


Maryland Register

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Pursuant to State Government Article, §7-206, Annotated Code of Maryland, this issue contains all previously unpublished documents required to be published, and filed on or before March 19, 2012, 5 p.m.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 March 19, 2012.

Brian Morris
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
- 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

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 410-260-3876.

SUBSCRIPTION INFORMATION

For subscription forms for the Maryland Register and COMAR, see the back pages of the Maryland Register. Single issues of the Maryland Register are \$15.00 per issue.

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; **Brian Morris**, Acting Administrator; **Gail S. Klakring**, Senior Editor; **Mary D. MacDonald**, Editor, Maryland Register and COMAR; **Elizabeth Ramsey**, Editor, COMAR Online, and Subscription Manager; **Tami Cathell**, Help Desk, COMAR and Maryland Register Online.

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PERSONS WITH DISABILITIES

Individuals with disabilities who desire assistance in using the publications and services of the Division of State Documents are encouraged to call (410) 974-2486, or (800) 633-9657, or FAX to (410) 974-2546, or through Maryland Relay.

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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.

Availability of Monthly List of Maryland Documents

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

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

CLOSING DATES AND ISSUE DATES through JULY 27, 2012

Issue Date	Emergency and Proposed Regulations 5:00 p.m.*	Final Regulations 10:30 a.m.	Notices, etc. 10:30 a.m.
April 20	April 2	April 11	April 9
May 4	April 16	April 25	April 23
May 18	April 30	May 9	May 7
June 1**	May 14	May 21	May 18
June 15**	May 24	June 6	June 4
June 29	June 11	June 20	June 18
July 13**	June 25	July 3	July 2
July 27	July 9	July 18	July 16

* Due date for documents containing 8 to 18 pages — 48 hours before date shown

** Due date for documents exceeding 18 pages — 1 week before date shown

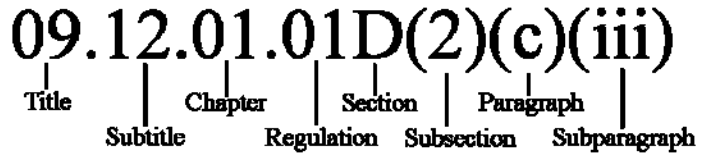
NOTE: ALL DOCUMENTS MUST BE SUBMITTED IN TIMES NEW ROMAN, 9-POINT, SINGLE-SPACED FORMAT. THE REVISED PAGE COUNT REFLECTS THIS FORMATTING.

** Note closing date changes

The regular closing date for Proposals and Emergencies is Monday.

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.



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.

03 COMPTROLLER OF THE TREASURY

- 03.01.02.02.,05 • 39:1 Md. R. 22 (1-13-12)
- 03.04.01.01 • 39:1 Md. R. 22 (1-13-12)
- 03.04.02.06 • 39:1 Md. R. 22 (1-13-12)
- 03.06.02.06 • 39:3 Md. R. 261 (2-10-12)
- 03.06.01.43 • 38:23 Md. R. 1425 (11-4-11)
- 03.06.01.44 • 38:13 Md. R. 758 (6-17-11)

07 DEPARTMENT OF HUMAN RESOURCES

- 07.02.14.01—.10 • 39:6 Md. R. 413 (3-23-12)
- 07.03.03.19 • 39:6 Md. R. 416 (3-23-12)
- 07.07.02.05 • 39:3 Md. R. 272 (2-10-12)

08 DEPARTMENT OF NATURAL RESOURCES

- 08.02.01.10 • 39:6 Md. R. 418 (3-23-12)

09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

- 09.03.12.01—12 • 38:21 Md. R. 1289 (10-7-11)
- 09.08.06.01.,02 • 38:26 Md. R. 1717 (12-16-11)
- 09.10.01.28 • 39:2 Md. R. 149 (1-27-12)
- 09.10.03.01.,04.,08 • 38:25 Md. R. 1600 (12-2-11)
- 09.12.28.01—.07 • 38:14 Md. R. 794 (7-1-11) (ibr)
 39:2 Md. R. 150 (1-27-12) (ibr)
- 09.19.07.01 • 39:2 Md. R. 153 (1-27-12)
- 09.20.01.03 • 39:1 Md. R. 26 (1-13-12)
- 09.20.04.01.,02 • 37:4 Md. R. 346 (2-12-10)
 38:3 Md. R. 176 (1-28-11)
- 09.24.01.09 • 39:2 Md. R. 154 (1-27-12)
- 09.24.01.10 • 39:2 Md. R. 155 (1-27-12)
- 09.32.01.18-1 • 39:1 Md. R. 27 (1-13-12)
- 09.32.01.18-3 • 39:1 Md. R. 28 (1-13-12)
- 09.34.05.01.,02 • 39:6 Md. R. 419 (3-23-12)
- 09.34.06.01—.13 • 39:6 Md. R. 419 (3-23-12)

- 09.34.07.01—.06 • 39:6 Md. R. 419 (3-23-12)
- 09.34.08.01—.10 • 39:6 Md. R. 419 (3-23-12)
- 09.34.09.01.,02 • 39:6 Md. R. 419 (3-23-12)
- 09.35.02.01—.03 • 39:3 Md. R. 272 (2-10-12)
- 09.35.03.01.,02 • 39:3 Md. R. 272 (2-10-12)
- 09.36.03.01 • 39:2 Md. R. 157 (1-27-12)
- 09.39.01 • 39:3 Md. R. 301 (2-10-12) (err)
- 09.39.01.01 • 39:2 Md. R. 158 (1-27-12)
- 09.40.01 • 39:3 Md. R. 301 (2-10-12) (err)
- 09.40.01.01.,02 • 39:2 Md. R. 159 (1-27-12)

10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitles 01 — 08 (1st Volume)

- 10.01.21.01—.07 • 38:20 Md. R. 1213 (9-23-11)
- 10.07.14.13.,24.,29 • 39:6 Md. R. 427 (3-23-12)

Subtitle 09 (2nd Volume)

- 10.09.04.01.,03 • 38:9 Md. R. 555 (4-22-11)
- 10.09.12.01.,04 • 39:1 Md. R. 28 (1-13-12)
- 10.09.12.07 • 39:1 Md. R. 29 (1-13-12)
- 10.09.37.01—.15 • 38:27 Md. R. 1771 (12-30-11)
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- 10.09.65.19.,19-3 • 39:1 Md. R. 38 (1-13-12)
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- 10.09.81.01—.46 • 39:2 Md. R. 162 (1-27-12)

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- 10.12.01.01—.20 • 39:1 Md. R. 46 (1-13-12)
- 10.18.08.11.,12 • 39:6 Md. R. 428 (3-23-12)
- 10.22.14.01—.12 • 39:2 Md. R. 178 (1-27-12)

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- 10.29.01.01.,10—.13 • 39:6 Md. R. 428 (3-23-12)

10.29.16.01,.02 • 39:6 Md. R. 428 (3-23-12)
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 10.34.18.01-1 • 39:2 Md. R. 189 (1-27-12)

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10.37.10.07-1 • 39:2 Md. R. 189 (1-27-12)
 10.38.10.01—07 • 38:23 Md. R. 1436 (11-4-11)
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 12.04.01.02,.04—12,.14—21 • 39:7 Md. R. 498 (4-6-12)
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 38:27 Md. R. 1786 (12-30-11) (err)

13A STATE BOARD OF EDUCATION

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 21.11.12.01—09 • 38:20 Md. R. 1249 (9-23-11)

**24 DEPARTMENT OF BUSINESS AND ECONOMIC
DEVELOPMENT**

24.05.03.01—15 • 39:6 Md. R. 448 (3-23-12)

26 DEPARTMENT OF THE ENVIRONMENT

Subtitles 08—12 (Part 2)

26.09.01.02 • 39:2 Md. R. 215 (1-27-12)
 26.09.02.05—09 • 39:2 Md. R. 215 (1-27-12)
 26.09.04.03,.05 • 39:2 Md. R. 215 (1-27-12)

Subtitles 13—18 (Part 3)

26.11.02.13 • 39:2 Md. R. 218 (1-27-12)
 26.16.01.02,.03,.11 • 38:27 Md. R. 1783 (12-30-11)
 26.16.02.03,.07 • 38:27 Md. R. 1783 (12-30-11)
 26.16.05.08 • 38:27 Md. R. 1783 (12-30-11)

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

27.01.10.01 • 39:6 Md. R. 459 (3-23-12)
 27.01.11.01—07 • 39:6 Md. R. 459 (3-23-12)
 27.01.12.01 • 39:6 Md. R. 459 (3-23-12)

31 MARYLAND INSURANCE ADMINISTRATION

31.10.01.01—03 • 38:24 Md. R. 1548 (11-18-11)
 31.12.08.04 • 38:17 Md. R. 1039 (8-12-11)
 31.12.08.04,.06 • 39:2 Md. R. 223 (1-27-12)

33 STATE BOARD OF ELECTIONS

33.04.02.01—03 • 39:7 Md. R. 502 (4-6-12)
 33.04.03.01 • 39:7 Md. R. 502 (4-6-12)
 33.08.04.05 • 39:7 Md. R. 503 (4-6-12)
 33.11.02.01 • 39:7 Md. R. 503 (4-6-12)
 33.13.08.02 • 39:7 Md. R. 504 (4-6-12)
 33.13.09.02 • 39:7 Md. R. 504 (4-6-12)
 33.13.11.01—04 • 38:26 Md. R. 1746 (12-16-11)
 33.15.03.06 • 39:7 Md. R. 503 (4-6-12)
 33.16.02.01 • 39:7 Md. R. 503 (4-6-12)
 33.16.05.03,.05 • 39:7 Md. R. 503 (4-6-12)

34 DEPARTMENT OF PLANNING

34.04.09.08 • 38:25 Md. R. 1669 (12-2-11)

The Governor

EXECUTIVE ORDER 01.01.2012.04

One Maryland — One Map: Maryland Integrated Map (Rescinds Executive Order 01.01.2009.20)

WHEREAS, The Maryland Integrated Map (MD iMap) is an enterprise statewide mapping system that supports the efforts of Maryland agencies and local governments in providing services to Marylanders and in tracking progress towards strategic policy goals;

WHEREAS, MD iMap is currently used to track economic and job growth; manage resources; educate the public; preserve and restore the natural environment; advance public health initiatives; ensure public safety; plan for emergency services; and support science and technology;

WHEREAS, MD iMap has a track record of success in assisting State agencies and local governments in their efforts to implement and coordinate policies and programs across Maryland, as well as in providing timely and accurate information about the State of Maryland to the public at large;

WHEREAS, The State of Maryland is home to a thriving geospatial services industry that operates within the private, nonprofit, and academic sectors and can greatly inform and assist with the State's efforts;

WHEREAS, The State of Maryland can make the operations of government more open and transparent and can promote economic activity by making geospatial data created by the public sector available to the public to the fullest extent possible consistent with privacy and security concerns; and

WHEREAS, To fully implement an effective MD iMap program, it is necessary to establish a more inclusive organizational structure with representatives from each level of government (State, regional, county, and municipal) and from various business sectors, thus broadening the pool of ideas that the State of Maryland can draw from as we continue to develop and improve MD iMap policies, procedures, standards, and guidance.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, HEREBY RESCIND EXECUTIVE ORDER 01.01.2009.20 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFECTIVE IMMEDIATELY:

A. Established. There is an Executive Committee to implement the Maryland Integrated Map (MD iMap). The Executive Committee is a subcabinet entity and shall advise the Governor on issues relating to MD iMap and geospatial policy.

B. Composition. The Executive Committee consists of the following members:

- (1) The Secretary of the Department of Agriculture or a designee;
- (2) The Secretary of the Department of Environment or a designee;
- (3) The Secretary of the Department of Natural Resources or a designee;
- (4) The Secretary of the Department of Planning or a designee;
- (5) The Secretary of the Department of Transportation or a designee;

(6) The Secretary of the Department of Housing and Community Development or a designee;

(7) The Secretary of the Department of Business and Economic Development or a designee;

(8) The Secretary of the Department of General Services or a designee;

(9) The State Superintendent of Education or a designee;

(10) The Secretary of the Department of Health and Mental Hygiene or a designee;

(11) The Secretary of the Department of Information Technology;

(12) The Secretary of the Department of Public Safety and Correctional Services or a designee;

(13) The Superintendent of the Maryland State Police or a designee;

(14) The Director of Assessments and Taxation or a designee;

(15) The Secretary of Budget and Management or a designee;

(16) The Adjutant General of the Military Department or a designee;

(17) The Director of the Maryland Emergency Management Agency or a designee;

(18) The Secretary of the Department of Labor, Licensing and Regulations or a designee;

(19) The Secretary of the Department of Human Resources or a designee;

(20) The Director of the Governor's StateStat Office;

(21) The Governor's Homeland Security Advisor;

(22) The Executive Director of the Governor's Office of Crime Control and Prevention or a designee;

(23) The Executive Director of the Maryland Institute for Emergency Medical Services Systems or a designee;

(24) The Governor may appoint as members of the Executive Committee five elected officials or employees from local government and/or public utilities who have knowledge and interest in geospatial data, technology, and policy. Such members shall serve at the pleasure of the Governor for up to two consecutive two-year terms. Some initial appointments will be for three years so that subsequent turnover will be staggered. One appointment will represent each of the following geographic regions:

(a) Western (Allegany, Frederick, Garrett, and Washington counties);

(b) Eastern (Eastern Shore including Cecil County);

(c) Southern (Anne Arundel, Calvert, Charles, and St. Mary's counties);

(d) Capital Region (Montgomery and Princes George's counties); and

(e) North/Central (Harford, Baltimore, Baltimore City, Carroll, and Howard counties);

(25) The Governor may appoint up to five members from the private, private utility, academic, and/or nonprofit sectors who have knowledge of and interest in geospatial data, technology, or policy. Such members shall serve at the pleasure of the Governor for up to two consecutive two-year terms. Some initial appointments will be for three years so that subsequent turnover will be staggered; and

(26) The Governor shall request a representative from the Federal Geographic Data Committee.

C. Executive Committee Leadership and Status.

(1) The Governor shall provide strategic direction to the Executive Committee.

(2) The Secretary of the Department of Information Technology shall chair the Executive Committee.

(3) The Director of the Governor's StateStat Office shall serve as vice chair of the Executive Committee.

D. Executive Committee Duties. The Executive Committee shall:

(1) Develop and/or approve MD iMap policies, procedures, and guidance;

(2) Respond to matters referred by the Technical Committee;

(3) Identify funding to support the MD iMap program, develop a budget that describes the collective cost of operating and investing in MD iMap, and provide advice to the Governor on budget matters;

(4) Promote the sharing of geospatial data and services among all participants in the MD iMap program while taking into account privacy and security concerns;

(5) Appoint and assign appropriate staff to oversee the development, maintenance, use, and promotion of the MD iMap program;

(6) Provide guidance to the Technical Committee on MD iMap policies, standards, and other deliverables; and

(7) Promote, advertise, and market the applications, capabilities, benefits, and results of the MD iMap program.

E. State Geographic Information Officer.

(1) There is a State Geographic Information Officer (GIO).

(2) The GIO shall be appointed by and serve at the pleasure of the Secretary of the Department of Information Technology.

(3) The GIO shall:

(a) Ensure that the MD iMap program supports the Governor's Policy Goals;

(b) Facilitate and coordinate the planning, implementation, and maintenance of the MD iMap program (including MD iMap policies and procedures);

(c) Develop, maintain, and operate an enterprise geospatial system, including the central store and catalog of MD iMap data and services available to agencies and the public;

(d) Recruit the Technical Committee membership;

(e) Appoint Technical Committee Chair(s);

(f) Provide oversight for the development of the MD iMap program;

(g) Establish and monitor MD iMap metrics;

(h) Establish and manage a MD iMap communications plan;

(i) Provide MD iMap education;

(j) Maintain a liaison relationship with State, regional, county, and municipal organizations;

(k) Promote, advertise, and market applications, capabilities, benefits, and results of the MD iMap program; and

(l) Assist in the identification and capturing of funding to support the MD iMap program.

F. Technical Committee.

(1) The Technical Committee shall consist of State agency personnel responsible for using and implementing MD iMap, local government, and private and nonprofit representatives in the field of geographical information systems.

