incur new costs through the issuance of these regulations.

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)	(-)		\$330,000/year
(2)	(+)		\$3,201,000/year
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(1). It is noted that since the regulation only affects persons seeking to engage in the beneficial use of coal combustion byproducts, which is not made mandatory, the regulations would only affect those generators or other persons who desire to use these ma-

terials instead of disposing of them. For the generators of CCBs that may seek to use their CCBs instead of disposing of them, two principal and opposite effects were identified as possible effects of the regulations that might affect the generators of coal combustion byproducts (CCBs) in Maryland - 1) increased cost for analytical work and reporting requirements, and 2) avoidance of disposal costs through recycling of CCBs. It was assumed that some of the generators of CCBs may elect to use those CCBs in a manner provided for in the regulation within the State, and that some of these uses would be uses that require additional and more sensitive chemical analyses than are already performed.

In estimating the impact, it was assumed that the chemical analyses required would cost approximately \$250 more per analysis than the existing analyses. Based on research, it appears that the charge for the basic TCLP test for 8 metals varies among laboratories but is in the range of \$150-\$300. It is therefore assumed that the required test, for an expanded suite of chemicals with minimum reporting values at lower concentrations, would cost approximately \$500 per sample. It is noted that this is significantly less than the cost of a full TCLP scan, which includes a variety of organic chemicals including volatile organic chemicals (VOCs), polychlorinated biphenyls (PCBs) and pesticides which are not likely to be present in CCBs as they have been burned at high temperatures, and were not likely to contain those compounds in the first place; a full TCLP analytical suite can run approximately \$3,000 per sample. Full TCLP tests are routinely required for other industrial wastes but only analyses for metals and some other inorganic chemicals would be required by the proposed regulation, which greatly limits the cost to the regulated community.

As the major CCB generators in Maryland are making plans to continue using disposal and mine-reclamation options for managing the CCBs they generate, it is assumed that only a fraction of the CCBs generated each year will be recycled. However, this fraction is anticipated to increase. Therefore, it is assumed that an average of 33% of the approximately 2 million tons of ash being generated will be beneficially used each year in the next 5 years, or approximately 660,000 tons. Although no specific frequency for characterization tests is established in the regulation, it will be assumed that one characterization test will be required for every 1000 tons of ash produced. This would entail 660 tests to be performed across the industry annually, for an additional cost of (660 tests × \$500 =) \$330,000.

However, by choosing beneficial use instead of disposal for this material, the industry can avoid significant costs. In its fiscal estimate for the promulgation of COMAR 26.04.10 — Management of Coal Combustion Byproducts, originally proposed in December, 2007, the Department assumed an annual disposal cost for CCBs of \$9.7 million for 2 million tons of ash, or \$4.85 per ton. Assuming transportation costs to be similar whether the material is used or disposed of, and that the material is provided free to the user, the avoided cost for the assumed 660,000 tons is (660,000 tons × \$4.85/ton =) \$3,201,000.

Additional cost avoidance for the purchase of the materials that the CCBs replace — largely cement or aggregate — is also anticipated, but without knowing the precise nature and type that the industry would choose to use, the precise magnitude of this benefit to the industry cannot be adequately quantified.

D(2). It is noted that since the regulation only affects persons seeking to engage in the beneficial use of coal combustion byproducts, which is not made mandatory, the regulations would only affect those generators or other persons who desire to use these materials instead of disposing of them. For the generators of CCBs that may seek to use their CCBs instead of disposing of them, two principal and opposite effects were identified as possible effects of the regulations that might affect the generators of coal combustion byproducts (CCBs) in Maryland — 1) increased cost for analytical work and reporting requirements, and 2) avoidance of disposal costs through recycling of CCBs. It was assumed that some of the generators of CCBs may elect to use those CCBs in a manner provided for in the regulation within the State, and that some of these uses would be uses that require additional and more sensitive chemical analyses than are already performed.

In estimating the impact, it was assumed that the chemical analyses required would cost approximately \$250 more per analysis than the existing analyses. Based on research, it appears that the charge for the basic TCLP test for 8 metals varies among laboratories but is in the range of \$150-\$300. It is therefore assumed that the required test, for an expanded suite of chemicals with minimum reporting values at lower concentrations, would cost approximately \$500 per sample. It is noted that this is significantly less than the cost of a full TCLP scan, which includes a variety of organic chemicals including volatile organic chemicals (VOCs), polychlorinated biphenyls (PCBs) and pesticides which are not likely to be present in CCBs as they have been burned at high temperatures, and were not likely to contain those compounds in the first place; a full TCLP analytical suite can run approximately \$3,000 per sample. Full TCLP tests are routinely required for other industrial wastes but only analyses for metals and some other inorganic chemicals would be required by the proposed regulation, which greatly limits the cost to the regulated community.

As the major CCB generators in Maryland are making plans to continue using disposal and mine-reclamation options for managing the CCBs they generate, it is assumed that only a fraction of the CCBs generated each year will be recycled. However, this fraction is anticipated to increase. Therefore, it is assumed that an average of 33% of the approximately 2 million tons of ash being generated will be beneficially used each year in the next 5 years, or approximately 660,000 tons. Although no specific frequency for characterization tests is established in the regulation, it will be assumed that one characterization test will be required for every 1000 tons of ash produced. This would entail 660 tests to be performed across the industry annually, for an additional cost of (660 tests × \$500 =) \$330,000.

However, by choosing beneficial use instead of disposal for this material, the industry can avoid significant costs. In its fiscal estimate for the promulgation of COMAR 26.04.10 — Management of Coal Combustion Byproducts, originally proposed in December, 2007, the Department assumed an annual disposal cost for CCBs of \$9.7 million for 2 million tons of ash, or \$4.85 per ton. Assuming transportation costs to be similar whether the material is used or disposed of, and that the material is provided free to the user, the avoided cost for the assumed 660,000 tons is (660,000 tons × \$4.85/ton =) \$3,201,000.

Additional cost avoidance for the purchase of the materials that the CCBs replace — largely cement or aggregate — is also anticipated, but without knowing the precise nature and type that the industry would choose to use, the precise magnitude of this benefit to the industry cannot be adequately quantified.

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 Gail Castleman, Regulations Coordinator, MDE/LMA, 1800 Washington Blvd Baltimore MD 21230, or call 410-537-3310, or email to gcastleman@mde.state.md.us, or fax to 410-537-3310. Comments will be accepted through March 29, 2010. A public hearing has not been scheduled.

.01 Purpose, Scope, and Applicability.

A. *The purpose of this chapter is to provide for the regulation of coal combustion byproducts that are being employed in a beneficial use or other use, including under Environment Article, §15-407, Annotated Code of Maryland, as amended, and to establish certain requirements pertaining to the beneficial use, or other use of coal combustion byproducts, including the use of coal combustion byproducts in manufacturing, construction, and related industrial and*

commercial processes. Beneficial use does not include the use of coal combustion byproducts in mine reclamation.

B. *Except as otherwise specifically provided, this chapter applies to persons engaged in the handling, processing, beneficial use, or other use of coal combustion byproducts.*

C. *Compliance with the provisions of this chapter does not relieve a person from the duty to comply with any other applicable federal, State, and local laws, regulations, and ordinances.*

.02 Definitions.