(2) The Technical Committee shall:

(a) Facilitate the development of MD iMap contents, policies, and procedures;

(b) Establish and monitor MD iMap metrics;

(c) Provide staff support to workgroups;

(d) Provide MD iMap program status reports to the Executive Committee;

(e) Resolve issues identified by any work groups that have been established;

(f) Ensure consistency in any contents, policies and procedures developed by work groups;

(g) Submit MD iMap resources to the Executive Committee;

(h) Submit recommendations to the Executive Committee for changes, additions, or exceptions to MD iMap system infrastructure or data sets;

(i) Identify matters that need to be referred to the Executive Committee for resolution;

(j) Ensure the quality and timeliness of MD iMap resources;

(k) Review and provide advice on GIS-related projects to the Executive Committee or the GIO;

(l) Provide planning and oversight support for MD iMap GIS projects;

(m) Provide advice on GIS-related issues associated with MD iMap projects;

(n) Review MD iMap GIS projects to ensure that they conform to the MD iMap program policies;

(o) Promote, advertise, and market the applications, capabilities, benefits, and results of MD iMap; and

(p) Research new technologies.

G. Cooperation of State Agencies. All State departments, agencies, commissions, and boards are directed to cooperate with the Executive Committee, the GIO, and the Technical Committee in implementing the provisions of this Executive Order.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 13th Day of March, 2012.

MARTIN O'MALLEY
Governor

ATTEST:

JOHN P. MCDONOUGH
Secretary of State

[12-07-41]

The General Assembly

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.

SYNOPSIS NO. 6

House Bills

- HB1462** Del Haynes. Creation of a State Debt - Baltimore City - Miles Washington Family Support Center.
- HB1463** Del Griffith. Maryland Consolidated Capital Bond Loan of 2010 - Prince George's County - Prince George's VFD.
- HB1464** Del Conway. Video Lottery Terminals - Licensees - Operations.
- HB1465** Del Bohanan. Creation of a State Debt - St. Mary's County - Sotterley Plantation Post-Hurricane Restoration.
- HB1466** Del Barnes. Prince George's County - Domestic Violence - GPS Tracking System Pilot Program for Offenders.
- HB1467** Del McIntosh. Sustainable Communities - Financing and Designation.
- HB1468** Del Gaines, et al. Maryland Consolidated Capital Bond Loan of 2010 - Prince George's County - La Vida Sana (Healthy Living Farm).
- HB1469** Del McConkey. Criminal Law - Aggravated Animal Cruelty - Bait Dogs.
- HB1470** Del Cardin, et al. Elective Franchise - Registration and Voting at Early Voting Polling Places.
- HB1471** Del Glass. Vehicle Laws - Motorcycles - Expiration of Learner's Instructional Permit.
- HB1472** Del Carr. County Property Taxes - Classes of Property and Special Rates.
- HB1473** Del Morhaim. State Government - Repeat Audit Findings - Report of Corrective Actions.
- HB1474** Allegany County Delegation. Allegany County - Sheriff's Office Employees - Labor Organizations.
- HB1475** Del Clippinger. Criminal Procedure - Search Warrants - Application and Affidavit.
- HB1476** Del Rudolph. Maryland Consolidated Capital Bond Loan of 2010 - Cecil County - Lower Susquehanna Heritage Greenway.
- HB1477** Dels Niemann and McIntosh. Environment - Reduction of Lead Risk in Housing - Qualified Offer.
- HB1478** Del Jameson, et al. Video Lottery Terminals and Table Games - Expansion.

[12-07-44]

Senate Bills

- SB1093** Sen Dyson. Calvert County - County Commissioners - Pensions.
- SB1094** Sen Muse. Creation of a State Debt - Prince George's County - Forest Heights Town Hall Renovation.
- SB1095** Sens Gladden and Frosh. Child in Need of Supervision Pilot Program - Funding.
- SB1096** Sen Simonaire, et al. Criminal Law - Aggravated Animal Cruelty - Bait Dogs.
- SB1097** Sen Reilly. Water Pollution Control and Abatement - Coal Combustion By-Products and Water Pollutants.
- SB1098** Sen Conway. Baltimore City - Construction Debris and Demolition Debris - Recycling Lumber.
- SB1099** Sen Edwards. Allegany County - Sheriff's Office Employees - Labor Organizations.

[12-07-45]

The Judiciary

COURT OF APPEALS OF MARYLAND

DISCIPLINARY PROCEEDINGS

This is to certify that by an Order of this Court dated March 9, 2012, **STEPHEN JOSEPH TROESE**, 125 Island View Drive, Annapolis, Maryland 21401, has been disbarred by consent from the further practice of law in this State and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

* * * * *

This is to certify that by an Order of this Court dated March 16, 2012, **LAWRENCE MICHAEL HAMMOND**, 100 E. Pratt Street, 26th Floor, Baltimore, Maryland 21202, has been disbarred by consent from the further practice of law in this State and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-772(d)).

* * * * *

This is to certify that by an Order of this Court dated March 16, 2012, **ANDREW J. KLINE**, 1225 19th Street, NW, Suite 320, Washington, DC 20036, has been suspended for three (3) years, effective January 13, 2011, from the further practice of law in this State and his name as an attorney at law has been stricken from the register of attorneys in this Court (Maryland Rule 16-760e).

[12-07-40]

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, April 20, 2012, 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.

[12-07-39]

SCHEDULE

Wednesday, May 2, 2012

Bar Admissions

- AG 19 Attorney Grievance Commission of Maryland v. David Arthur Ross
No. 93 Anthony M. Frazier v. Castle Ford, Ltd., f/k/a Crystal Ford Isuzu, Ltd.
No. 117 Norman Iglehart and the Board of Education of Prince George's County v. Stephanie Lynn Marks-Sloan

Thursday, May 3, 2012

- No. 111 O'Brien Atkinson, IV, et al. v. Anne Arundel County, Maryland
No. 116 Pro-Football, Inc., t/a Washington Redskins, et al. v. Darnerien McCants
Misc. 14 Angela M. Anderson v. United States of America

Monday, May 7, 2012

- AG 47 Attorney Grievance Commission of Maryland v. Denese Dominguez
No. 108 State of Maryland v. Isaac Neger
No. 120 Millicent Sumpter v. Sean Sumpter

Tuesday, May 8, 2012

- No. 107 Maryland State Comptroller of the Treasury v. Brian Wynne, et ux.
No. 122 S&S Oil, Inc. v. Elaine W. Jackson
No. 123 Angel Ochoa v. Department of Corrections and Public Safety

On the day of argument, counsel are instructed to register in the Clerk's Office no later than 9:30 a.m. unless otherwise notified.

After May 8, 2012 the Court will recess until June 6, 2012.

BESSIE M. DECKER
Clerk

[12-07-46]

COURT OF SPECIAL APPEALS

SCHEDULE FOR MAY 1, 2, 3, 4, 7, 8, 9, 10, 11, 14, 15, 2012

Tuesday, May 1, 2012

Courtroom No. 1

- No. 02055/10 Sampson Sarpong vs. Fairwood Office Park, LLC
No. 02907/10 Neil J. Engelbrecht vs. State of Maryland
No. 01795/11* William Trout, II vs. Jennifer Rouse
No. 02348/10 Patricia Parks vs. Baltimore County, Maryland et al.
No. 01240/11 Daniel Shelton vs. State of Maryland
No. 00370/11 B.A., a minor by his parents and next friends, Bernell Ambris, Sr. and Janice Ambis vs. Prince George's County et al.

*8-207(a)

Courtroom No. 2

- No. 01716/10 Brian Johnson vs. State of Maryland
No. 00292/11 Anne Corley vs. Oxbow Condominium at Russett, Inc.
No. 02949/10 Dameon White vs. State of Maryland
No. 00191/11 Prince George's County Maryland et al vs. Roguelli Blue
No. 00133/11 Mark A. Kukucka vs. Mark W. Decker

Wednesday, May 2, 2012

Courtroom No. 1

- No. 00241/11 Chesapeake Industrial Leasing Company, vs. vs. Equipment Leasing Company
No. 01222/11* Mariel Fiat vs. Philippe Auffret
No. 00610/11 Kenneth Lamont Moore vs. State of Maryland
No. 00558/11* Christopher C. J. Ling vs. Suzanne E. A. Ling

THE JUDICIARY

488

No. 00265/11 VEI Catonsville, LLC. vs. Einbinder Properties, LLC

*8-207(a)

Courtroom No. 2

No. 00700/11 Andre Haines vs. State of Maryland
 No. 00432/11 Maryland Parole Commission vs. Harry V. Bailey
 No. 02439/10 Derrien Douglas vs. State of Maryland
 No. 00331/11 Bryan C. Hinebaugh vs. The Garrett County Memorial vs.
 No. 00436/11 Gilbert Monger, III vs. State of Maryland

Thursday, May 3, 2012

Courtroom No. 1

No. 00249/11 Barbara Ann Stewart vs. James Edward Stewart
 No. 01439/10 Ravi Gogna vs. Deborah Curran et al.
 No. 00140/11 Michael Allen Smith, Jr. vs. State of Maryland
 No. 02296/10 Marshall F. Metz vs. State of Maryland
 No. 02858/10 James E. Johnson et ux. vs. State Farm Mutual Automobile Insurance Company

Courtroom No. 2

No. 02618/10 Charles Nathaniel vs. Mayor and City Council of Baltimore
 No. 00252/11 Erie Insurance Co. vs. Towson Automotive et al.
 No. 00494/11 David Ghunaim vs. JPI Multifamily Investment LP et al.
 No. 00056/11 George W. Hammond et al. vs. John R. Davis, Jr. et al.
 No. 00309/11 Adeline Sturdivant et al. vs. Maryland Department of Health and Mental Hyiene
 No. 00949/11 Francisco Salgado vs. State of Maryland

Friday, May 4, 2012

Courtroom No. 1

No. 00220/11 Shaniece Latrice Banner vs. Mass Transit Administration
 No. 00017/11 Aleem Chaudry et al. vs. Shabeen Aulakh
 No. 02353/11* In Re: Adoption/Guardianship of India H.
 No. 02156/09 Joseph William Payne vs. Jason Bond vs. State of Maryland

*8-207(a)

Courtroom No. 2

No. 00091/11 Aurora Loan Services, LLC vs. CFG Community Bank f/k/a AmericasBank et al.
 No. 00530/11 Daniel J. Boehler vs. Cheryl Boehler
 No. 00721/11 Employee's Retirement System of Baltimore County, Maryland vs. Brian Rowe
 No. 00732/11 Tonia Taylor vs. Baltimore Police Department
 No. 00197/11 Seth D. Jedlicka vs. State of Maryland

Monday, May 7, 2012

Courtroom No. 1

No. 00074/11 Mohammad Hasnain vs. Martin L. Goozman et al. Substitute Trustees
 No. 02903/10 Desmond Harley vs. Jacob Geesing et al., Substitute Trustees
 No. 01238/11 Ideres Terell Barker vs. State of Maryland
 No. 00216/11 Robert M. Higginbotham, II vs. Maryland Public Service Commission
 No. 00408/11 Princeton Feaster vs. State of Maryland

Courtroom No. 2

No. 00208/11 Carmen N. Sanders vs. Solomons Two, LLC. et al.
 No. 00953/11 Travon David Davis vs. State of Maryland
 No. 02310/10 Wicomico County Bureau of Support Enforcement ex rel. Christy Hales vs. Errond B. Truitt, Jr.
 No. 00960/11* Victoria Gillespie vs. David Gillespie
 No. 00758/11 Gregory Alan Galasso, Jr. vs. State of Maryland
 No. 00673/11 Bryan Caldwell vs. State of Maryland

*8-207(a)

Tuesday, May 8, 2012

Courtroom No. 1

No. 00168/11 Washington Metropolitan Area Transit Authority vs. Monica Hodnett
 No. 01346/10 Roger Schneider et al. vs. Victoria Little
 No. 00214/11 Hector Butler, Jr. vs. S & S General Partnership et al.
 No. 00536/11 Bernard Dixon etc. et al. vs. Ford Motor Company
 No. 00276/11 Taquez Price vs. State of Maryland

Courtroom No. 2

No. 00392/11 Yiannes Kacoyianni vs. Susan Luongo
 No. 01870/11* In Re: Adoption/Guardianship of Elizabeth G. E. Jemal Cheatham vs. Eufalla Cheatham
 No. 00389/11 Shelton Burris a/k/a Tyrone Burris vs. State of Maryland
 No. 01970/10
 No. 00248/11 Lorraine Purnell-Ayres vs. State Farm Mutual Automobile Insurance Company etc. et al.

*8-207(a)

Wednesday, May 9, 2012

Courtroom No. 1

No. 00350/11 Long Green Valley Association et al. vs. Prigel Family Creamery et al.
 No. 02428/10 Derrell Washington-Coates vs. State of Maryland
 No. 00157/11 Roy Adler vs. State of Maryland
 No. 00550/11 Sherry Lawrence et vir. vs. Thomas Ein, M.D. et al.
 No. 00380/11 Lois Y. Saberg vs. State Department of Assessment and Taxation

Courtroom No. 2

No. 00270/11 Daniel Barufaldi vs. Ocean City, Maryland Chamber of Commerce, Inc. et al.
 No. 02375/10 Gerard E. Frailey, Jr. vs. City of Havre de Grace, Maryland et al.
 No. 02114/10 Brian Joseph Baynes vs. State of Maryland
 No. 00134/11 Lorena M. Walton vs. David P. Walton
 No. 00329/11 Diane Peroutka vs. Michael Peroutka

Thursday, May 10, 2012

Courtroom No. 1

No. 01380/10 Annapolis Roads Property Owners Association et al. vs. Thomas C. Lindsay, Sr. et al.
 No. 02852/10 Ebenezer United Methodist Church vs. Riverwalk Development Phase II, LLC
 No. 02894/10 Omar Vasquez vs. State of Maryland
 No. 00187/11 Gloria Dixon etc. et al. vs. State of Maryland
 No. 02986/10 Hollis Hay vs. Bryan James

Friday, May 11, 201

All cases submitted on brief

Courtroom No. 1

- No. 01503/11 In Re: Ryan W.
- No. 00598/11 Albert Marsico vs. Rose Isbell
- No. 01086/11 Abdrel E. Bamaca vs. State of Maryland
- No. 00060/11 Todd Wetzelberger et ux. vs. Thomas P. Dore et al. Trustees
- No. 00439/11 Dwayne Spence vs. State of Maryland
- No. 01152/11 Brian K. Kearsse vs. State of Maryland
- No. 00644/11 Melvin D. Williams vs. State of Maryland
- No. 00647/11 Nehru Massaih Ali vs. State of Maryland
- No. 00648/11 Dominic Jerome Barnes vs. State of Maryland

Courtroom No. 2

- No. 01146/11 William Paul Anthony vs. State of Maryland
- No. 00671/11 Sharone Newton vs. State of Maryland
- No. 01353/11 In Re: Andre L.
- No. 02288/10 Davonne Sydnor vs. State of Maryland
- No. 00061/11 Michael Thompson vs. Magdaline Biayemi Thompson
- No. 02800/10 Tony E. Mack vs. State of Maryland
- No. 02461/10 Kevin Ward vs. State of Maryland
- No. 02543/10 Thomas N. Tweh, III vs. State of Maryland
- No. 02577/10 Stanley L. Mell, Sr. vs. State of Maryland

Monday, May 14, 2012

All cases submitted on brief

Courtroom No. 1

- No. 01957/11* In Re: Trevonte B.
- No. 02452/10 Marion Blades vs. Norman Blades, Jr.
- No. 00616/11 Christopher Maurice Brooks vs. State of Maryland
- No. 00525/11 Bernard Delaney McCree, Jr. vs. State of Maryland
- No. 00717/11 Brian Louis Walker vs. State of Maryland
- No. 02532/10 Abert Opore vs. State of Maryland
- No. 00740/11 Alexander Sims vs. State of Maryland
- No. 00790/11 Richard A. Edwards vs. State of Maryland
- No. 02156/11* In Re: Alecia J.

*8-207(a)

Courtroom No. 2

- No. 00261/11 Michael David Harbin vs. State of Maryland
- No. 00459/11 Kenneth Perry vs. State of Maryland
- No. 00532/11 Steven Frederick Molin vs. State of Maryland
- No. 02927/10 Tyrone D. Butler vs. State of Maryland
- No. 00461/11 Christopher Muscelli vs. State of Maryland
- No. 00669/11 Rodriguez Purnell vs. State of Maryland
- No. 00518/11 Mohammed Koroma vs. State of Maryland
- No. 02300/10 Jeffrey Strickland vs. State of Maryland
- No. 01410/11 Rex Douglas Reece vs. State of Maryland
- No. 00868/11 William Leroy Forrester, Jr. vs. State of Maryland
- No. 00455/11 Joseph L. Brown, Jr. vs. State of Maryland
- No. 00870/11 Anthony Tyler vs. State of Maryland

Tuesday, May 15, 2012

All cases submitted on brief

Courtroom No. 1

- No. 00963/11 In Re: Yusuf J.
- No. 00537/11 Alan Billups vs. Patricia DaSilva
- No. 00983/11 Wilbert Clifton Harmon vs. State of Maryland
- No. 01175/10** David P. Olslund vs. Mary E. Olslund
- No. 03035/10** David Olslund, Sr. vs. Mary E. Olslund
- No. 00926/11 Michael Duvall vs. State of Maryland

- No. 00947/11 Paris Holloway Candis vs. State of Maryland
- No. 00972/11 Dionte Jerome Borges vs. State of Maryland
- No. 00980/11 Darnell Wesley Dupont, Jr. vs. State of Maryland
- No. 01042/11 Justin Cameron Tiller vs. State of Maryland

**Consolidated Cases

Courtroom No. 2

- No. 03055/10** In Re: Christopher G.
- No. 00916/11 Donte Christopher vs. State of Maryland
- No. 00653/11 Ange M. Ngimbi vs. State of Maryland
- No. 03036/10** In Re: Arick J.
- No. 00364/11 Ernest Tyndale vs. Baltimore City Police Department et al.
- No. 00463/11 Gregory Tooson vs. State of Maryland
- No. 00444/11 Tyrone Gray vs. State of Maryland
- No. 00254/11 Michael Parks vs. State of Maryland
- No. 00201/11 Robert D. Demby vs. State of Maryland
- No. 00428/11 In Re: Duquan B.
- No. 00869/11 Darren Maurice Boston vs. State of Maryland

**Consolidated Cases

On the day of argument, counsel are instructed to register in the Office of the Clerk no later than 9 a.m. The Court is located at 361 Rowe Boulevard, in the Robert C. Murphy Courts of Appeals Building. After May, 2012, the Court will recess until June, 2012.

LESLIE D. GRADET
Clerk

ADMINISTRATIVE ORDER

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

This directive applies only to cases scheduled in May, 2012.

Chief Judge's signature appears on original Administrative Order

Dated: March 23, 2012

[12-07-43]

Final Action on Regulations

Symbol Key

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

Title 07

DEPARTMENT OF HUMAN RESOURCES

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.09 Kinship Care Program

Authority: Family Law Article, §5-534, Annotated Code of Maryland

Notice of Final Action

[12-057-F]

On March 12, 2012, the Secretary of Human Resources adopted the repeal of existing Regulations **.01—****.08** under **COMAR 07.02.09 Kinship Care Program**. This action, which was proposed for adoption in 39:2 Md. R. 145 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THEODORE DALLAS
Secretary of Human Resources

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.12 Adoption

Authority: Education Article, §15-106.1; Human Services Article, §4-207; Family Law Article, Title 5, Subtitle 3, Subtitle 3A, Subtitle 3B, *Subtitle 4, Subtitle 4A*, 5-501, 5-524, 5-525, 5-525.1, 5-525.2 and 5-530; Annotated Code of Maryland; Ch. 444, Acts of 2007; 25 U.S.C. §§1901—1963, 42 U.S.C. §670 et seq.; 45 CFR 1356.40 and 1356.41

Notice of Final Action

[12-051-F]

On March 23, 2012, the Secretary of Human Resources adopted the repeal of existing Regulations **.01—****.21** and new Regulations **.01—****.09** under **COMAR 07.02.12 Adoption**. This action, which was proposed for adoption in 39:3 Md. R. 262—272 (February 10, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THEODORE DALLAS
Secretary of Human Resources

Subtitle 02 SOCIAL SERVICES ADMINISTRATION

07.02.25 LDSS Resource Home Requirements

Authority: Family Law Article, §5-501 et seq., Annotated Code of Maryland (Agency Note: Federal Regulatory Reference—45 CFR §§1355.20; 1355.38; 45 CFR §§1356.30, 42 USC §§671, 672)

Notice of Final Action

[11-335-F]

On March 23, 2012, the Secretary of Human Resources adopted amendments to existing Regulations **.01**, **.02**, **.08**, and **.09**, amendments to and the recodification of existing Regulations **.05—****.07-1**, **.12—****.20**, **.21**, and **.22** to be Regulations **.04—****.07**, **.13—****.21**, **.23**, and **.24**, the repeal of existing Regulations **.04** and **.10**, and new Regulations **.10**, **.12**, and **.22** under **COMAR 07.02.25 LDSS Resource Home Requirements**. This action, which was proposed for adoption in 38:26 Md. R. 1706—1717 (December 16, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THEODORE DALLAS
Secretary of Human Resources

Title 09 DEPARTMENT OF LABOR, LICENSING, AND REGULATION

Subtitle 12 DIVISION OF LABOR AND INDUSTRY

09.12.20 Occupational Safety and Health

Authority: Labor and Employment Article, §§2-106(b)(4), 5-212, 5-213, 5-312, and 5-702, Annotated Code of Maryland

Notice of Final Action

[12-043-F]

On March 19, 2012, the Commissioner of Labor and Industry adopted amendments to Regulation **.15** under **COMAR 09.12.20 Occupational Safety and Health**. This action, which was proposed for adoption in 39:2 Md. R. 149 — 150 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

J. RONALD DEJULIIS
Commissioner of Labor and Industry

Subtitle 28 BOARD OF EXAMINERS OF LANDSCAPE ARCHITECTS

09.28.03 Fees

Authority: Business Occupations and Professions Article, §§9-206 and 9-207, Annotated Code of Maryland

Notice of Final Action

[12-041-F]

On March 19, 2012, the Board of Examiners of Landscape Architects adopted amendments to Regulation .03 under **COMAR 09.28.03 Fees**. This action, which was proposed for adoption in 39:2 Md. R. 156 — 157 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

CHRISTOPHER SCHEIN
Board of Examiners of Landscape Architects

Title 10 DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Notice of Final Action

[12-033-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted:

(1) Amendments to Regulations .02 and .08 under **COMAR 10.05.01 General Requirements**; and

(2) Amendments to Regulations .01 and .24 and new Regulation .22 under **COMAR 10.07.01 Acute General Hospitals and Special Hospitals**.

This action, which was proposed for adoption in 39:2 Md. R. 160 — 161 (January 27, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: April 16, 2012.

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 .08D(1)(d)(i): To clarify the scope of the requirement of proposed COMAR 10.05.01.08D(1)(d) that a practitioner performance evaluation be performed by at least two members of the medical staff who are of the same specialty as the member of the medical staff under review, the language “as appropriate” is being added to mirror the statute’s language.

Subtitle 05 FREESTANDING AMBULATORY CARE FACILITIES

10.05.01 General Requirements

Authority: Health-General Article, §19-3B-01 et seq., Annotated Code of Maryland

.08 Quality Assurance Program.

A.—C. (proposed text unchanged)

D. *Practitioner Performance Evaluation in a Facility.*

(1) *The administrator shall ensure that the facility establishes a*

practitioner performance evaluation process that includes a review of care which shall:

(a)—(c) (proposed text unchanged)

(d) *Be conducted by at least two members of the medical staff who:*

(i) *[[Are]] As appropriate, are of the same specialty as the member of the medical staff under review; and*

(ii) (proposed text unchanged)

(2)—(3) (proposed text unchanged)

E.—G. (proposed text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.12 Disposable Medical Supplies and Durable Medical Equipment

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-129, Annotated Code of Maryland

Notice of Final Action

[11-357-F]

On March 16, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.09.12 Disposable Medical Supplies and Durable Medical Equipment**. This action, which was proposed for adoption in 38:25 Md. R. 1607 (December 2, 2011), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.18 Oxygen and Related Respiratory Equipment Services

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

Notice of Final Action

[11-356-F]

On March 16, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .03 under **COMAR 10.09.18 Oxygen and Related Respiratory Equipment Services**. This action, which was proposed for adoption in 38:25 Md. R. 1607 (December 2, 2011), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.18 Oxygen and Related Respiratory Equipment Services

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-129, Annotated Code of Maryland

Notice of Final Action

[12-006-F]

On March 27, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .04 under **COMAR 10.09.18 Oxygen and Related Respiratory Equipment**. This action, which was proposed for adoption in 39:1 Md. R. 30 (January 13, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.56 Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder

Authority: Health-General Article, §§2-104(b), 15-103, 15-105, and 15-130, Annotated Code of Maryland

Notice of Final Action

[12-009-F]

On March 27, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01, .02, .04—.08, .21, and .24 under **COMAR 10.09.56 Home and Community-Based Services Waiver for Children with Autism Spectrum Disorder**. This action, which was proposed for adoption in 39:1 Md. R. 36—38 (January 13, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 09 MEDICAL CARE PROGRAMS

10.09.64 Maryland Medicaid Managed Care Program: MCO Application

Authority: Health-General Article, §§15-102 and 15-103, Annotated Code of Maryland

Notice of Final Action

[12-040-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .02 under **COMAR 10.09.64 Maryland Medicaid Managed Care Program: MCO Application**. This action, which was proposed for adoption in 39:2 Md. R. 161 — 162 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 10 LABORATORIES

Notice of Final Action

[12-036-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted amendments to:

- (1) Regulation .03 under **COMAR 10.10.01 General**;
- (2) Regulation .01 under **COMAR 10.10.02 Medical Laboratories — General**;
- (3) Regulation .02 under **COMAR 10.10.03 Medical Laboratories — Licenses**; and
- (4) Regulations .02, .04, and .12 under **COMAR 10.10.06 Medical Laboratories — Quality Assurance**.

This action, which was proposed for adoption in 39:2 Md. R. 177—178 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 27 BOARD OF NURSING

10.27.26 Sanctioning Guidelines

Authority: Health Occupations Article, §§1-606, 8-205(a)(1), 8-316, 8-6A-10, and 8-6B-18, Annotated Code of Maryland

Notice of Final Action

[12-062-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted new Regulations .01—.07 under a new chapter, **COMAR 10.27.26 Sanctioning Guidelines**. This action, which was proposed for adoption in 39:2 Md. R. 181—188 (January 27, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: April 16, 2012.

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(6): Definition of “recklessly” is being added for clarification.

Regulation .07I: “Knowingly allowing” is being added to two sections for clarification.

.02 Definitions.

A. (proposed text unchanged)

B. *Terms Defined.*

(1)—(5) (proposed text unchanged)

(6) “Recklessly” means characterized by the creation of a substantial and unjustifiable risk of harm to others and by a conscious, sometimes deliberate, disregard for or indifference to that risk.

[(6)] (7) (proposed text unchanged)

.07 Sanctioning Guidelines.

Subject to the provisions of this chapter, the Board may impose sanctions for violations of the Maryland Nurse Practice Act and its regulations according to the guidelines set forth in the following categories:

A.—H. (proposed text unchanged)

I. Unauthorized Practice.

Severity	Tier/Conduct	Sanction Range		Monetary Penalty Range	
		Minimum	Maximum	Minimum	Maximum
Least	(1) (proposed text unchanged)				
to	(2) <u>[[An]] <i>Knowingly allowing an unauthorized individual who practices outside their scope of practice resulting in no client harm or minimal client harm</i></u>	Reprimand	Suspension for 2 years	Licensee \$1,000 Certificate Holder \$100	Licensee \$3,500 Certificate Holder \$350
	(3) <u>[[An]] <i>Knowingly allowing an unauthorized individual who practices outside their scope of practice resulting in greater than minimal client harm</i></u>	Probation for 5 years	Revocation	Licensee \$3,000 Certificate Holder \$300	Licensee \$5,000 Certificate Holder \$500
Greatest	(4) (proposed text unchanged)				

J.—M. (proposed text unchanged).

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 28 BOARD OF EXAMINERS IN OPTOMETRY

10.28.02 Continuing Education Requirements

Authority: Health Occupations Article, §§11-205 and 11-309, Annotated Code of Maryland

Notice of Final Action
[12-013-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .05 under **COMAR 10.28.02 Continuing Education Requirements**. This action, which was proposed for adoption in 39:1 Md. R. 52 (January 13, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.14 Opening and Closing of Pharmacies

Authority: Health Occupations Article, §12-205, Annotated Code of Maryland

Notice of Final Action
[12-059-F]

On March 27, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulation .01, adopted new Regulation .02, recodification of existing Regulations .02—.04 to be Regulations .03—.05, and amendments and recodification of existing Regulations .05 and .06 to be Regulations .06 and .07 under **COMAR 10.34.14 Opening and Closing of Pharmacies**. This action, which was proposed for adoption in 39:2 Md. R. 188—189 (January 27, 2012), has been adopted as proposed.

Effective Date: June 1, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 34 BOARD OF PHARMACY

10.34.28 Automated Medication Systems

Authority: Health Occupations Article, §§12-205(a) and 12-605, Annotated Code of Maryland

Notice of Final Action
[11-358-F]

On March 27, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01, .02, .04, and .09—.11, the repeal of existing Regulations .05—.08, new Regulations .05—.08 and .12, amendments to and recodification of existing Regulation .12 to be Regulation .13, and recodification of existing Regulation .13 to be Regulation .14 under **COMAR 10.34.28 Automated Medication Systems**. This action, which was proposed for adoption in 38:25 Md. R. 1611—1615 (December 2, 2011), has been adopted with the nonsubstantive changes shown below.

Effective Date: October 1, 2012.

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 .10A and B: The language was revised in each section to include “a related institution as defined in Health-General Article, §19-301, Annotated Code of Maryland, or a medical facility owned and operated by a group model health maintenance organization as defined in Health-General Article, §19.713.6, Annotated Code of Maryland,” to be consistent with the inclusion of these entities elsewhere in the chapter.

.10 Quality Assurance Program.

A. The responsible pharmacist, in consultation with the health care facility, a related institution as defined in Health-General Article, §19-301, Annotated Code of Maryland, or a medical facility owned and operated by a group model health maintenance organization as defined in Health-General Article, §19.713.6, Annotated Code of Maryland, shall develop, maintain, and review

annually a quality assurance program regarding the automated medication system that addresses, at minimum:

(1)—(13) (proposed text unchanged)

B. The responsible pharmacist, in consultation with the health care facility, a related institution as defined in Health-General Article, §19-301, Annotated Code of Maryland, or a medical facility owned and operated by a group model health maintenance organization as defined in Health-General Article, §19.713.6, Annotated Code of Maryland, shall develop, maintain, and review annually a quality assurance program regarding the remote or decentralized automated medication system that addresses, at a minimum, system override management to include:

(1)—(2) (proposed text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 40 BOARD OF PODIATRIC MEDICAL EXAMINERS

10.40.11 Sanctioning Guidelines

Authority: Health Occupations Article, §§1-606, 16-205, and 16-311, Annotated Code of Maryland

Notice of Final Action

[12-063-F]

On March 16, 2012, the Secretary of Health and Mental Hygiene adopted new Regulations .01 — .05 under a new chapter, COMAR 10.40.11 Sanctioning Guidelines. This action, which was proposed for adoption in 39:2 Md. R. 190 — 193 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 43 BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS

10.43.16 Sanctioning Guidelines

Authority: Health Occupations Article, §§1-606, 3-313, and 3-315, Annotated Code of Maryland

Notice of Final Action

[12-034-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted new Regulations .01—.06 under a new chapter, COMAR 10.43.16 Sanctioning Guidelines. This action, which was proposed for adoption in 39:2 Md. R. 195—200 (January 27, 2012), has been adopted with the nonsubstantive changes shown below.

Effective Date: April 16, 2012.

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 .02A(1), (2)(p), (3) and .03C: Corrected title of Maryland Chiropractic Act.

.02 Definitions.

A. (proposed text unchanged)

B. Terms Defined.

(1) "Board" means the Maryland State Board of Chiropractic and Massage Therapy [[Practice]] Examiners.

(2) "Conditions" means requirements in a public or nonpublic order that a licensee is required to satisfy which include but are not limited to:

(a)—(o) (proposed text unchanged)

(p) Obedience of Maryland Chiropractic [[and Massage Therapy Practice]] Act, federal, state, and local laws; and

(q) (proposed text unchanged)

(3) "Conduct" means behavior or action or a failure to behave or act that results in a violation of the Maryland Chiropractic [[and Massage Therapy Practice]] Act or the regulations adopted by the Board.

.03 Application.