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

B. Terms Defined.

(1) *“Appropriate Leachability Test” means the Toxicity Characteristic Leaching Procedure (TCLP) Test as specified in EPA Document SW-846, Method 1311, or the Synthetic Precipitation Leaching Procedure (SPLP), EPA Method 1312, if allowed by the Department, or another protocol specifically approved by the Department for the purposes of this chapter.*

(2) Beneficial Use.

(a) *“Beneficial use” means the use of coal combustion byproducts in a manufacturing process to make a product, or as a substitute for a raw material or commercial product, which, in either case, does not create an unreasonable risk to public health or the environment as determined by the Department.*

(b) *“Beneficial use” does not include the use of coal combustion byproducts in a mining operation or in mine reclamation activities.*

(3) Bottom Ash.

(a) *“Bottom ash” means the coarse-grained residue of coal combustion that accumulates on the grate, sides, and bottom of the combustion chamber in a coal burning furnace.*

(b) *“Bottom ash” does not include the fine particles removed from flue gas by filtering or other air pollution control process, except to the extent that fine particles cling to or are included with the coarse-grained residue.*

(4) Coal Combustion Byproducts.

(a) *“Coal combustion byproducts” means the residue generated by or resulting from the burning of coal.*

(b) *“Coal combustion byproducts” includes fly ash, bottom ash, boiler slag, pozzolan, and other solid residuals removed by air pollution control devices from the flue gas and combustion chambers of coal burning furnaces and boilers, including flue gas desulfurization material and other solid residuals recovered from flue gas by wet or dry methods.*

(5) Construction Project.

(a) *“Construction project” means the location and activities comprising the construction of a building, earthwork, or structure.*

(b) *“Construction project” activity includes the excavation, filling, and grading of land, the installation of utilities and drainage controls, the construction of temporary or permanent buildings or other structures, the establishment of vegetative cover, ornamental landscaping, and related activities.*

(c) *“Construction project” location includes work on a single property or parcel of land, or may encompass activities on more than one parcel or property that are not necessarily contiguous, for example in the construction of a large complex of structures like a shopping center or industrial park, or a road that may cross numerous nonadjacent parcels.*

(6) "Department" means the Department of the Environment.

(7) "Disposal" means the discarding or abandonment of coal combustion byproducts so that they are not recycled or used, as determined by the Department.

(8) "Dispose" means any action that results in a disposal.

(9) "Extractive process" means a chemical process by which coal combustion byproducts are subjected to leaching to remove soluble constituents.

(10) "Flue gas desulfurization material" means the coal combustion byproducts derived from processes that remove sulfur from the flue gases produced by burning coal following the removal of particulate material.

(11) Generator.

(a) "Generator" means a person whose operations, activities, processes, or actions create coal combustion byproducts.

(b) "Generator" does not include a person who only generates coal combustion byproducts by burning coal at a private residence.

(12) "Leachate" means liquid that:

(a) Has percolated through, has drained from, or has been generated by coal combustion byproducts; and

(b) Has extracted dissolved material, miscible material, suspended material, or all of these from the coal combustion byproducts.

(13) Macroencapsulation.

(a) "Macroencapsulation" means the solidification of a quantity of a material of smaller particle size into a larger block of a solid character, having a lower permeability and a greatly reduced surface area subject to leaching.

(b) "Macroencapsulation" includes the inclusion of fine-grained materials into larger nonfriable solid objects such as pre-cast cement blocks or structures.

(c) "Macroencapsulation" includes the casting of a quantity of fine particles into particles or pellets of larger particle size, for example when a material that occurs as a powder is converted into durable gravel-sized pellets through sintering or cementing, or mixing sand-sized particles with cement or resin to make a brick.

(14) "Microencapsulation" means the chemical or physical encapsulation of compounds making up a material at the molecular level, so that the leachability of soluble chemicals comprising the compounds, or present in the material in a releasable form, is reduced.

(15) "Nonfriable" means a solid material that is not readily crumbled into smaller pieces and is hard enough to resist being broken up by human hands not employing tools.

(16) "Person" means an individual, corporation, company, association, society, firm, partnership, joint venture, joint stock company, or other entity, or a federal, State, or local government or governmental unit, or any political subdivision of this State or any of its agencies or instrumentalities.

(17) "Pozzolan" has the meaning stated in Environment Article, §15-407, Annotated Code of Maryland.

(18) "Recycling" has the meaning stated in Environment Article, §9-1701, Annotated Code of Maryland.

(19) "Sham recycling" means an activity that has the appearance of a legitimate use of coal combustion byproducts but is, in fact, a disposal of coal combustion byproducts.

(20) "Significantly leachable material" means a coal combustion byproduct or material containing coal combustion byproducts that leaches metals or other substances at concentrations that exceed the Maximum Contaminant Lev-

els established in COMAR 26.04.01.06 or .07 for that chemical when subjected to an appropriate leachability test.

(21) Solidification.

(a) "Solidification" means a process that converts a loose, liquid or semisolid material into a solid nonfriable material and restricts the migration of chemicals from the solidified material by decreasing the surface area exposed to leaching and containing the loose, liquid, or semisolid material in solid low-permeability materials.

(b) "Solidification" can be accomplished by a chemical reaction between a material and binding or solidifying reagents, or by mechanical processes, such as mixing with a cementitious, asphaltic, or resinous matrix to turn a quantity of material exhibiting the characteristics of a dust or silt into larger particle sizes such as a pellet or a solid block.

(22) "Solidified" means, with respect to a material, that the material has undergone a solidification process that is acceptable to the Department.

(23) "Solid waste" has the meaning stated in Environment Article, §9-101, Annotated Code of Maryland.

(24) "Solid waste acceptance facility" has the meaning stated in COMAR 26.04.07.02.

(25) "Stabilization" means a process or processes, such as an extractive process, macroencapsulation, microencapsulation, solidification, or other process acceptable to the Department, that reduces the concentration of soluble constituents that would otherwise leach from a substance, so that the resulting material is not a significantly leachable material.

(26) Stabilized.

(a) "Stabilized" means, with respect to a material, that the material has undergone a stabilization process that is acceptable to the Department.

(b) "Stabilized" includes, with respect to a material, a material that is not a significantly leachable material as it exists, without undergoing stabilization.

(27) "State" means the State of Maryland.

.03 General Restrictions and Specifically Prohibited Acts; Storage of Coal Combustion Byproducts.

A. General Restrictions and Specifically Prohibited Acts.

(1) A person using or beneficially using coal combustion byproducts shall comply with the provisions of COMAR 26.04.10.03 General Restrictions and Specifically Prohibited Acts.

(2) Sham Recycling. A person may not engage in sham recycling.

B. Storage of Coal Combustion Byproducts. A person engaged in the use or beneficial use of coal combustion byproducts in a manner that involves the storage of coal combustion byproducts shall comply with the provisions of COMAR 26.04.10.05 Storage.

.04 General Provisions.

A. Beneficial Use of Coal Combustion Byproducts.

(1) The uses of coal combustion byproducts specified under Regulations .05 and .06 of this chapter are beneficial uses.

(2) The Department may determine whether a use of coal combustion byproducts other than a use specified under Regulation .05 or .06 of this chapter is a beneficial use and may provide general or specific approval for this use.

(3) A general or specific approval to use coal combustion byproducts under the provisions of this chapter does not relieve the user of the coal combustion byproducts from the obligation to obtain any other applicable local, State or federal approval required to use coal combustion byproducts or to perform the intended use or activity, such as, for example,

sediment and erosion control plan approvals at the local or State level; State or federal wetlands permits; county or other local grading permits; local or State stormwater plan approvals; and local zoning approvals.