A—B. (proposed text unchanged)

C. When conduct results in multiple violations of the Maryland Chiropractic [[and Massage Therapy Practice]] Act and the regulations adopted by the Board, the Board shall consider sanctions that are greater than those imposed for a single violation.

D.—K. (proposed text unchanged)

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 46 BOARD OF OCCUPATIONAL THERAPY PRACTICE

10.46.07 Sanctioning Guidelines

Authority: Health Occupations Article, §§1-606 and 10-315, Annotated Code of Maryland

Notice of Final Action

[12-035-F]

On March 26, 2012, the Secretary of Health and Mental Hygiene adopted new Regulations .01—.06 under new chapter, COMAR 10.46.07 Sanctioning Guidelines. This action, which was proposed for adoption in 39:2 Md. R. 200—205 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 54 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

Notice of Final Action

[11-325-F]

On March 16, 2012, the Secretary of Health and Mental Hygiene adopted:

(1) Amendments to Regulations .03, .04, and .07 under COMAR 10.54.01 Eligibility, Participation, and Benefits; and

(2) The repeal of existing Regulation .09, new Regulation .09, and amendments to Regulations .10 and .14 under COMAR 10.54.02 Local Agency.

This action, which was proposed for adoption in 38:24 Md. R. 1515 — 1517 (November 18, 2011), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Subtitle 56 BOARD OF DIETETIC PRACTICE

10.56.09 *Disciplinary Sanctions and Monetary Penalties*

Authority: Health Occupations Article, §§1-606, 5-205, 5-206, 5-311, and 5-311.1, Annotated Code of Maryland

Notice of Final Action [12-037-F]

On March 16, 2012, the Secretary of Health and Mental Hygiene adopted amendments to Regulations .01—.03, the repeal of existing Regulation .04, new Regulations .04 and .05, and the recodification of existing Regulation .05 to be Regulation .06 under **COMAR 10.56.09 Disciplinary Sanctions and Monetary Penalties**. This action, which was proposed for adoption in 39:2 Md. R. 206 — 207 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

JOSHUA M. SHARFSTEIN, M.D.
Secretary of Health and Mental Hygiene

Title 13A STATE BOARD OF EDUCATION

Subtitle 14 CHILD AND FAMILY DAY CARE

13A.14.06 Child Care Subsidy Program

Authority: Family Law Article, §§5-550, 5-551, and 5-573, Annotated Code of Maryland

Agency Note: Federal Regulatory Reference—45 CFR 98, 99

Notice of Final Action [12-024-F]

On March 13, 2012, the Interim State Superintendent adopted amendments to Regulations .02, .03, and .09 under **COMAR 13A.14.06 Child Care Subsidy Program**. This action, which was proposed for adoption in 39:2 Md. R. 212 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

BERNARD J. SADUSKY, Ed.D.
Interim State Superintendent of Schools

Title 14 INDEPENDENT AGENCIES

Subtitle 01 STATE LOTTERY AGENCY

Notice of Final Action [12-068-F]

On March 26, 2012, the Maryland State Lottery Agency adopted:
(1) Amendments to Regulation .03 under **COMAR 14.01.13 Facility Standards**;
(2) Amendments to Regulations .17 and .47 under **COMAR 14.01.14 Video Lottery Facility Minimum Internal Control Standards**; and
(3) Amendments to Regulations .03, .04, .08, and .09 and new Regulation .11 under **COMAR 14.01.16 Voluntary Exclusion and Responsible Gaming**.

This action, which was proposed for adoption in 39:3 Md. R. 298 — 300 (February 10, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

STEPHEN L. MARTINO
Maryland State Lottery Agency

Subtitle 09 WORKERS' COMPENSATION COMMISSION

14.09.01 Procedural Regulations

Authority: Labor and Employment Article, §§9-309, 9-701 and 9-722, Annotated Code of Maryland

Notice of Final Action [12-052-F]

On March 22, 2012, the Maryland Workers' Compensation Commission adopted an amendment to Regulation .19 under **COMAR 14.09.01 Procedural Regulations**. This amendment requires that certain additional information (date of disablement) be included in a settlement agreement so that the Commission may properly evaluate the proposed settlement. This action, which was proposed for adoption in 39:2 Md. R. 212 — 213 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

R. KARL AUMANN
Chairman
Workers' Compensation Commission

Title 26

DEPARTMENT OF THE ENVIRONMENT

Subtitle 11 AIR QUALITY

26.11.19 Volatile Organic Compounds from Specific Processes

Authority: Environment Article, §§1-101, 1-404, 2-101—2-103, 2-301—2-303, 10-102, and 10-103, Annotated Code of Maryland

Notice of Final Action

[11-345-F]

On March 26, 2012, the Secretary of the Environment adopted the repeal of existing Regulation .23 and new Regulation .23 under **COMAR 26.11.19 Volatile Organic Compounds from Specific Processes**. This action, which was proposed for adoption in 38:25 Md. R. 1659—1666 (December 2, 2011), has been adopted with the nonsubstantive changes shown below.

Effective Date: April 16, 2012.

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 26.11.19.23E(2)(a)(iii): Consistent with COMAR 26.11.19.23E(5)(b) of the proposed regulation, this change clarifies that the equation to be used to calculate the VOC content for cleaning solvents does not apply to cleaning solvents used for bug and tar removal. That subsection of the proposed regulation provides that bug and tar removal requirements are subject to the provisions of COMAR 26.11.32 Control of Emissions of Volatile Organic Compounds from Consumer Products. The provisions under COMAR 26.11.32 establish the standards and VOC content calculation for bug and tar removers.

.23 Control of VOC Emissions from Vehicle Refinishing.

A. —D. (proposed text unchanged)

E. *General Requirements and Standards.*

(1) (proposed text unchanged)

(2) *Calculation of VOC Content.*

(a) *For the purpose of determining compliance with the VOC content limits in §E(1) of this regulation, the VOC content of an automotive coating shall be determined by using the following procedures, as applicable:*

(i)—(ii) (proposed text unchanged)

(iii) *For the VOC content for cleaning solvents, other than for bug and tar removal, determine the VOC content in units of grams of VOC per liter of solvent using the following equation:*

$$VOC\ content = (W_v - W_w - W_{ec}) / (V_m)$$

Where:

VOC content (or actual) = grams of VOC per liter of coating;

W_v = weight of total volatiles, in grams;

W_w = weight of water, in grams;

W_{ec} = weight of exempt compounds, in grams;

V_m = volume of material (coating or cleaning solvent, including water, exempt compounds, and added solvent) in liters;

V_w = volume of water, in liters; and

V_{ec} = volume of exempt compounds, in liters;

(3) — (5) (proposed text unchanged)

F. — L. (proposed text unchanged)

ROBERT M. SUMMERS, Ph.D.
Secretary of the Environment

Title 31

MARYLAND INSURANCE ADMINISTRATION

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.18 Denials of Coverage Based on Medical Necessity

Authority: Insurance Article, §2-109 and Title 15, Subtitle 10A, Annotated Code of Maryland

Notice of Final Action

[12-031-F]

On March 13, 2012, the Insurance Commissioner adopted amendments to Regulations .02, .04 — .08, .11, and .12 and the repeal of Regulations .03, .09, .10, and .13 — .15 under **COMAR 31.10.18 Denials of Coverage Based on Medical Necessity**. This action, which was proposed for adoption in 39:2 Md. R. 219 — 221 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THERESE M. GOLDSMITH
Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.19 Independent Review Organizations and Medical Experts

Authority: Insurance Article, §§2-109, 15-10A-05, and 15-10A-09, Annotated Code of Maryland; Ch. 112, Acts of 1998

Notice of Final Action

[12-032-F]

On March 13, 2012, the Insurance Commissioner adopted amendments to Regulations .01, .02, .04, .06, and .07 under **COMAR 31.10.19 Independent Review Organizations and Medical Experts**. This action, which was proposed for adoption in 39:2 Md. R. 221 — 222 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THERESE M. GOLDSMITH
Insurance Commissioner

**Subtitle 10 HEALTH INSURANCE —
GENERAL**

**31.10.29 Complaint Process for Coverage
Decisions**

Authority: Insurance Article, §§15-10D-02(d) and 15-10D-04, Annotated
Code of Maryland

Notice of Final Action

[12-030-F]

On March 13, 2012, the Insurance Commissioner adopted amendments to Regulations **.02** and **.03** under **COMAR 31.10.29 Complaint Process for Coverage Decisions**. This action, which was proposed for adoption in 39:2 Md. R. 222 (January 27, 2012), has been adopted as proposed.

Effective Date: April 16, 2012.

THERESE M. GOLDSMITH
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 12

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Subtitle 04 POLICE TRAINING COMMISSION

Notice of Proposed Action

[11-271-R]

The Secretary of Public Safety and Correctional Services proposes to:

(1) Amend Regulations **.02**, **.04—12**, repeal existing Regulations **.14**, **.15**, **.17**, and **.20**, and recodify existing Regulations **.16**, **.18**, **.19**, and **.21** to be Regulations **.14**, **.15**, **.16**, and **.17** under **COMAR 12.04.01 General Regulations**;

(2) Amend Regulations **.01** — **.03** and repeal existing Regulations **.11** — **.13** under **COMAR 12.04.02 Firearms Training**;

(3) Amend Regulation **.01** and repeal existing Regulation **.06** under **COMAR 12.04.05 Electronic Control Device Training and Instructor Certification**; and

(4) Adopt new Regulations **.01** — **.18** under new chapter, **COMAR 12.04.06 Instructor Training and Certification**.

Because substantive changes have been made to the original proposal as published in 38:21 Md. R. 1297—1310 (October 7, 2011), this action is being repropose at this time.

This action was considered by the Police training Commission at a meeting held on January 10, 2012.

Statement of Purpose

The purpose of this action is to continue the intent of the action originally published with the following changes:

(1) Adding amendments to Regulation **.02** under **COMAR 12.04.01**;

(2) Adding language to previously proposed **COMAR 12.04.01.04**, and **.08** requiring eligibility to use or carry a firearm for a police officer applicant;

(3) Adding definitions to previously proposed **COMAR 12.04.06.01**; and

(4) Correcting outdated terminology used in previously proposed **COMAR 12.04.06.03**, **.12**, **.16** and **.17**.

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 Thomas C. Smith, Director, Policy and Process Review, Maryland Police and Correctional Training Commissions, 6852 4th Street Sykesville, MD 21784, or call 410-875-3605, or email to tcsmith@dpscs.state.md.us. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

Ed. Note: Pursuant to State Government Article, §10-113, Annotated Code of Maryland, if a promulgating agency substantively alters the text of regulations that have been previously proposed in the Maryland Register, the altered text must be published in the Maryland Register as though it were initially proposed. The text of regulations appearing immediately below has been altered substantively from the initially proposed text.

Symbols: Roman type indicates existing text of regulations. *Italic* type indicates initially proposed new text. **Helvetica Bold Italic** type indicates new text that substantively alters the text as initially proposed. [Single brackets] indicate existing text proposed for repeal. [[[Triple brackets]]] indicate text proposed for deletion which substantively alters the originally proposed text.

12.04.01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a); Annotated Code of Maryland

.02 General Requirements and Processing and Recording Employment Status.

A. — B. (text unchanged)

C. Notification of Change of Employment or Certification Status.

(1) An agency head shall notify the Commission in writing whenever a police officer:

(a) (text unchanged)

(b) Becomes ineligible under federal or Maryland law to possess or use a handgun;

[[[(b)]]] **(c)**— [[[(e)]]] **(f)** (previously proposed text unchanged)

(2) — (6) text unchanged)

.04 Selection Standards for Provisional Certification.

A. — C. (originally proposed text unchanged)

D. An individual may not be a police officer applicant, or maintain police officer certification, unless the individual is eligible under federal and Maryland law to possess and use a handgun.

[[[D.]]] **E.** — [[[J.]]] **K.** (previously proposed text unchanged)

.05 — .07 (originally proposed text unchanged)

.08 Selection Standards for Recertification as a Police Officer.

A. (originally proposed text unchanged)

B. Requirements for Recertification.

(1) Information to [[[(b)]]] **be** Obtained for a Recertification Applicant. An agency head, or a designee, shall obtain information for an applicant for recertification by performing:

(a) — (e) (originally proposed text unchanged)

[[[(f)]]] An investigation for prior use of controlled dangerous substances, narcotic drugs, and marijuana by the applicant as specified under Regulation .16 of this chapter; and]]

[[[(g)]]] **(f)** The physical and mental health examinations required under Regulation .04 of this chapter[[[.]]]; **and**

(g) An investigation:

(i) For prior use and other activities related to controlled dangerous substances, narcotic drugs, and marijuana by the applicant as specified under Regulation .19 of this chapter; and

(ii) To determine that an applicant is eligible under federal and Maryland law to possess and use a handgun under Regulation .04D of this chapter.

(2) (originally proposed text unchanged)

C. — E. (originally proposed text unchanged)

.09 — .17 (originally proposed text unchanged)

12.04.06 Instructor Training and Certification

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a), Annotated Code of Maryland

.01 Definitions.

A. (originally proposed text unchanged)

B. *Terms Defined.*

(1) (originally proposed text unchanged)

(2) Course of Fire.

(a) “Course of fire” means a sequence of activities related to the actual discharge of a firearm on a firing line for training or qualification.

(b) “Course of fire” does not include firearm classroom instruction.

[[[(2)]]] **(3)** — [[[(3)]]] **(4)** (originally proposed text unchanged)

(5) “Firearm” means a pistol, revolver, or long gun.

(6) Firearm Classroom Instruction.

(a) “Firearm classroom instruction” means training conducted in a traditional educational setting such as a room with desks, chairs, books, paper, and other educational tools or equipment.

(b) “Firearm classroom instruction” does not include training conducted on a firing line.

(7) “Firing line” means an area and position from which an individual actually discharges a firearm with live ammunition for firearms training or qualification, or both, as part of a course of fire.

(8) Firearms Training.

(a) “Firearms training” means a demonstration or an exercise, in addition to firearm classroom instruction, that is provided:

(i) By an individual certified under Regulation .12 of this chapter or COMAR 12.10.06 to perform firearm classroom instruction, conduct firearms training or qualification; and

(ii) To enhance understanding, proficiency, marksmanship, and other skills related to proper firearm use and tactics, such as movement, multiple targets, judgmental or decision training, and use of cover and concealment.

(b) “Firearms training” may include drills that involve discharging rounds of ammunition.

[[[(4)]]] **(9)** (originally proposed text unchanged)

(10) Handgun.

(a) “Handgun” has the meaning stated in Public Safety Article, §5-101, Annotated Code of Maryland.

(b) “Handgun” includes a:

(i) Pistol; and

(ii) Revolver.

[[[(5)]]] **(11)** (originally proposed text unchanged)

(12) “Judgmental or decision training” means instruction and skills development conducted in the classroom, using firearms simulation, or on a firing line, to enable an individual to:

(a) Differentiate between threat levels; and

(b) Respond appropriately to an identified threat.

[[[(6)]]] **(13)** — [[[(7)]]] **(14)** (originally proposed text unchanged)

(15) Optical Sighting Device.

(a) “Optical sighting device” means a mechanism that assists an individual in sighting a firearm.

(b) “Optical sighting device” does not include an iron sight.

(16) “Pistol” means a handgun that operates semi-automatically:

(a) Discharging a single round of ammunition with a pull of the trigger;

(b) Clearing the chamber of the spent casing; and

(c) Loading the next round of ammunition in the chamber.

(17) “Power” means a measurement used to describe levels of visual magnification, with a number representing the level of magnification above the normal visual range.

(18) “Qualification” as used in Regulations .12, .16, and .17 of this chapter means proficiency testing by discharging a firearm on a Commission-approved course

of fire to receive a score that the Commission measures against established requirements to determine if the individual meets provisions required under this chapter for certification as a Firearms Provisional Instructor, Line Instructor, or Firearms Instructor.

(19) Reduced Light.

(a) "Reduced light" means the normal outdoor lighting conditions that exist between dusk and dawn.

(b) "Reduced light" includes simulated natural outdoor lighting conditions such as:

(i) Artificial light; or

(ii) Goggles, headgear, or an apparatus worn to cover the eyes designed to reduce the availability of light to simulate natural reduced lighting conditions.

(20) "Revolver" means a handgun that:

(a) Fires a single round of ammunition with each pull of the trigger; and

(b) Has a cylinder containing additional rounds of ammunition that rotates to position the next round of ammunition for firing.

[[[(8)]]] (21) — [[[(10)]]] (23) (originally proposed text unchanged)

(24) "Type 1 long gun" means a long gun with an optical sighting device greater than 4 power intended for use as a counter-sniper firearm.

(25) "Type 2 long gun" means a long gun with an optical sighting device greater than 4 power intended for use other than as a counter-sniper firearm.

(26) "Type 3 long gun" means a long gun without an optical sighting device, or with an optical device of 4 power or less.

(27) Type 4 Long Gun.

(a) "Type 4 long gun" means a long gun manufactured and sold as a shotgun that is designed to discharge a single projectile or multiple projectiles from a single round of ammunition.

(b) "Type 4 long gun" includes a long gun manufactured and sold as a shotgun regardless of the:

(i) Action; or

(ii) Use of an optical sighting device.

.02 (originally proposed text unchanged)

.03 Selection Standards and Application.

A. Selection Standards for Instructor Certification.

(1) If an application is submitted to the Commission requesting certification of an individual for an instructor classification, at a minimum, the individual shall meet the following standards:

(a) Possess [[a high school diploma or GED certificate recognized by the State Board of Education;]] a:

(i) High school diploma issued by a high school or recognized by the State Board of Education; or

(ii) General Education Development (GED) certificate or diploma issued by Maryland or another state, or recognized by the State Board of Education.

(b) — (d) (originally proposed text unchanged)

B. — C. (originally proposed text unchanged)

.04 — .11 (originally proposed text unchanged)

.12 Certification — Firearms Provisional Instructor, Line Instructor, and Firearms Instructor.

A. Certification Requirements — General. A training authority may submit an application to the Commission for certification of an individual as a Firearms Provisional Instructor, Line Instructor, or Firearms Instructor when the individual meets the certification

requirements established under this regulation for the particular instructor classification and has:

(1) Two or more years employment as a law enforcement or correctional officer **within the last 5 years, during which employment the individual was authorized to use or carry a firearm for a minimum of 2 years;** and

(2) Within 60 days immediately before the date of the application for instructor certification, successfully completed the qualification course of fire required by §D(5) of this regulation for the **firearm** type [[of firearm]] for which the individual is requesting instructor certification.

B. Certification Requirements for Firearms Provisional Instructor; Line Instructor; and Firearms Instructor.

(1) (originally proposed text unchanged)

(2) Line Instructor Certification Requirements. Before an individual may be certified as a Line Instructor, the Commission requires, at a minimum, that the individual:

(a) — (c) (originally proposed text unchanged)

(d) Provided firearms firing line training and qualification instruction that is:

(i) — (iii) (originally proposed text unchanged)

(iv) Provided for the **firearm** type [[of firearm]] for which the individual is requesting Firearms Line Instructor certification.

(3) Firearms Instructor Certification Requirements. Before an individual may be certified as a Firearms Instructor, the Commission requires, at a minimum, that the individual:

(a) — (e) (originally proposed text unchanged)

(f) Is currently a Commission-certified Line Instructor, or a Commission-certified Firearms Provisional Instructor who has successfully provided firearms firing line training and qualification instruction that has been:

(i) — (iii) (originally proposed text unchanged)

(iv) Provided for the **firearm** type [[of firearm]] for which the individual is requesting Firearms Instructor certification.

C. — D. (originally proposed text unchanged)

.13 — .15 (originally proposed text unchanged)

.16 Instructor Certification Renewal Requirements for Instructor Classifications.

A. — C. (originally proposed text unchanged)

D. The following table provides the minimum requirements for an individual's certification renewal of the instructor classifications indicated:

Instructor Classification	Minimum Requirements for Certification Renewal
(1)—(2) (originally proposed text unchanged)	
(6) Line Instructor	The individual is required: (a) Within 60 days immediately preceding submission of the application for renewal to the Commission, to have successfully completed the firearms qualification course of fire requirements under Regulation .12 of this chapter for the firearm type [[of firearm]] for which the individual is seeking certification renewal; and (b) (originally proposed text unchanged)

(7) <i>Firearms Instructor</i>	<i>The individual is required:</i> <i>(a) Within 60 days immediately preceding submission of the application for renewal to the Commission, to have successfully completed the firearms qualification course of fire requirements under Regulation .12 of this chapter for the firearm type [[[of firearm]]] for which the individual is seeking certification renewal; and</i> <i>(b) (originally proposed text unchanged)</i>
(8)—(9) (originally proposed text unchanged)	

		(b) (originally proposed text unchanged)
(12)—(14) (originally proposed text unchanged)		

.18 (originally proposed text unchanged)

GARY D. MAYNARD
Secretary of Public Safety and Correctional Services

Subtitle 04 POLICE TRAINING COMMISSION

12.04.01 General Regulations

Authority: Correctional Services Article, §2-109; Public Safety Article, §3-208(a), Annotated Code of Maryland

Notice of Proposed Action [12-090-P]

The Secretary of Public Safety and Correctional Services, in cooperation with the Police Training Commission, proposes to amend Regulation .11 under **COMAR 12.04.01 General Regulations**. This action was considered by the Police Training Commission at a public meeting held on January 10, 2012.

Statement of Purpose

The purpose of this action is to correct existing language by specifying that an individual who is not a police officer is eligible to voluntarily attend Commission-approved entrance-level law enforcement training.

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 Thomas C. Smith, Director, Policy and Process Review, Maryland Police and Correctional Training Commissions, 6852 4th Street, Sykesville, MD 21784, or call 410 875 3605, or email to tcsmith@dpscs.state.md.us. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by Police Training Commission during a public meeting to be announced.

.11 Voluntary Attendance at an Entrance-Level Training Program.

A. An individual *who is not* employed as a police officer by a law enforcement agency may attend Commission-approved entrance-level training on a voluntary basis if the individual requesting to attend:

- (1) — (2) (text unchanged)
- B. — E. (text unchanged)

GARY D. MAYNARD
Secretary of Public Safety and Correctional Services

.17 Term of Instructor Certification and Limitations on Instruction.
A. (originally proposed text unchanged)
B. *The following table establishes for each instructor classification:*
(1)—(2) (originally proposed text unchanged)

<i>Instructor Classification</i>	<i>Term of Certification</i>	<i>Limitations on Instruction that May Be Provided</i>
(1)—(8) (originally proposed text unchanged)		
(9) <i>Firearms Provisional Instructor</i>	<i>1 year, and may be renewed with the approval of the Deputy Director.</i>	<i>(a) Instructional authority is limited to providing, for the firearm type [[[of firearm]]] with which the individual is qualified under Regulation .12 of this chapter, while in the presence of a supervising Firearms Instructor:</i> <i>(i)—(iii) (originally proposed text unchanged)</i> <i>(b) (originally proposed text unchanged)</i>
(10) <i>Line Instructor</i>	<i>Up to 4 years, and may be renewed.</i>	<i>(a) Instructional authority is limited to providing, for the firearm type [[[of firearm]]] with which the individual is qualified under Regulation .12 of this chapter, firearms training and qualification course of fire. In addition, the individual may provide, for the firearm type [[[of firearm]]] with which the individual is qualified under Regulation .12 of this chapter, firearms classroom instruction while in the presence of a supervising Firearms Instructor.</i> <i>(b) (originally proposed text unchanged)</i>
(11) <i>Firearms Instructor</i>	<i>Up to 4 years, and may be renewed.</i>	<i>(a) Instructional authority is limited to providing firearms classroom instruction, firearms training and qualification course of fire for the firearm type [[[of firearm]]] with which the individual is qualified under Regulation .12 of this chapter.</i>

Title 21
STATE PROCUREMENT
REGULATIONS

Subtitle 11 SOCIOECONOMIC
POLICIES

21.11.11 Prevailing Wage — Contracts for
Public Works

Authority: State Finance and Procurement Article, §17-204(a), Annotated Code of Maryland

Notice of Proposed Action
[12-094-P]

The Commissioner of Labor and Industry proposes to adopt new Regulation .04 and recodify existing Regulations .04 and .05 to be Regulations .05 and .06 under **COMAR 21.11.11 Prevailing Wage — Contracts for Public Works**.

Statement of Purpose

The purpose of this action is to allow an employer to offset the amount of bona fide fringe benefits paid against the basic wage rate if the bona fide fringe benefit amount exceeds the fringe benefit rate in the prevailing wage determination. This action also provides that an employer with bona fide fringe benefits that are not equal to or more than the prevailing wage bona fide fringe benefit amount must pay the difference to the employee in basic wages.

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 Debbie Stone, Regulations Coordinator, Department of Labor, Licensing, and Regulation, Division of Labor and Industry, 1100 N. Eutaw Street, Room 606, Baltimore, Maryland 21201, or call 410-767-2225, or email to dstone@dllr.state.md.us, or fax to 410-767-2986. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

.04 Bona Fide Fringe Benefits.

A. If the amount of bona fide fringe benefits paid by an employer exceeds the bona fide fringe benefits rate in a prevailing wage determination, an employer may credit, up to 20 percent of the basic rate, the amount of excess bona fide fringe benefits against the basic wage rate.

B. If the employer does not have a bona fide fringe benefit amount equal to or more than the prevailing wage bona fide fringe benefit amount, the employer shall pay the difference to the employee in basic wages.

C. If a credit of bona fide fringe benefits is applied pursuant to this subsection, the total wages shall equal or exceed the prevailing wage rate.

J. RONALD DEJULIIS
Commissioner of Financial Regulation

Title 33
STATE BOARD OF
ELECTIONS

Subtitle 04 INSPECTION AND
COPYING OF PUBLIC RECORDS

Notice of Proposed Action
[12-091-P]

The State Board of Elections proposes to amend:

- (1) Regulations .01 — .03 under **COMAR 33.04.02 Confidentiality of Certain Information**; and
- (2) Regulation .01 under **COMAR 33.04.03 Requests from Correctional Facilities**.

This action was considered by the State Board of Elections at its January 26, 2012, meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to protect from disclosure certain information of voters that has been designated confidential.

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 Nikki Baines Trella, Election Reform Director, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401-0486, or call 410-269-2843, or email to ntrella@elections.state.md.us, or fax to 410-974-2019. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

33.04.02 Confidentiality of Certain Information

Election Law Article, §§2-102(b)(4) and 3-506(a)(2); State Government Article, §§10-613(b) and 10-615(2)(i); Annotated Code of Maryland

.01 Purpose.

This chapter sets out the procedures for when and how residence addresses [and], telephone numbers, *and email addresses*, as contained in registration records, certificates of candidacy, or statements of organization to form a campaign finance entity, may be designated as confidential and precluded from disclosure under the State Public Information Act, State Government Article, Title 10, Subtitle 6, Part III, Annotated Code of Maryland, or **COMAR 33.04.03**.

.02 Persons Entitled to Seek Confidentiality.

A. In General. The categories of individuals who may request to have their residence addresses [and], telephone numbers, *and email addresses* designated as confidential are as provided in this regulation.

B. — D. (text unchanged)

E. Others. Subject to appropriate documentation satisfactory to the local board, an individual may request confidentiality on the grounds that the disclosure of the individual's residence address [or], telephone number, *or email address*:

(1) — (2) (text unchanged)

.03 Applications.

A. Form.

(1) A person seeking to keep the person's residence address [and], telephone number, *and email address* of a record confidential shall apply in writing on a form approved by the State Administrator.

(2) The form shall be filed:

(a) At the appropriate local board if the applicant wishes to keep the applicant's residence address [and], telephone number, *and email address* provided on a voter registration application confidential; or

(b) At the State or local board at which the applicant filed the certificate of candidacy or statement of organization if the applicant wishes to keep the applicant's residence address [or], telephone number, *or email address* provided on a certificate of candidacy or statement of organization confidential.

B. (text unchanged)

33.04.03 Requests from Correctional Facilities

Election Law Article, §§2-102(b)(4) and 3-506(a)(2); State Government Article, §§10-613(b) and 10-615(2)(i); Annotated Code of Maryland

.01 Purpose.

An inmate of a correctional facility has the same right of access to public information as any other individual. In some cases, however, revealing to an inmate the [home] *residence* address [or], telephone number, *or email address* contained on a voter registration application, certificate of candidacy, or statement of organization to form a campaign finance entity could pose a threat to the safety of the registered voter or candidate. Accordingly, special scrutiny must be given to any request that originates from a correctional facility. This chapter sets out the procedures to be followed in these cases.

LINDA H. LAMONE
State Administrator of Elections

Notice of Proposed Action

[12-092-P]

The State Board of Elections proposes to amend:

- (1) Regulation **.05** under **COMAR 33.08.04 Central Count Procedures**;
- (2) Regulation **.01** under **COMAR 33.11.02 Applications**;
- (3) Regulation **.06** under **COMAR 33.15.03 Polling Places**;
- (4) Regulation **.01** under **COMAR 33.16.02 Provisional Voting Documents and Supplies**; and
- (5) Regulations **.03** and **.05** under **COMAR 33.16.05 Canvass of Ballots — Procedures**.

This action was considered by the State Board of Elections at its January 26, 2012, meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to clarify when certain voters may be reassigned to another polling place, remove outdated provisions and references, and correct references to other COMAR provisions.

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 Nikki Baines Trella, Election Reform Director, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401-0486, or call 410-269-2843, or email to ntrella@elections.state.md.us, or fax to 410-974-2019. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

Subtitle 08 CANVASSING

33.08.04 Central Count Procedures

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), and 11-201, Annotated Code of Maryland

.05 Ballot Duplication.

A. (text unchanged)

B. Standard for Duplicating. [The] *When determining the intent of the voter who cast the original ballot, the ballot duplicating team shall [ensure that any duplicate ballot reflects, insofar as the team can determine, the intent of the voter who cast the original ballot] use the standards in COMAR 33.08.02.*

C. (text unchanged)

Subtitle 11 ABSENTEE BALLOTS

33.11.02 Applications

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-303, 11-301, and 11-302, Annotated Code of Maryland

.01 In General.

A. — E. (text unchanged)

F. Duration of Absentee Ballot Application.

[(1) Except as provided in §F(2) of this regulation, an] *An absentee ballot application shall only apply to the elections specified by the voter but shall be limited to the upcoming primary and general election and any special election within the calendar year in which the primary and general election occurs.*

[(2) An absentee ballot application submitted for the 2008 elections by an absent uniformed services voter or overseas voter shall be considered an absentee ballot application for the 2010 elections unless:

- (a) The voter notifies the local board that the voter no longer wishes to be registered to vote in Maryland;
- (b) The local board determines that the voter has registered to vote in another State or is no longer qualified to vote;
- (c) The voter requested that an absentee ballot not be sent for the 2010 elections; or
- (d) The voter is in inactive status.]

Subtitle 15 PRECINCTS, POLLING PLACES, AND FACILITIES

33.15.03 Polling Places

Authority: Election Law Article, §§2-102(b)(4) and 2-202(b), Annotated Code of Maryland

.06 Reassignments — Spouse or Helper of Elderly Voter or [Disabled] Voter with a Disability.

A. (text unchanged)

B. Right to Reassignment. [If an elderly voter or voter with a disability is reassigned to a new polling place under Election Law Article, §10-102, Annotated Code of Maryland, the] A voter’s spouse or helper[, if registered to vote in the same county as the voter, is entitled to] *may* be reassigned to the [same new] *voter’s* polling place if the *spouse or helper is registered to vote in the same county as the voter and the voter’s* [new] polling place [has the same] *will have available the helper’s* ballot style [as the polling place originally assigned to the spouse or helper].

C. — D. (text unchanged)

Subtitle 16 PROVISIONAL VOTING

33.16.02 Provisional Voting Documents and Supplies

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-402, 9-403, and 11-303(c) and (e), Annotated Code of Maryland

.01 Provisional Ballot Application.

A. Provisional Ballot Application. Except as required in Regulation .02 of this chapter, the provisional ballot application shall include:

(1) — (2) (text unchanged)

(3) Instructions on:

(a) — (b) (text unchanged)

(c) The free access system required by State and federal law and COMAR [33.16.06.04] 33.16.07.04; and

(d) (text unchanged)

(4) (text unchanged)

B. — C. (text unchanged)

33.16.05 Canvass of Ballots — Procedures

Authority: Election Law Article, §§2-102(b)(4), 2-202(b), 9-402, 9-403, and 11-303(c) and (e), Annotated Code of Maryland

.03 Disposition of Provisional Ballot Application.

A. — B. (text unchanged)

C. Acceptance of Provisional Ballot Application. The local board shall accept a provisional ballot application only if:

(1) — (2) (text unchanged)

(3) A voter who was required under COMAR [33.01.06] 33.07.06 to provide personal identification information satisfied the identification requirement before the start of the provisional canvass;

(4) — (7) (text unchanged)

D. — E. (text unchanged)

.05 Opening and Ballot Tabulation.