(4) A general or specific approval to use coal combustion byproducts under the provisions of this chapter is for environmental regulatory purposes only and does not in any way supplant the need for individual site characterization or design engineering appropriate for the scope and site-specific conditions that pertain to the particular use or construction project where use of coal combustion byproducts is intended.

(5) If a regulation in this chapter requires that the coal combustion byproducts being used, or a product containing coal combustion byproducts, are not a significantly leachable material, the generator or user of the coal combustion byproducts shall submit documentation to the Department that the coal combustion byproducts, or product containing coal combustion byproducts, are not a significantly leachable material. For an individual construction project or use, the documentation may be provided on an individual basis. For an ongoing process, the documentation may be submitted on a routine basis on a schedule approved by the Department. The documentation shall consist of the following information:

(a) The source(s), type(s), and volume of coal combustion byproducts used or proposed to be used;

(b) If stabilization is required to render a product containing coal combustion byproducts not a significantly leachable material, a description of the process by which the coal combustion byproducts are stabilized;

(c) Sufficient and appropriate representative analytical data, in accordance with §A(6) of this regulation, to demonstrate that the coal combustion byproducts or product containing coal combustion byproducts are not a significantly leachable material to the satisfaction of the Department; and

(d) Any other information that may be required by the Department to evaluate the environmental performance of the coal combustion byproducts or product containing coal combustion byproducts in the proposed use.

(6) To support a demonstration that the coal combustion byproducts are not a significantly leachable material, a demonstration shall include the following analyses:

(a) A copy of a solids analysis of the coal combustion byproducts, performed within the last 60 days, which at a minimum provides analysis for the following parameters and practical quantitation limits (PQLs):

ELEMENTS AND INDICATOR PARAMETERS PQL (mg/kg)	
(i) Total Aluminum	40
(ii) Total Antimony	1
(iii) Total Arsenic	1
(iv) Total Barium	1
(v) Total Beryllium	1
(vi) Total Boron	20
(vii) Total Cadmium	1
(viii) Total Calcium	1
(ix) Total Chromium	1
(x) Total Cobalt	1
(xi) Total Copper	2
(xii) Total Iron	500
(xiii) Total Lead	1
(xiv) Total Lithium	1
(xv) Total Magnesium	100
(xvi) Total Manganese	1
(xvii) Total Mercury	0.2

(xviii) Total Molybdenum	10
(xix) Total Nickel	5
(xx) Total Potassium	100
(xxi) Total Selenium	4
(xxii) Total Silver	1
(xxiii) Total Sodium	100
(xxiv) Total Sulfur	10
(xxv) Total Thallium	50.0
(xxvi) Total Vanadium	4
(xxvii) Total Zinc	10

(b) A copy of a representative number of appropriate leachability tests of the coal combustion byproducts required by the Department, performed within the last 60 days, which at a minimum includes analysis for the following:

- (i) Aluminum;
- (ii) Antimony;
- (iii) Arsenic;
- (iv) Barium;
- (v) Beryllium;
- (vi) Boron;
- (vii) Cadmium;
- (viii) Calcium;
- (ix) Chromium;
- (x) Cobalt;
- (xi) Copper;
- (xii) Iron;
- (xiii) Lead;
- (xiv) Lithium;
- (xv) Magnesium;
- (xvi) Manganese;
- (xvii) Mercury;
- (xviii) Molybdenum;
- (xix) Nickel;
- (xx) Potassium;
- (xxi) Selenium;
- (xxii) Silver;
- (xxiii) Sodium;
- (xxiv) Sulfur;
- (xxv) Thallium;
- (xxvi) Vanadium; and
- (xxvii) Zinc.

(c) The practical quantitation limit for the appropriate leachability tests shall be no greater than the Maximum Contaminant Level as specified in COMAR 26.04.01.06 for the measured parameter, where one exists, or as otherwise specified by the Department.

(7) The Department may specify the analytical test methods, analytes, analytical sensitivity, number of samples, and testing frequency, and may require the generator or user providing the analytical data to provide a sampling and analytical plan for review and approval before making a determination concerning a proposed use.

B. Denial, Suspension and Revocation of Approvals.

(1) The Department may deny, suspend or revoke any general or specific approval of a use of coal combustion byproducts for any violation of COMAR 26.04.10, this chapter, or any condition imposed by the Department on the use of coal combustion byproducts, or for other good cause.

(2) The denial, suspension or revocation of such an approval shall be effective immediately upon notification by the Department.

(3) The denial, suspension or revocation may be appealed by directing a written request for an appeal hearing to the Director of the Department's Land Management Administration within 10 days of receipt of notification of the suspension or revocation. All hearings will be conducted in

accordance with the Administrative Procedure Act, State Government Article, §10-201 et seq., Annotated Code of Maryland.

(4) The Department may alter or remove the suspension or revocation upon correction of the violation or for other good cause.

(5) Issuance, alteration, or removal of a notice of suspension or revocation of an approval under this chapter may not preclude the Department from taking any other enforcement action for violation of any applicable State law or regulation.

C. *Notifications.* Unless otherwise specified by the Department, notifications required by this chapter shall be directed to:

Administrator, Solid Waste Program
Maryland Department of the Environment
1800 Washington Blvd., Suite 605
Baltimore MD 21230-1719
Fax No. (410) 537-3842

D. *Other Uses.*

(1) If a person proposes to use coal combustion byproducts in a manner that is not a use specified under Regulation .05 or .06 of this chapter, the person shall submit a request to use coal combustion byproducts to the Department and shall obtain the approval of the Department before initiating the use.

(2) The Department may require a person proposing to use coal combustion byproducts in a manner that is not a use specified under Regulations .05 or .06 of this chapter to submit any information required for the Department to determine whether the proposed use would adversely impact the public health, safety, or comfort, or the quality of the environment.

(3) Unless otherwise provided by law, the Department may approve, deny, or conditionally approve a request for a use that is not a use specified under Regulation .05 or .06 of this chapter.

(4) If a use that is not a use specified under Regulation .05 or .06 of this chapter is conditionally approved, the Department shall state the conditions of approval, including any applicable permit requirements, and the person using the coal combustion byproducts under that approval shall comply with the stated conditions.

(5) The Department may determine that an activity or proposed activity involving coal combustion byproducts is sham recycling and may deny a request or require that an activity in progress be stopped.

(6) The Department may require public notification or a public meeting concerning a proposed use of coal combustion byproducts before making a determination concerning the proposed use.

(7) The requirements of Regulation .07 of this chapter shall be applicable to a proposed use to the extent specified by the Department.

E. Unless otherwise provided by law, at its discretion, the Department may make a determination relative to a use or proposed use of coal combustion byproducts under this regulation, or deny or place restrictions on a use or proposed use of coal combustion byproducts under this regulation, based on information provided to or obtained by the Department from any source.

.05 Approved Beneficial Uses of Solidified Coal Combustion Byproducts.

A. *Approvals.*

(1) A person may use solidified coal combustion byproducts without obtaining a specific approval from the Department if the coal combustion byproducts are used in accordance with this regulation.

(2) At its discretion, the Department may make a determination relative to a use or proposed use of coal combustion byproducts under this regulation, or deny or place restrictions on a use or proposed use of coal combustion byproducts under this regulation, based on information provided to or obtained by the Department from any source.