A. (text unchanged)

B. If the local board accepts a provisional ballot application or an absentee ballot being canvassed as a provisional ballot, the ballot shall be removed from the envelope consistent with COMAR [33.11.04.10] 33.11.04.05 with special consideration given to the fact

that the voter’s personal identification information may be contained inside the envelope with the ballot.

C. — E. (text unchanged)

LINDA H. LAMONE
State Administrator of Elections

Subtitle 13 CAMPAIGN FINANCING

Notice of Proposed Action

[12-093-P]

The State Board of Elections proposes to amend:

(1) Regulation .02 under COMAR 33.13.08 **Independent Expenditure Requirements**; and

(2) Regulation .02 under COMAR 33.13.09 **Electioneering Communication Requirements**.

This action was considered by the State Board of Elections at its January 26, 2012, meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

Statement of Purpose

The purpose of this action is to define how certain notification requirements are met and make other correcting changes.

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 Nikki Baines Trella, Election Reform Director, State Board of Elections, P.O. Box 6486, Annapolis, MD 21401-0486, or call 410-269-2843, or email to ntrella@elections.state.md.us, or fax to 410-974-2019. Comments will be accepted through May 7, 2012. A public hearing has not been scheduled.

33.13.08 Independent Expenditure Requirements

Election Law Article, §§2-102(b)(4) and 13-306(l), Annotated Code of Maryland

.02 Registration.

A. (text unchanged)

B. Notice Requirements. The registration notice shall consist of the following information:

(1) — (6) (text unchanged)

(7) If the person is an entity, whether the person:

(a) Will notify its shareholders, members, or donors of the [electioneering communications] *independent expenditure* disbursements by regular, periodic reports issued by the entity or hyperlink on the entity’s Internet homepage; or

(b) (text unchanged)

C. *Requirements for Shareholders’, Members’, or Donors’ Notification. If the person will provide the notification in §B(7)(a) of this regulation:*

(1) *The text reporting the independent expenditure disbursements must be in at least 10-point type; or*

(2) *The required hyperlink shall be labeled “Independent Political Spending”.*

[C.] D. (text unchanged)

33.13.09 Electioneering Communication Requirements

Election Law Article, §2-102(b)(4), and Title 13, Subtitle 4, Part I, Annotated Code of Maryland

.02 Registration.

A. — B. (text unchanged)

C. *Requirements for Shareholders’, Members’, or Donors’ Notification. If the person will provide the notification in §B(6)(a) of this regulation:*

(1) *The text reporting the electioneering communications disbursements must be in at least 10-point type; or*

(2) *The required hyperlink shall be labeled “Independent Political Spending”.*

[C.] D. (text unchanged)

LINDA H. LAMONE
State Administrator of Elections

Errata

COMAR 26.11.19.23

At 38:25 Md. R. 1664 (December 2, 2011), column 1, line 9 from the bottom:

For: *(a) For the purpose of determining compliance with the*
 Read: *For the purpose of determining compliance with the*

At 38:25 Md. R. 1664 (December 2, 2011), column 1, line 5 from the bottom:

For: *(i) For the VOC regulatory content for coatings,*
 Read: *(a) For the VOC regulatory content for coatings,*

At 38:25 Md. R. 1664 (December 2, 2011), column 2, line 1 from the top:

For: *(ii) For the VOC actual content for coatings, determine*
 Read: *(b) For the VOC actual content for coatings, determine*

At 38:25 Md. R. 1664 (December 2, 2011), column 2, line 6 from the top:

For: *(iii) For the VOC content for cleaning solvents,*
 Read: *(c) For the VOC content for cleaning solvents,*

At 38:25 Md. R. 1664 (December 2, 2011), column 2, line 7 from the bottom:

For: *by weight as set forth in COMAR 26.1.32.04B.*
 Read: *by weight as set forth in COMAR 26.11.32.04B.*

[12-07-54]

COMAR 33.01.01

At 38:23 Md. R. 1468 (November 4, 2011), column 2, line 6 from the bottom:

For: 31.01.01 Definitions
 Read: 33.01.01 Definitions

COMAR 33.07.07

At 38:23 Md. R. 1469 (November 4, 2011), column 1, line 28 from the top:

For: *31.07.07 Challengers or Watchers*
 Read: *33.07.07 Challengers or Watchers*

[12-07-31]

Special Documents

DEPARTMENT OF THE ENVIRONMENT

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in "DATES."

DATE: January 1, 2012, through January 31, 2012.

ADDRESS: Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net. Regular mail inquiries may be sent to the above address.

SUPPLEMENTARY INFORMATION: This notice lists the projects, described below, receiving approval for the consumptive use of water pursuant to the Commission's approval by rule process set forth in 18 CFR §806.22(f) for the time period specified above:

Approvals By Rule Issued Under 18 CFR §806.22(f):

Chief Oil & Gas, LLC, Pad ID: Kaufmann Drilling Pad #1, ABR-201201001, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 4, 2012.

Cabot Oil & Gas Corporation, Pad ID: MacDowallR P1, ABR-201201002, Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: January 4, 2012.

Chief Oil & Gas, LLC, Pad ID: Yoder Drilling Pad #1, ABR-201201003, Leroy Township, Bradford County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Redbone, ABR-201201004, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Raimo, ABR-201201005, Monroe Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Kathryn, ABR-201201006, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Fox, ABR-201201007, Mehoopany Township, Wyoming County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Ridenour, ABR-201201008, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Chesapeake Appalachia, LLC, Pad ID: Elwell, ABR-201201009, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 4, 2012.

Citrus Energy Corporation, Pad ID: Macialek 1 Pad, ABR-201201010, Washington Township, Wyoming County, Pa.;

Consumptive Use of Up to 5.000 mgd; Approval Date: January 6, 2012.

Southwestern Energy Production Company, Pad ID: FLICKS RUN, ABR-201201011, Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 9, 2012.

Southwestern Energy Production Company, Pad ID: CHILSON-JENNINGS, ABR-201201012, Herrick Township, Bradford County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 9, 2012.

Chief Oil & Gas, LLC, Pad ID: Bailey Drilling Pad #1, ABR-201201013, Overton Township, Bradford County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 9, 2012.

Pennsylvania General Energy Co. LLC, Pad ID: COP Tract 356 Pad J, ABR-201201014, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 3.000 mgd; Approval Date: January 10, 2012.

EXCO Resources (PA), Inc., Pad ID: Budman Well Pad, ABR-201201015, Franklin Township, Lycoming County, Pa.; Consumptive Use of Up to 8.000 mgd; Approval Date: January 11, 2012.

Range Resources – Appalachia, LLC, Pad ID: Cornhill C Unit 1H-5H, ABR-201201016, Cogan House Township, Lycoming County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 13, 2012.

Range Resources – Appalachia, LLC, Pad ID: Corson, Eugene 1H-6H, ABR-201201017, Anthony Township, Lycoming County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 13, 2012.

Atlas Resources, LLC, Pad ID: Rhodes Well Pad, ABR-201201018, Gamble Township, Lycoming County, Pa.; Consumptive Use of Up to 3.600 mgd; Approval Date: January 18, 2012.

Atlas Resources, LLC, Pad ID: Perry Well Pad, ABR-201201019, Mill Creek Township, Lycoming County, Pa.; Consumptive Use of Up to 3.600 mgd; Approval Date: January 18, 2012.

Range Resources – Appalachia, LLC, Pad ID: Ogontz Fishing Club 41H-44H, ABR-201201020, Cummings Township, Lycoming County, Pa.; Consumptive Use of Up to 5.000 mgd; Approval Date: January 23, 2012.

SWEPI LP, Pad ID: Jones 276, ABR-201201021, Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 25, 2012.

SWEPI LP, Pad ID: Tolbert 263, ABR-201201022, Jackson Township, Tioga County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 25, 2012.

Carrizo (Marcellus), LLC, Pad ID: Trecoske North Pad, ABR-201201023, Silver Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.100 mgd; Approval Date: January 25, 2012.

Carrizo (Marcellus), LLC, Pad ID: Trecoske South Pad, ABR-201201024, Silver Lake Township, Susquehanna County, Pa.; Consumptive Use of Up to 2.100 mgd; Approval Date: January 25, 2012.

Southwestern Energy Production Company, Pad ID: HEBDA-VANDERMARK, ABR-201201025, Stevens Township, Bradford County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 27, 2012.

Southwestern Energy Production Company, Pad ID: TONYA WEST, ABR-201201026, New Milford Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 27, 2012.

Southwestern Energy Production Company, Pad ID: GOOD, ABR-201201027, Jackson and Cogan House Townships, Lycoming County, Pa.; Consumptive Use of Up to 4.999 mgd; Approval Date: January 27, 2012.

Chesapeake Appalachia, LLC, Pad ID: Burkhart, ABR-201201028, Forks Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2012.

Chesapeake Appalachia, LLC, Pad ID: Calmitch, ABR-201201029, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 30, 2012.

Carrizo (Marcellus), LLC, Pad ID: EP Bender B (CC-03) Pad (2), ABR-201201030, Reade Township, Cambria County, Pa.; Consumptive Use of Up to 2.100 mgd; Approval Date: January 30, 2012.

SWEPI LP, Pad ID: Barner 709, ABR-201201031, Liberty Township, Tioga County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 30, 2012.

Seneca Resources Corporation, Pad ID: DCNR 100 Pad L, ABR-201201032, Lewis Township, Lycoming County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: Warburton, ABR-201201033, Forks Township, Sullivan County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: SGL289C, ABR-201201034, West Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: Hemlock Valley, ABR-201201035, Pike Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: Manahan, ABR-201201036, Albany Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: Messersmith, ABR-201201037, Wilmot Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chesapeake Appalachia, LLC, Pad ID: Lyon, ABR-201201038, Tuscarora Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: January 31, 2012.

Chief Oil & Gas, LLC, Pad ID: Myers Unit Drilling Pad #1, ABR-201201039, Burlington Township, Bradford County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 31, 2012.

Chief Oil & Gas, LLC, Pad ID: Hurley Drilling Pad #1, ABR-201201040, Cherry Township, Sullivan County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: January 31, 2012.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 9, 2012.

STEPHANIE L. RICHARDSON
Secretary to the Commission
[12-07-29]

SUSQUEHANNA RIVER BASIN COMMISSION

Low Flow Protection Policy

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: As part of its regular business meeting held on March 15, 2012, in Harrisburg, Pennsylvania, the Susquehanna River Basin Commission (Commission) approved the release of a proposed Low Flow Protection Policy (Policy) for public review and comment. The Policy can be accessed on the Commission's website at <http://www.srb.net/pubinfo/businessmeeting.htm>, or by contacting the Commission to receive a copy by first-class mail. Persons interested in providing comments are directed to submit the same in writing on or before May 16, 2012.

DATE: The deadline for the submission of written comments is May 16, 2012.

ADDRESSES: Comments may be mailed to: Mr. John Balay, Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391, or electronically submitted through <http://www.srb.net/pubinfo/businessmeeting.htm>.

FOR FURTHER INFORMATION CONTACT: John Balay, Manager of Planning and Operations, telephone: (717) 238-0423; fax: (717) 238-2436.

SUPPLEMENTARY INFORMATION: On March 15, 2012, the Commission approved the release of a proposed Low Flow Protection Policy for public review and comment. The Policy was developed over the past year in coordination with the Commission's Water Resources Management Advisory Committee to improve low flow protection standards associated with approved water withdrawals. The improvements are largely based on scientific advances in ecosystem flow protection. The Commission will use the Policy and supporting technical guidance when reviewing withdrawal applications to establish limits and conditions on approvals consistent with the Commission's regulatory standards (18 CFR § 806.23).

AUTHORITY: Public Law 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 15, 2012.

STEPHANIE L. RICHARDSON
Secretary to the Commission
[12-07-30]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at December 15, 2011, Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: As part of its regular business meeting held on December 15, 2011, in Wilkes-Barre, Pennsylvania, the Commission convened a public hearing, at which it took the following actions: 1) rescinded approval for three water

resources projects; and 2) approved, denied, or tabled the applications of certain water resources projects. The Commission took additional actions at its business meeting as set forth in the Supplementary Information below.

DATE: December 15, 2011

ADDRESSES: Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; e-mail: rcairo@srbc.net. Regular mail inquiries may be sent to the above address. See also Commission web site at www.srbc.net.

SUPPLEMENTARY INFORMATION: In addition to the public hearing and its related actions on projects identified in the summary above and the listings below, the following items were also presented or acted on at the business meeting: 1) presentation of the SRBC Anthracite Remediation Strategy; 2) presentation of the Commission's William W. Jeanes, Sr. Award to Mr. Bernie McGurl, Executive Director of the Lackawanna River Corridor Association; 3) a report on hydrologic conditions in the Susquehanna River Basin; 4) FY-2013 funding of the Susquehanna Flood Forecast and Warning System, the National Streamflow Information Program, and the National Weather Service Advanced Hydrologic Prediction Services; 5) approval of a final rulemaking amending 18 CFR Parts 806; and 6) a preliminary introduction to dockets. The Commission also heard counsel's report on legal matters affecting the Commission. The Commission convened a public hearing and took the following specific actions:

Public Hearing – Rescissions of Project Approvals

The following project approvals were rescinded by the Commission:

Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek) (Docket No. 20081203), Cummings Township, Lycoming County, Pa.

Project Sponsor and Facility: EXCO Resources (PA), LLC (Unnamed Tributary to Sandy Run) (Docket No. 20081209), Burnside Township, Centre County, Pa.

Project Sponsor and Facility: Possum Valley Municipal Authority (Docket No. 20090636), Menallen Township, Adams County, Pa.

Public Hearing – Project Application Tabled

The following project application was tabled by the Commission:

Project Sponsor and Facility: Stanley S. Karp Sr. (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for surface water withdrawal of up to 0.510 mgd (peak day).

Public Hearing – Project Application Denied

The following project application was denied by the Commission:

Project Sponsor: Anadarko E&P Company LP. Project Facility: Sproul State Forest – Council Run, Snow Shoe Township, Centre County, Pa. Application for groundwater withdrawal of up to 0.715 mgd (30-day average) from Well PW-11.

Public Hearing – Project Applications Approved

The Commission approved the following project applications:

Project Sponsor: Bioenergy International, LLC. Project Facility: Bionol Clearfield, LLC, Clearfield Borough, Clearfield County, Pa. Modification to conditions of the surface water withdrawal approval (Docket No. 20070904).

Project Sponsor: Borough of Ephrata. Project Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, Pa. Modification to conditions of the groundwater withdrawal approval (Docket No. 20110902).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Mosquito Creek-2), Karthaus Township, Clearfield County, Pa. Surface water withdrawal of up to 2.160 mgd.

Project Sponsor and Facility: Central New York Oil and Gas Company, LLC (Susquehanna River), Wilmot Township, Bradford County, Pa. Surface water withdrawal of up to 0.540 mgd.

Project Sponsor and Facility: Central New York Oil and Gas Company, LLC, Wilmot Township, Bradford County, Pa. Consumptive water use of up to 0.105 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River – Babcock), Ulster Township, Bradford County, Pa. Surface water withdrawal of up to 3.000 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River – Elmgade), Wilmot Township, Bradford County, Pa. Surface water withdrawal of up to 2.016 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Towanda Creek – Sechrist), Canton Township, Bradford County, Pa. Surface water withdrawal of up to 0.504 mgd.

Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, Pa. Surface water withdrawal of up to 0.500 mgd.

Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Muncy Creek), Muncy Creek Township, Lycoming County, Pa. Surface water withdrawal of up to 0.700 mgd.

Project Sponsor and Facility: Dunn Lake LLC (Dunn Pond), Ararat Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.999 mgd.

Project Sponsor and Facility: EXCO Resources (PA), LLC (Muncy Creek – McClintock), Penn Township, Lycoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, Pa. Surface water withdrawal of up to 0.249 mgd.

Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, Pa. Consumptive water use of up to 0.249 mgd.

Project Sponsor: Hazleton Creek Properties, LLC. Project Facility: Hazleton Mine Reclamation, Hazleton City, Luzerne County, Pa. Modification to increase groundwater withdrawal by an additional 0.145 mgd, for a total of 0.200 mgd (30-day average) (Docket No. 20110307).

Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Babb Creek), Morris Township, Tioga County, Pa. Surface water withdrawal of up to 0.950 mgd.

Project Sponsor and Facility: Sugar Hollow Trout Park and Hatchery, Eaton Township, Wyoming County, Pa. Modification to project features and conditions of the groundwater withdrawal approval (Docket No. 20100913).

Project Sponsor and Facility: Sugar Hollow Water Services, LLC (Susquehanna River – Chellis), Eaton Township, Wyoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

Project Sponsor: The Municipal Authority of the Borough of Berlin. Project Facility: Berlin Borough Municipal Authority, Allegheny Township, Somerset County, Pa. Modification to conditions of the groundwater withdrawal approval (Docket No. 19980702).

Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, Pa. Modification to increase the total groundwater system withdrawal limit from 0.523 mgd to 0.753 mgd (30-day average) (Docket No. 20070905).

Project Sponsor and Facility: Williams Production Appalachia, LLC (Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.750 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Snake Creek-2), Franklin Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.999 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Commission-initiated modification to project features and conditions of the surface water withdrawal approval (Docket No. 20090303), making a correction and reducing the approved surface water withdrawal amount from 3.00 mgd to 1.00 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River-2), Great Bend Township, Susquehanna County, Pa. Surface water withdrawal of up to 2.000 mgd.

AUTHORITY: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 23, 2012.

THOMAS W. BEAUDUY
Deputy Executive Director

[12-07-48]

SUSQUEHANNA RIVER BASIN COMMISSION

Actions Taken at March 15, 2012, Meeting

AGENCY: Susquehanna River Basin Commission.

ACTION: Notice.

SUMMARY: As part of its regular business meeting held on March 15, 2012, in Harrisburg, Pennsylvania, the Commission took the following actions: 1) reconsidered certain actions taken at its December 15, 2011, public hearing; 2) upon reconsideration, approved or denied the applications of certain water resources projects, originally considered at the December 15, 2011, public hearing; 3) rescinded approval for one additional water resources project; 4) approved, tabled or denied the applications of certain additional water resources projects; and 5) took additional actions as set forth in the Supplementary Information below.

DATE: March 15, 2012

ADDRESSES: Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

FOR FURTHER INFORMATION CONTACT: Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717)

238-2436; e-mail: rcairo@srbc.net. Regular mail inquiries may be sent to the above address. See also Commission web site at www.srbc.net.

SUPPLEMENTARY INFORMATION: In addition to its related actions on projects identified in the summary above and the listings below, the following items were also presented or acted on at the business meeting: 1) adoption of a resolution encouraging the use of lesser quality waters; 2) approval for expenditures for the Susquehanna River Flow Management Project; 3) adoption of an investment policy statement and amendments of the By-Laws; 4) approval of a partial waiver of the fee for transfer of approvals to SWEPI, LP; 5) adoption of the revised operating budget and a capital budget for FY-2013; 6) approval for staff to release a draft Low Flow Protection Policy for public review and comment; 7) ratification of a settlement agreement with C&N Dining; and 8) ratification of grants/contracts. The Commission also took the following specific actions:

Project Applications originally considered at the December 15, 2011, Public Hearing, Approved

Upon reconsideration, the Commission approved the following project applications originally acted upon at the December 15, 2011, public hearing:

Project Sponsor: Bioenergy International, LLC. Project Facility: Bionol Clearfield, LLC, Clearfield Borough, Clearfield County, Pa. Modification to conditions of the surface water withdrawal approval (Docket No. 20070904).

Project Sponsor: Borough of Ephrata. Project Facility: Ephrata Area Joint Authority, Ephrata Borough, Lancaster County, Pa. Modification to conditions of the groundwater withdrawal approval (Docket No. 20110902).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Mosquito Creek-2), Karthaus Township, Clearfield County, Pa. Surface water withdrawal of up to 2.160 mgd.

Project Sponsor and Facility: Central New York Oil and Gas Company, LLC (Susquehanna River), Wilmot Township, Bradford County, Pa. Surface water withdrawal of up to 0.540 mgd.

Project Sponsor and Facility: Central New York Oil and Gas Company, LLC, Wilmot Township, Bradford County, Pa. Consumptive water use of up to 0.105 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River - Babcock), Ulster Township, Bradford County, Pa. Surface water withdrawal of up to 3.000 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River - Elmglyde), Wilmot Township, Bradford County, Pa. Surface water withdrawal of up to 2.016 mgd.

Project Sponsor and Facility: Chesapeake Appalachia, LLC (Towanda Creek - Sechrist), Canton Township, Bradford County, Pa. Surface water withdrawal of up to 0.504 mgd.

Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, Pa. Surface water withdrawal of up to 0.500 mgd.

Project Sponsor: Clark Trucking, LLC. Project Facility: Northeast Division (Muncy Creek), Muncy Creek Township, Lycoming County, Pa. Surface water withdrawal of up to 0.700 mgd.

Project Sponsor and Facility: Dunn Lake LLC (Dunn Pond), Ararat Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.999 mgd.

Project Sponsor and Facility: EXCO Resources (PA), LLC (Muncy Creek - McClintock), Penn Township, Lycoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, Pa. Surface water withdrawal of up to 0.249 mgd.

Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Greens Landing Aggregate Plant, Athens Township, Bradford County, Pa. Consumptive water use of up to 0.249 mgd.

Project Sponsor: Hazleton Creek Properties, LLC. Project Facility: Hazleton Mine Reclamation, Hazleton City, Luzerne County, Pa. Modification to increase groundwater withdrawal by an additional 0.145 mgd, for a total of 0.200 mgd (30-day average) (Docket No. 20110307).

Project Sponsor and Facility: Keystone Clearwater Solutions, LLC (Babb Creek), Morris Township, Tioga County, Pa. Surface water withdrawal of up to 0.950 mgd.

Project Sponsor and Facility: Sugar Hollow Trout Park and Hatchery, Eaton Township, Wyoming County, Pa. Modification to project features and conditions of the groundwater withdrawal approval (Docket No. 20100913).

Project Sponsor and Facility: Sugar Hollow Water Services, LLC (Susquehanna River – Chellis), Eaton Township, Wyoming County, Pa. Surface water withdrawal of up to 1.500 mgd.

Project Sponsor: The Municipal Authority of the Borough of Berlin. Project Facility: Berlin Borough Municipal Authority, Allegheny Township, Somerset County, Pa. Modification to conditions of the groundwater withdrawal approval (Docket No. 19980702).

Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, Pa. Modification to increase the total groundwater system withdrawal limit from 0.523 mgd to 0.753 mgd (30-day average) (Docket No. 20070905).

Project Sponsor and Facility: Williams Production Appalachia, LLC (Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.750 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Snake Creek–2), Franklin Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.999 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Commission-initiated modification to project features and conditions of the surface water withdrawal approval (Docket No. 20090303), making a correction and reducing the approved surface water withdrawal amount from 3.00 mgd to 1.00 mgd.

Project Sponsor and Facility: Williams Production Appalachia, LLC (Susquehanna River–2), Great Bend Township, Susquehanna County, Pa. Surface water withdrawal of up to 2.000 mgd.

Project Application originally considered at the December 15, 2011, Public Hearing. Denied

Upon reconsideration, the Commission denied the following project application originally acted upon at the December 15, 2011, public hearing:

Project Sponsor: Anadarko E&P Company LP. Project Facility: Sproul State Forest – Council Run, Snow Shoe Township, Centre County, Pa. Application for groundwater withdrawal of up to 0.715 mgd (30-day average) from Well PW-11.

Rescission of Project Approval

The Commission rescinded approval for the following project:

Project Sponsor and Facility: Texas Eastern Transmission LP (Susquehanna River) (Docket No. 20110314), East Donegal Township, Lancaster County, Pa.

Project Applications Approved

The Commission approved the following project applications:

Project Sponsor and Facility: Anadarko E&P Company LP (Lycoming Creek), Lewis Township, Lycoming County, Pa. Surface water withdrawal of up to 1.340 mgd (peak day).

Project Sponsor and Facility: Aqua Infrastructure, LLC (West Branch Susquehanna River), Piatt Township, Lycoming County, Pa. Surface water withdrawal of up to 3.000 mgd (peak day).

Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Surface water withdrawal of up to 0.400 mgd (peak day).

Project Sponsor and Facility: Blossburg Municipal Authority, Bloss Township, Tioga County, Pa. Groundwater withdrawal of up to 0.396 mgd (30-day average) from Route 15 Well.

Project Sponsor and Facility: Buck Ridge Stone, LLC (Salt Lick Creek), New Milford Township, Susquehanna County, Pa. Modification to increase surface water withdrawal by an additional 0.637 mgd, for a total of 0.720 mgd (peak day) (Docket No. 20100905).

Project Sponsor and Facility: Cabot Oil & Gas Corporation (Susquehanna River), Susquehanna Depot Borough, Susquehanna County, Pa. Modification to increase surface water withdrawal by an additional 0.780 mgd, for a total of 1.500 mgd (peak day) (Docket No. 20080908).

Project Sponsor and Facility: Cabot Oil & Gas Corporation (Susquehanna River), Great Bend Township, Susquehanna County, Pa. Modification to increase surface water withdrawal by an additional 1.280 mgd, for a total of 2.000 mgd (peak day) (Docket No. 20080905).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Modification to conditions of the surface water withdrawal approval (Docket No. 20110604).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Moshannon Creek), Decatur Township, Clearfield County, Pa. Surface water withdrawal of up to 2.590 mgd (peak day).

Project Sponsor and Facility: Carrizo (Marcellus), LLC (Unnamed Tributary of Middle Branch Wyalusing Creek), Forest Lake Township, Susquehanna County, Pa. Modification to conditions of the surface water withdrawal approval (Docket No. 20110605).

Project Sponsor and Facility: EQT Production Company (Bennett Branch Power), Jay Township, Elk County, Pa. Surface water withdrawal of up to 2.500 mgd (peak day).

Project Sponsor and Facility: EQT Production Company (Wilson Creek), Duncan Township, Tioga County, Pa. Surface water withdrawal of up to 0.740 mgd (peak day).

Project Sponsor: IBM Corporation. Project Facility: Endicott Facility, Village of Endicott, Broome County, N.Y. Modification to increase total groundwater system withdrawal by an additional 0.499 mgd, for a total of 1.509 mgd (30-day average) (Docket No. 20090329).

Project Sponsor and Facility: Keystone Landfill, Inc., Dunmore Borough, Lackawanna County, Pa. Modification to increase groundwater withdrawal by an additional 0.150 mgd, for a total of 0.160 mgd (30-day average) (Docket No. 20080611).

Project Sponsor and Facility: Keystone Landfill, Inc., Dunmore Borough, Lackawanna County, Pa. Modification to increase consumptive water use by an additional 0.260 mgd, for a total of up to 0.360 mgd (30-day average) (Docket No. 20080611).

Project Sponsor: Pine Creek Municipal Authority. Project Facility: Wastewater Treatment Plant, Pine Creek Township, Clinton County, Pa. Withdrawal of treated wastewater effluent of up to 0.999 mgd.

Project Sponsor and Facility: Roaring Spring Water–Division of Roaring Spring Blank Book (Roaring Spring), Roaring Spring Borough, Blair County, Pa. Surface water withdrawal of up to 0.302 mgd (peak day).

Project Sponsor and Facility: Roaring Spring Water–Division of Roaring Spring Blank Book, Roaring Spring Borough, Blair

- County, Pa. Consumptive water use of up to 0.255 mgd (30-day average).
- Project Sponsor and Facility: Southwestern Energy Production Company (Blockhouse Creek), Jackson Township, Lycoming County, Pa. Surface water withdrawal of up to 0.999 mgd (peak day).
- Project Sponsor and Facility: Southwestern Energy Production Company (Susquehanna River), Oakland Township, Susquehanna County, Pa. Surface water withdrawal of up to 3.000 mgd (peak day).
- Project Sponsor and Facility: Southwestern Energy Production Company (Tunkhannock Creek), Lenox Township, Susquehanna County, Pa. Surface water withdrawal of up to 1.500 mgd (peak day).
- Project Sponsor and Facility: SWEPI LP (Cowanesque River – Egleston), Nelson Township, Tioga County, Pa. Modification to increase surface water withdrawal by an additional 0.267 mgd, for a total of 0.534 mgd (peak day) (Docket No. 20100604).

Project Applications Tabled

- The following project applications were tabled by the Commission:
- Project Sponsor and Facility: Aqua Resources, Inc. (Susquehanna River), Athens Township, Bradford County, Pa. Application for surface water withdrawal of up to 0.900 mgd (peak day).
- Project Sponsor and Facility: Empire Kosher Poultry, Inc., Walker Township, Juniata County, Pa. Modification to increase total groundwater system withdrawal by an additional 0.499 mgd, for a total of 1.269 mgd (30-day average) (Docket No. 20030809).
- Project Sponsor and Facility: Jo Jo Oil Company, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, Pa. Application for surface water withdrawal of up to 0.999 mgd (peak day).
- Project Sponsor and Facility: Northwestern Lancaster County Authority, Penn Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 0.324 mgd (30-day average) from Well 2.
- Project Sponsor and Facility: Northwestern Lancaster County Authority, Penn Township, Lancaster County, Pa. Application for groundwater withdrawal of up to 1.000 mgd (30-day average) from Well 3.
- Project Sponsor and Facility: Southwestern Energy Production Company (East Branch Tunkhannock Creek), Lenox Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 1.500 mgd (peak day).
- Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, Pa. Application for consumptive water use of up to 0.387 mgd (30-day average).
- Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.172 mgd from Well 1, and a total system withdrawal limit of up to 0.391 mgd (30-day average).
- Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.172 mgd from Well 2, and a total system withdrawal limit of up to 0.391 mgd (30-day average).
- Project Sponsor: Viking Energy of Northumberland, LLC. Project Facility: Power Plant, Point Township, Northumberland County, Pa. Application for groundwater withdrawal of up to 0.172 mgd from Well 4, and a total system withdrawal limit of up to 0.391 mgd (30-day average).

Project Applications Denied

- The following project applications were denied by the Commission:
- Project Sponsor and Facility: Stanley S. Karp Sr. (Tunkhannock Creek), Nicholson Township, Wyoming County, Pa. Application for surface water withdrawal of up to 0.510 mgd (peak day).
- Project Sponsor and Facility: Water Treatment Solutions, LLC (South Mountain Lake), Woodward Township, Lycoming County, Pa. Application for surface water withdrawal of up to 0.499 mgd (peak day).

AUTHORITY: Pub.L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: March 23, 2012.

THOMAS W. BEAUDUY
Deputy Executive Director

[12-07-49]

General Notices

Notice of ADA Compliance

The State of Maryland is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone planning to attend a meeting announced below who wishes to receive auxiliary aids, services, or accommodations is invited to contact the agency representative at least 48 hours in advance, at the telephone number listed in the notice or through Maryland Relay.

BOARD OF ARCHITECTS

Subject: Public Meeting
Date and Time: April 25, 2012, 10 a.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262

[12-07-32]

MARYLAND STATE ARTS COUNCIL

Subject: Public Meeting
Date and Time: April 26, 2012, 8:30 — 9 a.m.
Place: Maryland State Arts Council, Baltimore, MD
Add'l. Info: Maryland Commission on Public Art
Contact: Susie Leong (410) 767-6544

[12-07-17]

ATHLETIC COMMISSION

Subject: Public Meeting
Date and Time: April 26, 2012, 2 — 4 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Patrick Pannella (410) 230-6223

[12-07-21]

BOARD OF AUDIOLOGISTS, HEARING AID DISPENSERS, AND SPEECH-LANGUAGE PATHOLOGISTS

Subject: Public Meeting
Date and Time: April 19, 2012, 4 — 6 p.m.
Place: Metro Executive Bldg., 4201 Patterson Ave., Baltimore, MD
Contact: Christopher Kelter (410) 764-4725

[12-07-02]

BOARD OF BARBERS

Subject: Public Meeting
Date and Time: April 30, 2012, 9:30 a.m. — 4:30 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Add'l. Info: Centre St. Entrance
Contact: Robert Wood (410) 230-6195

[12-07-34]

ADVISORY COUNCIL ON CEMETERY OPERATIONS

Subject: Public Meeting
Date and Time: April 26, 2012, 10 a.m. — 1 p.m.
Place: Dept. of Labor, Licensing, and Regulation, 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Contact: Marilyn Harris-Davis (410) 230-6229

[12-07-38]

BOARD FOR THE CERTIFICATION OF RESIDENTIAL CHILD CARE PROGRAM ADMINISTRATORS

Subject: Special Test Document
Date and Time: May 16, 2012, 10 — 12 a.m.
Place: 4201 Patterson Ave., Rm. 105, Baltimore, MD
Add'l. Info: Individuals taking the Standards Examination should arrive 15 minutes early (9:45 a.m.) and bring photo ID.