B. *Use of Coal Combustion Byproducts in Cement, Concrete, or Asphalt.* Coal combustion byproducts may be used as an additive to, or in place of constituents of, cement, concrete or asphalt if the following conditions are met:

(1) The resulting product shall be produced by a solidification process and harden or cure into a nonfriable solid mass that is not a significantly leachable material and that is not readily subject to erosion as a result of its intended use;

(2) The physical and chemical characteristics of the coal combustion byproducts to be used shall be evaluated and considered as part of the design of the product to ensure that the inclusion of the coal combustion byproducts does not adversely impact the fitness of the resulting product for its intended use;

(3) The generator or user of the coal combustion byproducts shall submit documentation to the Department in accordance with Regulation .04A(5) of this chapter; and

(4) The user of the coal combustion byproducts shall meet the user notification requirements of Regulation .07B of this chapter.

C. *Use of Coal Combustion Byproducts as a Filler in Gypsumboard.* Coal combustion byproducts may be used as an additive to, or in place of constituents of, gypsiferous wallboard and wallboard spackling and coating compounds used in interior building construction if the following conditions are met:

(1) The resulting product may not be a significantly leachable material;

(2) The physical and chemical characteristics of the coal combustion byproducts to be used shall be evaluated and considered as part of the design of the product to ensure that the inclusion of the coal combustion byproducts does not adversely impact the fitness of the resulting product for its intended use, including safe use in an occupied structure;

(3) The generator or user of the coal combustion byproducts shall submit documentation to the Department in accordance with Regulation .04A(5) of this chapter; and

(4) The user of the coal combustion byproducts shall meet the user notification requirements of Regulation .07B of this chapter.

D. *Use of Coal Combustion Byproducts as a Filler in Plastic Products.* Coal combustion byproducts may be used as an additive to or filler in plastic and resin products if the following conditions are met:

(1) The physical and chemical characteristics of the coal combustion byproducts to be used shall be evaluated and considered as part of the design of the product to ensure that the inclusion of the coal combustion byproducts does not adversely impact the fitness of the resulting product for its intended use;

(2) The coal combustion byproducts shall be subjected to a process of macroencapsulation so that the particles of coal combustion byproducts are completely coated by plastic, such that when the plastic is hardened or cured the product is not a significantly leachable material, and coal combustion byproduct particles cannot escape from the product in normal use of the product;

(3) The generator or user of the coal combustion byproducts shall submit documentation to the Department in accordance with Regulation .04A(5) of this chapter; and

(4) The user of the coal combustion byproducts shall meet the user notification requirements of Regulation .07B of this chapter.

E. Use of Coal Combustion Byproducts in Roofing Materials. Coal combustion byproducts may be used as an additive to or filler in roofing materials or in the grains or particles that are used to coat roofing shingles and other roofing materials if the following conditions are met:

(1) The physical and chemical characteristics of the coal combustion byproducts to be used shall be evaluated and considered as part of the design of the product to ensure that the inclusion of the coal combustion byproducts does not adversely impact the fitness of the resulting product for its intended use;

(2) The coal combustion byproducts shall be subjected to a process of microencapsulation so that the roofing materials, grains or particles, or other roofing products, are not a significantly leachable material, and coal combustion byproducts cannot escape from the product in normal use of the product;

(3) The generator or user of the coal combustion byproducts shall submit documentation to the Department in accordance with Regulation .04A(5) of this chapter; and

(4) The user of the coal combustion byproducts shall meet the user notification requirements of Regulation .07B of this chapter.

.06 Approved Beneficial Uses of Coal Combustion Byproducts in an Unconsolidated Form.

A. General.

(1) A person may use coal combustion byproducts in an unconsolidated form for the uses described in this regulation if the person provides notification to the Department of the intended use, and obtains approval from the Department for the intended use, except where specifically noted.

(2) Before any use of coal combustion byproducts under this regulation, the generator or user of the coal combustion byproducts shall submit documentation to the Department that the coal combustion byproducts are not a significantly leachable material in accordance with Regulation .04A(5) of this chapter.

(3) Before any use of coal combustion byproducts under this regulation, the generator or user of the coal combustion byproducts shall comply with the public notification provisions of Regulation .07 of this chapter, to the extent that they are applicable to the proposed use.

(4) Unless otherwise provided by law, at its discretion, the Department may make a determination relative to a use or proposed use of coal combustion byproducts under this regulation, or deny or place restrictions on a use or proposed use of coal combustion byproducts under this regulation, based on information provided to or obtained by the Department from any source.

B. Use of Bottom Ash as a Substitute for Aggregate. Bottom ash may be used as a structural aggregate beneath asphalt and concrete roads, parking lots, and other paved surfaces if the following conditions are met:

(1) The bottom ash shall be stabilized before use;

(2) The physical and chemical characteristics of the coal combustion byproducts to be used shall be evaluated and considered as part of the engineering design of the construction project and found to be acceptable by the design engineer;

(3) The total depth of the bottom ash placed may not exceed 8 inches at any location and may not be placed outside of the area to be covered by pavement;

(4) The bottom ash may not be placed where it will be subject to intrusion by groundwater or surface water, and shall be placed at least 3 feet above the maximum expected groundwater elevations at all locations of bottom ash placement;

(5) The bottom ash shall be covered by the intended pavement (for example, concrete or asphalt) within one week of placement;

(6) The pavement placed over the bottom ash shall be continuous in all areas that overlie bottom ash and may not be a material that is intended to allow the infiltration of water, such as pervious concrete or porous asphalt products;

(7) Appropriate procedures that may include moistening, the use of temporary covers, and tacking agents shall be employed to prevent the release of dust from exposed bottom ash;

(8) Appropriate protocols such as use of tacking agents, interim stabilization techniques, silt fences and other sediment controls shall be employed to prevent the uncontrolled erosion and discharge of particles of exposed bottom ash;

(9) If required by COMAR 26.08.04.01, a valid General or Individual Permit for Stormwater Discharges Associated with Construction Activity, or other applicable discharge permit, shall be issued for the area where bottom ash is to be placed;

(10) If less than 200 tons of bottom ash is intended to be used for the purposes described in this section, the person proposing to use the bottom ash shall provide written notice to the Department under Regulation .07 of this chapter of its intent to use bottom ash under this section at least 5 business days before the first storage or placement of the bottom ash at the construction project or other site of use;

(11) If 200 or more tons of bottom ash is intended to be used for the purposes described in this section, the person proposing to use the bottom ash shall provide written notice to the Department under Regulation .07 of this chapter of its intent to use bottom ash under this section at least 60 days before the intended date of first storage or placement of bottom ash at the construction project or other site of use, and shall obtain the written approval of the Department for the proposed use before the use of coal combustion byproducts begins; and

(12) A person proposing to use bottom ash under this section shall meet all requirements of Regulation .07 of this chapter applicable to the proposed use before the date of first storage or placement of bottom ash at a construction project or other site of use.

C. Use of Bottom Ash as a Pipe Bedding. Bottom ash may be used as a pipe bedding beneath pipes intended to convey liquids if the following conditions are met:

(1) The bottom ash shall be stabilized before use;

(2) The physical and chemical characteristics of the bottom ash to be used shall be evaluated and considered as part of the engineering design of the construction project, and found to be acceptable by the design engineer;

(3) The total depth of bottom ash placed may not exceed 8 inches at any location;

(4) The bottom ash may not be placed where it will be subject to intrusion by groundwater or surface water, and shall be placed at least 3 feet above the maximum expected groundwater elevation at the location of placement;

(5) Any pipe intended to convey liquid shall be installed with seals to prevent seepage of liquid from the pipe into the bottom ash;

(6) If required by COMAR 26.08.04.01, a valid General or Individual Permit for Stormwater Discharges Associated with Construction Activity shall be issued for the area where bottom ash is to be placed before the use of bottom ash begins;

(7) If less than 200 tons of bottom ash are intended to be used for the purposes described in this section, the person proposing to use the bottom ash shall provide written notice to the Department under Regulation .07 of this chapter of its intent to use bottom ash under this section at least 5 business days before the first storage or placement of bottom ash at the construction project or other site of use;

(8) If 200 or more tons of bottom ash are intended to be used for the purposes described in this section, the person proposing to use the bottom ash shall provide written notice to the Department under Regulation .07 of this chapter of its intent to use bottom ash under this section at least 60 days before the intended date of first storage or placement of bottom ash at the construction project or other site of use, and shall obtain the written approval of the Department for the proposed use before the use of coal combustion byproducts begins; and

(9) A person proposing to use bottom ash under this section shall meet all requirements of Regulation .07 of this chapter applicable to the proposed use before the date of first storage or placement of bottom ash at a construction project or other site of use.

D. Use of Bottom Ash as a Winter Traction Control Aid. Bottom ash may be applied to roads, highways, parking lots and other paved surfaces as a winter traction control aid if the following conditions are met:

(1) The surfaces to which the bottom ash is applied shall be paved with asphalt or concrete;

(2) The bottom ash shall only be applied during the period 24 hours before, during, and 24 hours after a winter weather event comprised of snow, sleet, and/or ice;

(3) The bottom ash shall be applied at a rate appropriate for use as a traction control aid and may not be applied at a rate that contributes to excessive runoff of sediment;

(4) Before use on publicly-owned highways, streets or thoroughfares, the use of the bottom ash as a traction aid shall be approved by the local or State highway officials responsible for the maintenance and safety of the roads and highways to which the bottom ash will be applied;

(5) The bottom ash shall be stabilized so that it will not leach toxic substances into runoff to surface water or, when washed off roadbeds to surface water, will not result in a violation of water quality standards for any water quality criterion;

(6) The bottom ash used as a winter traction aid shall be screened or otherwise sized so that no more than 2% of the particles will pass through a standard #30 screen with apertures of no greater than 0.6 millimeters (0.0236 inches); and

(7) The user of bottom ash shall notify the Department of the user's intent to use bottom ash as a traction aid before initiating its use and shall provide a report to the Department of the amount used and general locations of use in a given winter weather event within 30 days after the first use of the material in the event.

.07 Public and Local Government Notification and Comment.

A. Applicability. In addition to the other requirements of this chapter, a person proposing to use coal combustion byproducts under this chapter in the State shall comply with the applicable notification provisions of this regulation.

B. A manufacturer of cement, concrete, asphalt, wall-board, roofing materials or plastic containing coal combustion byproducts in accordance with Regulation .05 of this chapter shall take appropriate steps to notify users and potential users of its products that the product contains coal combustion byproducts. Appropriate steps include content labeling on packaging, identification of the presence of coal combustion byproducts in written and electronically-available (for example, web page) product specifications, or written notification via printed content provided to users of bulk loads of a product. The Department may post a notice of the use on the Department's website.

C. Winter Traction Control Use. A person proposing to use coal combustion byproducts as a winter traction control aid shall notify the Department in accordance with Regulation .06D(6) of this chapter. The Department may post a notice of the use on the Department's website.

D. Other Uses of Unconsolidated Coal Combustion Byproducts.

(1) Except as otherwise required by this chapter, a person intending to use any amount of unconsolidated coal combustion byproducts shall notify the Department in writing at least 5 business days before the first storage or placement of coal combustion byproducts at the site of intended use. The notice shall include the name of the user, the type of coal combustion byproducts intended to be used, the location and type of intended use (for example, road bedding, pipe bedding, etc.), and the amount of material that is intended to be used.

(2) When notified of a proposal to use more than 200 tons of unconsolidated coal combustion byproducts for any use and for other proposed uses for which the Department deems there is public interest, the Department may:

(a) Post a notice of the use on the Department's website;

(b) Post a notice and opportunity for a public meeting on the Department's website;

(c) Hold a public meeting concerning one or more proposed uses at a time and location the Department deems appropriate;

(d) Notify the health officer of the county in which the coal combustion byproducts are proposed to be used;

(e) Require the person proposing to use coal combustion byproducts to place a copy of the notice, with any pertinent plans, sample results, operating procedures, and location maps, in a local library proximal to the site of the proposed use, or in another local repository acceptable to the Department;

(f) Require the person proposing to use coal combustion byproducts to delay the use until the Department has approved the proposal in writing; and

(g) Require the person proposing to use coal combustion byproducts to cover all costs relating to providing public notice or comment on the proposed use and holding a public meeting, including but not limited to costs associated with advertising a public meeting; procurement of a suitable hall or auditorium for the purpose of holding a meeting; equipment rental, such as seating and public address equipment; and the creation of a transcript of minutes, in a manner acceptable to the Department.

(3) When notified of a proposal to use more than 2000 tons of unconsolidated coal combustion byproducts the Department shall:

(a) Post a notice and opportunity for a public meeting on the Department's website;

(b) If requested within the timeframe established for such a request by the Department, hold a public meeting concerning one or more proposed uses at a time and location the Department deems appropriate;

(c) Notify the Health Officer of the county in which the coal combustion byproducts are proposed to be used;

(d) Notify the President of the County Council or Board of County Commissioners of the county in which the proposed use is located;

(e) Require the person proposing to use coal combustion byproducts to place a copy of the notice, with any pertinent plans, sample results, operating procedures, and location maps, in a local library proximal to the site of the proposed use, or in another local repository acceptable to the Department; and

(f) Require the person proposing to use coal combustion byproducts to cover all costs relating to providing public notice or comment on the proposed use and holding a public meeting, including but not limited to costs associated with advertising a public meeting; procurement of a suitable hall or auditorium for the purpose of holding a meeting; equipment rental, such as seating and public address equipment; and the creation of a transcript of minutes, in a manner acceptable to the Department.

E. Determinations, Denials, and Restrictions on Uses of Coal Combustion Byproducts. Unless otherwise provided by law, at its discretion, the Department may make a determination relative to a use or proposed use of coal combustion byproducts, or deny or place restrictions on a use or proposed use of coal combustion byproducts, based on information provided to or obtained by the Department from any source.

.08 Disposal of Products or Raw Materials Containing Coal Combustion Byproducts.

A. Household Product Exemption. This regulation does not apply to coal combustion byproducts that are used in a household product in a solidified form in accordance with Regulation .05 of this chapter.

B. Solidified Product Exemption. This regulation does not apply to solidified materials created in accordance with Regulation .05 of this chapter, unless they have been ground, shredded, pulverized, or otherwise subject to a process that renders them a significantly leachable material.

C. Disposal of materials containing coal combustion byproducts. A person may not dispose of products or raw materials containing coal combustion byproducts except as provided in this regulation or COMAR 26.04.10.04.