Contact: Carol Johnson (410) 764-5996

[12-07-06]

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS

Subject: Public Meeting on Regulations
Date and Time: April 12, 2012, 9:30 — 10 a.m.
Place: Dept. of Health and Mental Hygiene, 4201 Patterson Ave., Rm. 108/109, Baltimore, MD
Add'l. Info: The Board of Chiropractic and Massage Therapy Examiners Massage Regulations Subcommittee will hold an open session on April 12, 2012, at 9:30 a.m. (location listed above). The Subcommittee is tasked with reviewing COMAR 10.43.15 and .20 (MST Record Keeping and MST Continuing Education). This specific session will review MST CPR requirements. The general public is welcome. Space is limited to approximately 50 individuals. Organizations and schools are requested to consider representatives to present any comments or inquiries. For questions, please call the Deputy Director, Ms. Adrienne Congo, at (410) 764-2965.
Contact: Maria Ware (410) 764-5902

[12-07-27]

BOARD OF CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS

Subject: Public Meeting
Date and Time: April 12, 2012, 10 a.m. — 1 p.m.
Place: Dept. of Health and Mental Hygiene, 4201 Patterson Ave., Rm. 108/109, Baltimore, MD
Contact: Maria Ware (410) 764-5902

[12-07-13]

CONSUMER COUNCIL OF MARYLAND

Subject: Public Meeting
Date and Time: May 4, 2012, 9:15 — 11 a.m.
Place: 200 St. Paul Pl., 16th Fl., Baltimore, MD
Contact: Stephanie A. Hodge (410) 576-6557

[12-07-53]

BOARD OF COSMETOLOGISTS

Subject: Public Meeting
Date and Time: May 7, 2012, 9:30 a.m. — 4:30 p.m.
Place: 500 N. Calvert St., 2nd Fl., Baltimore, MD
Add'l. Info: Centre St. Entrance
Contact: Robert Wood (410) 230-6190

[12-07-19]

GOVERNOR'S OFFICE OF CRIME CONTROL AND PREVENTION

Subject: Public Meeting
Date and Time: May 14, 2012, 3 — 5 p.m.
Place: Baltimore Co. Loch Raven Library, Baltimore, MD
Contact: Debra Arnold (410) 821-2852

[12-07-03]

CRIMINAL JUSTICE INFORMATION ADVISORY BOARD

Subject: Public Hearing
Date and Time: April 23, 2012, 1 — 3 p.m.
Place: Judicial Training Center, 2009-D Commerce Park Dr., Annapolis, MD
Contact: Robyn Lyles (410) 585-3185

[12-07-24]

GENERAL NOTICES

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COMMISSION ON CRIMINAL SENTENCING POLICY

Subject: Public Meeting
Date and Time: May 1, 2012, 5:30 — 7:30 p.m.
Place: Judiciary Education and Conference Center, 2009D Commerce Park Dr., Annapolis, MD
Contact: David Soule (301) 403-4165
[12-07-22]

OFFICE OF THE DEAF AND HARD OF HEARING/MARYLAND ADVISORY COUNCIL ON THE DEAF AND HARD OF HEARING

Subject: Public Meeting
Date and Time: April 18, 2012, 11 a.m. — 2 p.m.
Place: Maryland Dept. of Transportation Headquarters, 7491 Connelley Dr., Hanover, MD
Add'l. Info: There will be no public forum following this AC Meeting. Council will have a pot-luck lunch during the meeting. Last names A—E, please bring a side dish; last names F—M, please bring a main dish; last names N—Z, please bring a dessert.
Contact: Lisa Kornberg (410) 767-1497
[12-07-37]

MARYLAND STATE BOARD OF EDUCATION

Subject: Public Meeting
Date and Time: April 24, 2012, 9 a.m. — 4:30 p.m.; April 25, 2012, 9 a.m. — 12 p.m.
Place: 200 W. Baltimore St., Baltimore, MD
Add'l. Info: The State Board of Education is pleased to receive oral public comment at each of its regular monthly meetings. In order to allow the State Board sufficient time for its other business, the total time allotted to public comment will generally be limited to 30 minutes. Individuals seeking to speak to the Board will be given 3 minutes each. Persons desiring to speak to the State Board, must call (410-767-0467) or email (cnecessary@msde.state.md.us) the Board office no earlier than 1 week prior to the meeting to register to speak. Registration will be accepted on a first-come, first-served basis. In order to make the limited time available most effective, speakers are urged to provide multiple written copies of their comments or other material amplifying their views.
Contact: Charlene L. Necessary (410) 767-0467
[12-07-12]

ELEVATOR SAFETY REVIEW BOARD

Subject: Public Meeting
Date and Time: April 20, 2012, 10 a.m. — 12 p.m.
Place: 500 N. Calvert St., 2nd Fl. Conf. Rm., Baltimore, MD
Contact: Raquel M. Meyers (410) 230-6379
[12-07-11]

BOARD OF ENVIRONMENTAL SANITARIANS

Subject: Public Meeting
Date and Time: May 2, 2012, 10 a.m. — 4:30 p.m.
Place: Howard Co. Bureau of Utilities, Columbia, MD
Add'l. Info: A portion of this meeting may be held in closed session.
Contact: Pat Kratochvil (410) 537-3597
[12-07-08]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/MARYLAND BOARD OF PHYSICIANS

Subject: Public Meeting
Date and Time: April 25, 2012, 9 — 10 a.m.
Place: 4201 Patterson Ave., Rms. 108/109, Baltimore, MD
Add'l. Info: Appropriate auxiliary aid services provided for qualified individuals upon request. Call Ellen D. Smith at (410) 764-2477.
Contact: Tammy Austin (410) 764-4769
[12-07-14]

DEPARTMENT OF HEALTH AND MENTAL HYGIENE/PHARMACY AND THERAPEUTICS COMMITTEE

Subject: Public Meeting
Date and Time: May 10, 2012, 9 a.m. — 1 p.m.
Place: Conference Center at Sheppard Pratt, Stulman Auditorium, 6501 N. Charles St., Towson, MD
Add'l. Info: Meeting of the Maryland Medicaid Pharmacy Program's Pharmacy and Therapeutics Committee (Preferred Drug List). Classes of drugs to be reviewed are posted on the Maryland Pharmacy program website at http://www.dhnh.state.md.us/mma/mpap/p_t_committee.html. See website for agenda, speaker registration, restrictions, and driving directions. Submit questions to MarylandPDLQuestions@dhnh.state.md.us.
Contact: Alex Taylor (410) 767-5878
[12-07-15]

BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS (HVACR)

Subject: Public Meeting
Date and Time: April 11, 2012, 9:30 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Steve Smitson (410) 230-6136
[12-07-09]

BOARD OF HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS (HVACR)

Subject: Public Meeting
Date and Time: May 9, 2012, 9:30 a.m. — 12 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Steve Smitson (410) 230-6169
[12-07-10]

BOARD OF CERTIFIED INTERIOR DESIGNERS

Subject: Public Meeting
Date and Time: April 23, 2012, 2 p.m.
Place: 500 N. Calvert St., 3rd Fl. Conf. Rm., Baltimore, MD
Contact: Pamela J. Edwards (410) 230-6262
[12-07-33]

DIVISION OF LABOR AND INDUSTRY/ADVISORY COUNCIL ON PREVAILING WAGE RATES

Subject: Public Meeting
Date and Time: April 18, 2012, 10 — 11 a.m.
Place: 1100 N. Eutaw St., Rm. 600, Baltimore, MD
Add'l. Info: The Council is scheduled to meet to discuss issues relating to prevailing wage rates. Interested persons should call the contact person to confirm the meeting.
Contact: Debbie Stone (410) 767-2225
[12-07-50]

MARYLAND STATE LOTTERY COMMISSION

Subject: Public Meeting
Date and Time: April 26, 2012, 10 a.m. — 12 p.m.
Place: Montgomery Park Business Center, 1800 Washington Blvd., Ste. 330, Baltimore, MD
Contact: Marie A. Torosino (410) 230-8790
[12-07-47]

MARYLAND HEALTH CARE COMMISSION

Subject: Public Meeting

Date and Time: April 19, 2012, 1 p.m.

Place: Maryland Health Care Commission, 4160 Patterson Ave., Conf. Rm. 100, Baltimore, MD

Contact: Valerie Wooding (410) 764-3460
[12-07-23]

MARYLAND HEALTH CARE COMMISSION

Subject: Receipt of Application

Add'l. Info: On March 13, 2012, the Maryland Health Care Commission (MHCC) received an application for Certificate of Need submitted by Hospice of the Chesapeake — Matter No. 12-02-2333 — Establishment of a 14-bed inpatient hospice unit to be constructed at 90-92 Ritchie Highway, Pasadena. Cost: \$3,590,000

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 Paul Parker, Acting Director, Center for Hospital Services, MHCC, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[12-07-35]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review

Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificates of Need:

Carroll Hospital Center — Matter No. 12-06-2330 — Construction of an Outpatient Cancer Center and renovation of the existing Richard N. Dixon Building on the hospital campus. Cost: \$27,975,000

MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, COMAR 10.24.01, and the applicable State Health Plan standards.

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.

Persons desiring to become interested parties in the Commission's review of the above-referenced application must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business May 7, 2012. These comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

Please refer to the Docket Number listed above in any correspondence on the application. Copies of the application are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Acting Director, Center for Hospital Services, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[12-07-51]

MARYLAND HEALTH CARE COMMISSION

Subject: Formal Start of Review

Add'l. Info: The Maryland Health Care Commission (MHCC) hereby gives notice of docketing of the following application for Certificates of Need:

Hospice of Queen Anne's County — Docket No. 12-17-2329 — Conversion of 6 residential beds to general inpatient hospice beds at the facility located in Centreville

MHCC shall review the application under Health-General Article, §19-101 et seq., Annotated Code of Maryland, COMAR 10.24.01, and the applicable State Health Plan standards.

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.

Persons desiring to become interested parties in the Commission's review of the above-referenced application must meet the requirements of COMAR 10.24.01.01B(2) and (20) and must also submit written comments to the Commission no later than close of business May 7, 2012. These

comments must state with particularity the State Health Plan standards or review criteria that you believe have not been met by the applicant as stated in COMAR 10.24.01.08F.

Please refer to the Docket Number listed above in any correspondence on the applications. Copies of the applications are available for review in the office of MHCC during regular business hours by appointment. All correspondence should be addressed to Paul E. Parker, Acting Director, Center for Hospital Services, Maryland Health Care Commission, 4160 Patterson Avenue, Baltimore, Maryland 21215.

Contact: Ruby Potter (410) 764-3276
[12-07-52]

MARYLAND PUBLIC BROADCASTING COMMISSION

Subject: Public Meeting

Date and Time: April 24, 2012, 8:30 a.m.

Place: Maryland Public Television, Owings Mills, MD

Contact: Sharon Abernathy (410) 581-4141

[12-07-07]

MINORITY BUSINESS ENTERPRISE ADVISORY COMMITTEE

Subject: Public Meeting

Date and Time: April 11, 2012, 8:30 a.m. — 5 p.m.

Place: Harry R Hughes Dept. of Transportation Bldg., 7201 Corporate Center Dr., Hanover, MD

Contact: Pam Gregory (410) 865-1253
[12-07-04]

BOARD OF EXAMINERS OF NURSING HOME ADMINISTRATORS

Subject: Public Meeting

Date and Time: April 11, 2012, 9:30 p.m.

Place: 4201 Patterson Ave., Rm. 109, Baltimore, MD

Contact: Patricia Hannigan (410) 764-4750

[12-07-16]

BOARD OF PUBLIC ACCOUNTANCY

Subject: Public Meeting

Date and Time: May 1, 2012, 9 a.m. — 12 p.m.

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

Contact: Dennis L. Gring (410) 230-6224
[12-07-18]

RACING COMMISSION

Subject: Public Meeting
Date and Time: April 17, 2012, 12:30 — 1 p.m.
Place: Pimlico Race Course, Triple Crown Rm., Baltimore, MD
Contact: J. Michael Hopkins (410) 296-2682

[12-07-25]

REAL ESTATE COMMISSION

Subject: Public Meeting
Date and Time: April 26, 2012, 10 a.m.
Place: Office of Coldwell Banker Residential Brokerage, 10050 Baltimore National Pike, Ellicott City, MD
Add'l. Info: Task Force on Licensing of Property Managers
Contact: Patricia Hannon (410) 230-6199

[12-07-36]

RETIREMENT AND PENSION SYSTEM — BOARD OF TRUSTEES

Subject: Public Meeting
Date and Time: April 17, 2012, 9 a.m.
Place: SunTrust Bldg., 120 E. Baltimore St., 16th Fl. Board Rm., Baltimore, MD
Add'l. Info: Meeting date and location are subject to change. Anyone interested in attending should contact the Retirement Agency for confirmation. Please note that the meeting may include a closed session. Sign language interpreters and/or appropriate accommodations for qualified individuals with disabilities will be provided upon request. Please call 410-625-5609 or 1-800-735-2258 TTY.
Contact: Patrice Sowah (410) 625-5609

[12-07-05]

WORKERS' COMPENSATION COMMISSION

Subject: Public Meeting
Date and Time: May 3, 2012, 9 a.m. — 11 a.m.
Place: 10 E. Baltimore St., Baltimore, MD
Add'l. Info: Portions of this meeting may be held in closed session.
Contact: Amy Lackington (410) 864-5300

[12-07-01]

COMAR PDF ORDER FORM

Titles	Agency Name	Price ¹	Subscription ²	Quantity	Total
Complete set of COMAR PDF format		\$1,000	\$500	_____	_____
Title 01	Executive Department	\$35	\$24	_____	_____
Title 02	Office of the Attorney General	\$22	\$13	_____	_____
Title 03	Comptroller of the Treasury	\$30	\$20	_____	_____
Title 04	General Services	\$16	\$10	_____	_____
Title 05	Housing and Community Development	\$78	\$50	_____	_____
Title 07	Human Resources	\$80	\$53	_____	_____
Title 08	Natural Resources	\$78	\$51	_____	_____
Title 09	Labor, Licensing and Regulation	\$89	\$60	_____	_____
Title 10	Health & Mental Hygiene (All parts) **	\$272	\$180	_____	_____
Title 10	Part 1 **	\$48	\$32	_____	_____
Title 10	Part 2 **	\$75	\$50	_____	_____
Title 10	Part 3 **	\$75	\$50	_____	_____
Title 10	Part 4 **	\$50	\$35	_____	_____
Title 10	Part 5 **	\$69	\$50	_____	_____
Title 11	Transportation (All parts) **	\$106	\$75	_____	_____
Title 11	Part 1 (Transportation) **	\$42	\$25	_____	_____
Title 11	Parts 2 & 3 (MVA)**	\$74	\$50	_____	_____
Title 12	Public Safety and Correctional Services	\$67	\$43	_____	_____
Title 13A	Board of Education	\$63	\$42	_____	_____
Title 13B	Higher Education Commission	\$25	\$15	_____	_____
Title 14	Independent Agencies	\$87	\$60	_____	_____
Title 15	Agriculture	\$48	\$30	_____	_____
Title 16	Juvenile Service	\$23	\$15	_____	_____
Title 17	Budget and Management	\$28	\$16	_____	_____
Title 18	Assessments and Taxation	\$20	\$12	_____	_____
Title 19A	State Ethics Commission	\$24	\$14	_____	_____
Title 20	Public Service Commission	\$49	\$32	_____	_____
Title 21	State Procurement Regulations	\$48	\$30	_____	_____
Title 22	State Retirement and Pension System	\$22	\$13	_____	_____
Title 23	Board of Public Works	\$18	\$11	_____	_____
Title 24	Business and Economic Development	\$34	\$20	_____	_____
Title 25	State Treasurer	\$16	\$9	_____	_____
Title 26	Environment (All parts) **	\$189	\$125	_____	_____
Title 26	Part 1 **	\$54	\$35	_____	_____
Title 26	Part 2 **	\$83	\$52	_____	_____
Title 26	Part 3 **	\$57	\$38	_____	_____
Title 26	Part 4 **	\$37	\$24	_____	_____
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- 09 Medical Care Programs

Part 3

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- 53 Board of Nursing—Electrology Practice Committee
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 - 12 MVA – Licensing of Businesses and Occupations
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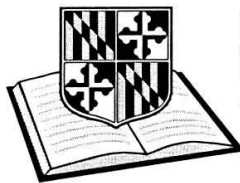
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