D. Proper Disposal of Products or Raw Materials Containing Coal Combustion Byproducts. Products or raw materials that contain coal combustion byproducts are considered properly disposed of when they are accepted and managed by one of the following:

(1) A solid waste acceptance facility located in the State that is authorized to accept coal combustion byproducts for disposal; or

(2) A solid waste acceptance facility in another state that is authorized to accept coal combustion byproducts for disposal.

E. Recycling. A person may engage in recycling or reuse of a product or raw material containing coal combustion byproducts in a manner that is in accordance with this chapter and COMAR 26.04.10, and does not create a hazard to the public health, safety, comfort, or the quality of the environment.

.09 Environmental Monitoring.

A. The Department may require environmental monitoring in connection with the beneficial use or other use of coal combustion byproducts under this chapter. If the Department determines that environmental monitoring is required at a construction project or other site of use of coal combustion byproducts, a person who proposes to use coal combustion byproducts shall submit a monitoring plan to the Department for review and approval.

B. The monitoring plan shall be prepared in accordance with the following requirements and include at least the following information:

(1) A description of a system for monitoring the quality of the waters of the State around and beneath the site of use, including:

(a) A description of the number, location, and types of monitoring wells and sampling stations;

(b) The methods of construction of the monitoring wells; and

(c) A monitoring well location map;

(2) A schedule for the frequency of the analyses;

(3) A description of sampling and analyses procedures;

(4) A list of parameters to be monitored;

(5) A schedule of reporting periods; and

(6) Other information as the Department may require.

C. Monitoring and Reporting Requirements.

(1) The person submitting the monitoring plan shall submit to the Department a report on water quality on a semi-annual basis, or at such other times as outlined in the approved monitoring plan, containing summary and interpretative discussion of all analyses of the chemical quality of ground water from all of the monitoring wells and all of the surface water monitoring points specified in the approved monitoring plan.

(2) The semiannual report on water quality shall be submitted to the Department within 30 days of the close of the second and fourth quarter of each calendar year unless an alternative schedule is specified in the approved monitoring plan.

(3) Sampling shall occur in accordance with a schedule included in the approved monitoring plan.

(4) The person submitting the monitoring plan shall arrange for a qualified ground water scientist to sample, or to oversee qualified environmental technicians who sample, the monitoring wells.

(5) The parameters to be measured and their Practical Quantitation Limits (PQL) are listed in Section D, Table I of this regulation. The Department may require and approve an alternative or additional list of parameters or an alternative PQL for any parameter.

(6) The sampling, sample handling, analyses and reporting of analytical parameters shall be performed in accordance with the approved monitoring plan.

(7) The person submitting the monitoring plan shall arrange for a qualified independent laboratory or a laboratory which is otherwise acceptable to the Department to perform the analyses.

(8) The person submitting the monitoring plan shall arrange for a qualified ground water scientist or professional to evaluate the results and advise the person of any changes in water quality or any exceedance of a State or federal drinking water or ground water quality standard.

(9) The person submitting the monitoring plan shall include a complete copy of the laboratory data, and the qualified ground water scientist or professional's interpretive findings in each report.

(10) If analytical results from samples collected from any sources associated with a site or surrounding properties exceed a State or federal drinking water or ground water quality standard for the first time, the person submitting the monitoring plan shall notify the Department within 24 hours of receipt of the analytical data detecting the occurrence. Thereafter, if there is an increase above a State or federal drinking water or ground water quality standard, the person submitting the monitoring plan shall notify the Department within 24 hours of receipt of the analytical data detecting this occurrence.

(11) Upon detection of the exceedance of a State or federal drinking water or ground water quality standard for the first time, the person submitting the monitoring plan shall immediately resample each monitoring point in which the standard was exceeded to verify the initial detection. This resampling shall occur as soon as possible. If circumstances make immediate resampling impossible, the person submitting the monitoring plan shall notify the Department of the circumstances, and the Department may approve a longer period for resampling which may not be later than 30 days following notification of the person of the initial exceedance.

(12) If the exceedance continues beyond the 30-day resampling period, the person submitting the monitoring plan shall submit a noncompliance report to the Department within 5 days, and notify the local health department of the exceedance. The Department may require the person submitting the monitoring plan to submit a clean up and containment plan or take such other action as it considers necessary to address the exceedance.

(13) All data for each monitoring well shall be summarized and presented in time series format. The data for each monitoring well shall be presented on a chart so that the water quality data for each parameter for each well can be observed simultaneously.

(14) All "J" values shall be reported. "J" values are analytical results that are below the PQL but can be estimated.

(15) Each report on water quality shall include a time series analysis of the data. The historical data from each monitoring well shall be presented in a tabular form in each report. The discussion shall emphasize historical trends in the data.

(16) Each report shall include a status report of the amount of coal combustion byproducts placed to date and within the last quarter; the status of reclamation within the permit area, and a summary of any complaints received within the last quarter.

(17) The Department may require that the person submitting the monitoring plan conduct surface water monitoring if streams, springs, or other surface water features are identified.

(18) Based on site conditions, the size and design of the construction project, and other considerations as determined by the Department, the Department may require other

ground water and surface water monitoring requirements it considers necessary to protect public health and the environment.

D. Table I—Monitoring Parameters.

ELEMENTS AND INDICATOR PARAMETERS PQL (ppm)	
Total Aluminum	0.05
Total Antimony	0.0020
Total Arsenic	0.0040
Total Barium	0.0100
Total Beryllium	0.0020
Total Boron	0.013
Total Cadmium	0.0040
Total Calcium	0.08
Total Chromium	0.0100
Total Cobalt	0.0100
Total Copper	0.0100
Total Iron	0.0050
Total Lead	0.0020
Total Lithium	0.016
Total Magnesium	0.004
Total Manganese	0.0100
Total Mercury	0.0002
Total Molybdenum	0.016
Total Nickel	0.0110
Total Potassium	0.39
Total Selenium	0.0120
Total Silver	0.0100
Total Sodium	0.2
Total Sulfate	0.38
Total Thallium	0.0020
Total Vanadium	0.0100
Total Zinc	0.0100
pH 0.1	(SU)
Acidity	1
Alkalinity	1
Hardness	0.5
Chloride	0.39
Specific conductance	1
Nitrate	0.06
Chemical oxygen demand	1
Turbidity	0.11 (NTU)
Ammonia	1
Total suspended solids	1
Total dissolved solids	10

.10 Reporting.

A. A person who beneficially uses or otherwise uses coal combustion byproducts under this chapter shall maintain records of, and deliver to the Department by March 1 of each year, an annual report that contains the following:

(1) The name, address, and telephone number of the generator of any coal combustion byproducts used;

(2) The type and amount of coal combustion byproducts received from each generator of coal combustion byproducts used;

(3) A description of the manner in which the coal combustion byproducts were used, including the volume of coal combustion byproducts used, and the locations where coal combustion byproducts were used if known;

(4) All leachability or solids analysis data collected, if otherwise required by this chapter; and

(5) Any other information relating to the use that may be requested by the Department.

B. A person using coal combustion byproducts shall maintain all records required by §A of this regulation for a minimum of 3 years and shall make the records available to the Department upon request.

C. Except as otherwise provided by law, the Department may publish on its website or elsewhere, or otherwise make available to the public, any information that it gathers from the annual reports or records provided under this regulation.

SHARI T. WILSON
Secretary of the Environment

Errata

COMAR 10.27.05.05

At 37:3 Md. R. 213 (January 29, 2010), col. 2, line 12 from the top:

For: *A. A certified midwife shall complete an individual care*

Read: *A. A certified nurse midwife shall complete an individual care*

[10-05-32]

COMAR 14.01.10

At 37:3 Md. R. 170 (January 29, 2010), col. 2, line 17 from the bottom:

For: **Emergency Status Began: December 28, 2009.**

Read: **Emergency Status Began: January 26, 2010.**

[10-05-45]

COMAR 33.08.01.05

At 37:3 Md. R. 283 (January 29, 2010), column 2, lines 28 — 30 from the top:

For: (2) Be conducted as provided in this subtitle.]
Re-pealed.

C. — D. (text unchanged)

Read: (2) Be conducted as provided in this subtitle.]
[C.] B. — [D.] C. (text unchanged)

[10-05-30]

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.

[10-05-23]

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 ACUPUNCTURE

Subject: Public Meeting on Regulations
Date and Time: March 9, 2010, 1 — 4 p.m.

Place: Maryland Board of Acupuncture, 4201 Patterson Ave., Rm. 105, Baltimore, MD

Contact: Cynthia Dobbins (410) 764-4766

[10-05-09]

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Hearing

Date and Time: March 25, 2010, 10 a.m. — 1 p.m.

Place: Department of Labor, Licensing, and Regulation, 500 N. Calvert St., 3rd Fl., Baltimore, MD

Contact: Benjamin Foster (410) 230-6229

[10-05-20]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Public Meeting

Date and Time: March 12, 2010, 9:30 — 11 a.m.

Place: Metro Executive Bldg., 4201 Patterson Ave., Baltimore, MD

Contact: Kim Mayer (410) 764-5996

[10-05-08]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting

Date and Time: April 5, 2010, 9:30 a.m. — 4 p.m.

Place: 500 N. Calvert St., Centre St., Entrance, 2nd Fl. Conf. Rm., Baltimore, MD

Contact: Robert Wood (410) 230-6195

[10-05-07]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting

Date and Time: March 11, 2010, 3 — 5 p.m.

Place: Howard County Police Dept., Community Rm., Howard Co., MD

Contact: Jessica Winpiger (410) 821-2829

[10-05-14]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting

Date and Time: March 15, 2010, 3 — 5 p.m.

Place: Loch Raven Library, Baltimore, MD

Contact: Jessica Winpiger (410) 821-2829

[10-05-15]

BOARD OF DIETETIC PRACTICE

Subject: Public Meeting

Date and Time: March 18, 2010, 12:30 — 5:30 p.m.

Place: 4201 Patterson Ave., Rms. 100/107, Baltimore, MD

Contact: Lenelle Cooper (410) 764-4733

[10-05-22]

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

[10-05-02]

DEPARTMENT OF EDUCATION/DIVISION OF REHABILITATION SERVICES

Subject: Public Meeting

Date and Time: March 23, 2010, 2 — 4 p.m.

Place: Western MD One-Stop Career Center, 14 N. Potomac St., Hagerstown, MD

Add'l. Info: The Maryland State Rehabilitation Council and the Maryland Division of Rehabilitation Services (DORS) invite people with disabilities, parents, educators, advocates, and others to public meetings to comment on the State's public vocational rehabilitation program and the State Plan for Vocational Rehabilitation. The State Plan assures that DORS operates in accordance with the federal Rehabilitation Act. The public can read in advance and comment about updates in the Division's policies and initiatives and the State Plan by visiting www.dors.state.md.us, by calling 410-554-9435, 1-888-554-0334 or TTY 410-554-9411, or by e-mailing dors@dors.state.md.us.

There will also be time for audience members to discuss other topics of concern. After each meeting, DORS staff will be on hand for individualized assistance. For directions or more information, or to arrange accommodations, visit www.dors.state.md.us, call

888-554-0334, or email dors@dors.state.md.us.

Sign language interpreters will attend each meeting. Contact DORS to request a foreign language interpreter. If local government closes that county's schools for inclement weather, the meeting will be canceled.

Address requests for copies of the State Plan for Vocational Rehabilitation Services as well as other inquiries to Kathi Santora, Staff Specialist, Public Information & Planning, 2301 Argonne Drive, Baltimore, MD 21218, 410-554-9435, 1-888-554-0334, or TTY 410-554-9411, ksantora@dors.state.md.us.

Contact: Kathi Santora (410) 554-9435

[10-05-18]

DEPARTMENT OF EDUCATION/DIVISION OF REHABILITATION SERVICES

Subject: Public Meeting

Date and Time: March 23, 2010, 2 — 4 p.m.

Place: Prince George's County Public Library, 15210 Annapolis Rd., Bowie, MD

Add'l. Info: The Maryland State Rehabilitation Council and the Maryland Division of Rehabilitation Services (DORS) invite people with disabilities, parents, educators, advocates, and others to public meetings to comment on the State's public vocational rehabilitation program and the State Plan for Vocational Rehabilitation. The State Plan assures that DORS operates in accordance with the federal Rehabilitation Act. The public can read in advance and comment about updates in the Division's policies and initiatives and the State Plan by visiting www.dors.state.md.us, by calling 410-554-9435, 1-888-554-0334, or TTY 410-554-9411, or by e-mailing dors@dors.state.md.us.

There will also be time for audience members to discuss other topics of concern. After each meeting, DORS staff will be on hand for individualized assistance. For directions or more information, or to arrange accommodations, visit www.dors.state.md.us, call 888-554-0334, or email dors@dors.state.md.us.

Sign language interpreters will attend each meeting. Contact DORS to request a foreign language interpreter. If local government closes that county's schools for inclement weather, the meeting will be canceled.

Address requests for copies of the State Plan for Vocational Rehabilitation Services as well as other inquiries to Kathi Santora, Staff Specialist, Public Information & Planning, 2301 Argonne Drive, Baltimore, MD 21218, 410-554-9435, 1-888-554-0334, or TTY 410-554-9411, ksantora@dors.state.md.us

Contact: Kathi Santora (410) 554-9435
[10-05-19]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Meeting
Date and Time: March 23, 2010, 9 a.m. — 5 p.m.; March 24, 2010, 9 a.m. — 12 p.m.

Place: Nancy S. Grasmick State Education Bldg., 200 W. Baltimore St., Baltimore, MD

Contact: Charlene L. Necessary (410) 767-0467

[10-05-05]

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

Subject: Public Meeting
Date and Time: March 4, 2010, 1 — 3 p.m.

Place: 653 W. Pratt St., Ste. 212, Baltimore, MD

Add'l. Info: The Statewide Emergency Medical Services Advisory Council meets regularly the 1st Thursday of each month.

Contact: Leandrea M. Gilliam (410) 706-4449

[10-05-12]

EMERGENCY MEDICAL SERVICES BOARD

Subject: Public Meeting
Date and Time: March 9, 2010, 9 — 11 a.m.

Place: 653 W. Pratt Street, Ste. 212, Baltimore, MD

Add'l. Info: The State Emergency Medical Services Board (EMS Board) meets regularly the 2nd Tuesday of each month. Part of the meeting may include a closed session.

Contact: Leandrea M. Gilliam (410) 706-4449

[10-05-13]

MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS (MISS)

Subject: Public Meeting
Date and Time: March 10, 2010, 10 a.m. — 12 p.m.

Place: 653 W. Pratt St., Ste. 212, Baltimore, MD

Add'l. Info: The Protocol Review Committee meets regularly the 2nd Wednesday of every other month.

Contact: Leandrea M. Gilliam (410) 706-4449

[10-05-28]

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: Leandrea M. Gilliam (410) 706-4449

[10-05-25]

BOARD FOR PROFESSIONAL ENGINEERS

Subject: Public Meeting
Date and Time: March 11, 2010, 9 a.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Pamela J. Edwards (410) 230-6263

[10-05-36]

DEPARTMENT OF THE ENVIRONMENT/LAND MANAGEMENT ADMINISTRATION

Subject: Public Meeting
Date and Time: March 4, 2010, 9:30 — 11:30 a.m.

Place: MDE, 1800 Washington Blvd., Aeris Conf. Rm., Baltimore, MD

Add'l. Info: Meeting of the Governor's Lead Poisoning Prevention Commission

Contact: Tracy Smith (410) 537-3847

[10-05-33]

DEPARTMENT OF THE ENVIRONMENT/LAND MANAGEMENT ADMINISTRATION

Subject: Public Meeting
Date and Time: March 11, 2010, 9 a.m. — 11:30 a.m.

Place: MDE, 1800 Washington Blvd., Potomac Conf. Rm., Baltimore, MD

Add'l. Info: Meeting of the Controlled Hazardous Substances Advisory Council

Contact: Ed Hammerberg (410) 537-3314

[10-05-34]

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

[10-05-10]

HOME IMPROVEMENT COMMISSION

Subject: Public Meeting
Date and Time: March 4, 2010, 10 a.m. — 12 p.m.

Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD

Contact: Steven Smitson (410) 230-6169

[10-05-27]

DEPARTMENT OF LABOR, LICENSING, AND REGULATION/DIVISION OF LABOR AND INDUSTRY/MARYLAND APPRENTICESHIP AND TRAINING COUNCIL

Subject: Public Meeting
Date and Time: March 9, 2010, 9 a.m. — 12 p.m.

Place: Washington, D.C. Electricians JATC, I.B.E.W. Local No. 26, 4371 Parliament Pl., Ste. A, Lanham, MD

Add'l. Info: The Apprenticeship and Training Council will consider the approval and registration of new apprenticeship programs, revisions to presently approved apprenticeship programs, and other business which may come before the Council.

Contact: Roger M. Lash, Jr. (410) 767-2246

[10-05-40]

DIVISION OF LABOR AND INDUSTRY/MARYLAND OCCUPATIONAL SAFETY AND HEALTH (MOSH) ADVISORY BOARD

Subject: Public Meeting
Date and Time: March 3, 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 issues relating to occupational safety and health. Interested persons should call the contact person to confirm the meeting.

Contact: Debbie Stone (410) 767-2225

[10-05-41]

STATE LABOR RELATIONS BOARD

Subject: Public Meeting on Regulations
Date and Time: March 23, 2010, 10 a.m. — 12 p.m.

Place: 839 Bestgate Rd., Ste. 400, MHEC Commission Rm., Annapolis, MD

Contact: Erica Snipes (410) 260-3216

[10-05-31]

BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

Subject: Public Meeting
Date and Time: March 15, 2010, 1:30 p.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Pamela J. Edwards (410) 230-6263

[10-05-37]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application

Add'l. Info: On February 8, 2010, the Maryland Health Care Commission (MHCC) received an application for Certificate of Need submitted by Anne Arundel Medical Center — Matter No. 10-02-2308 — Build out the 6th floor shell space approved in CON 04-02-2153 as a 30 bed medical/surgical unit. The proposed cost of the project is \$5,243,815.

The MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, and COMAR 10.24.01.

Any affected person may make a written request to the Commission to receive copies of relevant notices concerning the application. All further notices of proceedings on the application will be sent only to affected persons who have registered as interested parties. Please refer to the Matter No. listed above in any correspondence on the application. A copy of the application is available for review in the office of the MHCC, during regular business hours by appointment. All correspondence should be addressed to Pamela W. Barclay, Director, Center for Hospital Services, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.
Contact: Ruby Potter (410) 764-3276
[10-05-39]

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

[10-05-17]

MINORITY BUSINESS ENTERPRISE ADVISORY COMMITTEE

Subject: Public Meeting

Date and Time: March 17, 2010, 8:30 a.m. — 5 p.m.

Place: Harry R. Hughes Dept. of Transportation Bldg., 7201 Corporate Center Dr., 1st Fl., Richard Trainor Conf. Rm., Hanover, MD

Contact: Catherine Svoboda (410) 865-1357

[10-05-43]

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
[10-05-06]

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

[10-05-16]

BOARD OF PLUMBING

Subject: Public Meeting

Date and Time: March 18, 2010, 10:30 a.m. — 12:30 p.m.

Place: 500 N. Calvert St., Baltimore, MD

Contact: Brenda Clark (410) 230-6164
[10-05-11]

BOARD OF EXAMINERS OF PSYCHOLOGISTS

Subject: Public Meeting

Date and Time: March 19, 2010, 9 a.m. — 1 p.m.

Place: 4201 Patterson Ave., Conf. Rm. 110, Baltimore, MD

Add'l. Info: Sign language interpreters/other accommodations for qualified individuals with disabilities will be provided upon request.

Contact: Dorothy Kutcherman (410) 764-4703

[10-05-26]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting

Date and Time: April 6, 2010, 9 a.m. — 12 p.m.

Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD

Contact: Dennis L. Gring (410) 230-6224

[10-05-04]

RACING COMMISSION

Subject: Public Meeting

Date and Time: March 16, 2010, 12:30 — 1 p.m.

Place: Laurel Park, Laurel, MD

Contact: J. Michael Hopkins (410) 296-9682

[10-05-24]

BOARD OF SOCIAL WORK EXAMINERS

Subject: Public Meeting

Date and Time: March 12, 2010, 10 a.m. — 1 p.m.

Place: 4201 Patterson Ave., Baltimore, MD

Add'l. Info: The Board may discuss/vote on proposed regulations.

Contact: James T. Morrow (410) 764-4788

[10-05-21]

SUSQUEHANNA RIVER BASIN COMMISSION

Subject: Public Hearing

Date and Time: March 18, 2010, 8:30 a.m. — 12:30 p.m.

Place: Toftrees Golf Resort & Conference Center, One Country Club Lane, State College, PA

Add'l. Info: At the public hearing, the Commission will consider: 1) action on certain water resources projects; 2) action on one project involving a diversion; 3) compliance matters involving three projects; and 4) the rescission of a previous docket approval. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

Contact: Richard A. Cairo (717) 238-0423 x306

[10-05-44]

BOARD OF WELL DRILLERS

Subject: Public Meeting

Date and Time: March 24, 2010, 9 a.m. — 4 p.m.

Place: MDE, 1800 Washington Blvd., Terra Conf. Rm., Baltimore, MD

Add'l. Info: A portion of this meeting may be held in closed session.

Contact: Kathy Glass (410) 537-3597
[10-05-01]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting

Date and Time: March 11, 2010, 9 — 11 a.m.

Place: 10 E. Baltimore St., Baltimore, MD

Add'l. Info: A portion of this meeting may be held in a closed session.

Contact: Amy Lackington (410) 864-5300

[10-05-03]



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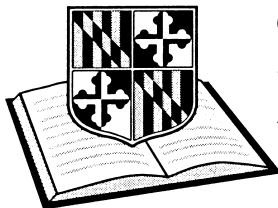
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