

JOURNAL
of
PROCEEDINGS
of the
SENATE
of
MARYLAND
REGULAR SESSION, 2007
VOLUME I

The Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

Library and Information Services
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401

Baltimore Area: (410-946-5400) Washington Area: (301-970-5400)
Other Areas: (1-800-492-7122)
TTY: (410-946-5401) (301-970-5401)
TTY users may also contact the
Maryland Relay Service to contact the General Assembly

E-mail: libr@mlis.state.md.us
Home Page: <http://mlis.state.md.us>

The Department of Legislative Services does not discriminate on the basis of race, color, national origin, sex, religion, or disability in the admission or access to its programs or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at Library and Information Services of the Department of Legislative Services.

CONTENTS

Index of Days	iv
Journal of Proceedings	1
Rules of the Senate of Maryland.....	3197
Roll Calls.....	Appendix I
Committee Votes.....	Appendix II
Exhibits	Appendix III
Index.....	Appendix IV

2007 SENATE JOURNAL INDEX OF DAYS

<u>Legislative Day</u>	<u>Page</u>	<u>Legislative Day</u>	<u>Page</u>
January 10.....	1	February 26.....	889
January 11.....	17	February 27.....	915
January 12.....	38	February 28.....	925
January 15.....	41	March 1.....	957
January 16.....	57	March 2.....	978
January 17.....	68	March 5.....	1045
January 18.....	77	March 6.....	1073
January 19.....	84	March 7.....	1090
January 22.....	99	March 8.....	1111
January 23.....	123	March 9.....	1166
January 24.....	126	March 12.....	1218
January 25.....	144	March 13.....	1246
January 26.....	170	March 14.....	1279
January 29.....	199	March 15.....	1315
January 30.....	241	March 16.....	1350
January 31.....	246	March 19.....	1415
February 1.....	291	March 20.....	1446
February 2.....	329	March 21.....	1545
February 5.....	357	March 22.....	1669
February 6.....	562	March 23.....	1775
February 7.....	567	March 24.....	1915
February 8.....	578	March 25.....	2108
February 9.....	588	March 26.....	2132
February 12.....	604	March 27.....	2146
February 13.....	628	March 28.....	2221
February 14.....	635	March 29.....	2310
February 15.....	658	March 30.....	2345
February 16.....	674	March 31.....	2409
February 19.....	730	April 1.....	2477
February 20.....	758	April 2.....	2633
February 21.....	768	April 3.....	2923
February 22.....	802	April 4.....	3076
February 23.....	867	April 5.....	3180

Annapolis, Maryland
Wednesday, January 10, 2007
12:00 o'clock Noon

The Senate met at 12:01 P.M.

Call to order by the Secretary of the Senate.

Prayer by Senator Kasemeyer.

(For Prayer see Exhibit A of Appendix III)

STATE OF MARYLAND, TO WIT:

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

Present at the roll call were the following Senators:

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

- District 11 - Baltimore County
Robert A. Zirkin
- District 12 - Baltimore County and Howard
Edward J. Kasemeyer
- District 13 - Howard
James N. Robey
- District 14 - Montgomery
Rona E. Kramer
- District 15 - Montgomery
Robert J. Garagiola
- District 16 - Montgomery
Brian E. Frosh
- District 17 - Montgomery
Jennie M. Forehand
- District 18 - Montgomery
Richard S. Madaleno, Jr.
- District 19 - Montgomery
Mike Lenett
- District 20 - Montgomery
Jamie Raskin
- District 21 - Prince George's and Anne Arundel
James Rosapepe
- District 22 - Prince George's
Paul G. Pinsky
- District 23 - Prince George's
Douglas J.J. Peters
- District 24 - Prince George's
Nathaniel Exum
- District 25 - Prince George's
Ulysses Currie
- District 26 - Prince George's
C. Anthony Muse
- District 27 - Prince George's and Calvert
Thomas V. Mike Miller, Jr.
- District 28 - Charles
Thomas Mac Middleton
- District 29 - Calvert, Charles and St. Mary's
Roy P. Dyson
- District 30 - Anne Arundel
John C. Astle
- District 31 - Anne Arundel
Bryan W. Simonaire
- District 32 - Anne Arundel
James E. DeGrange, Sr.

District 33	-	Anne Arundel Janet Greenip
District 34	-	Harford and Cecil Nancy Jacobs
District 35	-	Harford J. Robert Hooper
District 36	-	Kent, Queen Anne's, Cecil and Caroline E.J. Pipkin
District 37	-	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	-	Somerset, Wicomico and Worcester J. Lowell Stoltzfus
District 39	-	Montgomery Patrick J. Hogan
District 40	-	Baltimore City Catherine E. Pugh
District 41	-	Baltimore City Lisa A. Gladden
District 42	-	Baltimore County James Brochin
District 43	-	Baltimore City Joan Carter Conway
District 44	-	Baltimore City Verna L. Jones
District 45	-	Baltimore City Nathaniel J. McFadden
District 46	-	Baltimore City George W. Della, Jr.
District 47	-	Prince George's Gwendolyn Britt

Forty-seven Senators having answered to their names, the Secretary announced that a quorum being present, the Senate of Maryland, 2007 Session is now ready for the transaction of business.

The first order of business was the swearing in of the Senators elect by the Secretary of the Senate.

All 47 Senators received the oath of office and took their seats. All of the Senators received their Certificate of Election.

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

The Honorable Ulysses Currie nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable Brian Frosh and the Honorable Katherine Klausmeier. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 7)

The Honorable J. Lowell Stoltzfus and the Honorable Norman R. Stone, Jr. were appointed to escort the President Pro Tem to the Chair.

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

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

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

The Honorable Patrick J. Hogan, seconded by the Honorable Thomas M. Middleton and the Honorable Joan Carter-Conway, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

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

The roll call vote resulted as follows:

Affirmative – 44 Negative – 2 (See Roll Call No. 8)

The Honorable Edward J. Kasemeyer and the Honorable David R. Brinkley were appointed to escort the President to the Chair.

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

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

Remarks by the Minority Leader, Senator David R. Brinkley.

Introduction of Governor Elect Martin O'Malley.

Remarks by Governor Elect Martin O'Malley.

Introduction of Lieutenant Governor Elect Anthony Brown.

Remarks by Lieutenant Governor Elect Anthony Brown.

Introduction of Honored Guests.

ORDERS

January 10, 2007

ORDER

BY THE MAJORITY LEADER:

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2007, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Regular Legislative Session of 2006.

The rules, with the exception of Rules 116, 17C, and 77 were read and adopted.

Senator Klausmeier moved to make Rule 116 a Special Order for January 17, 2007.

The motion was adopted.

Senator Harris moved to make Rules 17C and 77 a Special Order for January 17, 2007.

The motion was adopted.

January 10, 2007

ORDER

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2007:

Secretary of the Senate

- William B.C. Addison, Jr.

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

Read and adopted.

January 10, 2007

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Regular Legislative Session of 2007, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

Read and adopted.

January 10, 2007

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2007, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

Read and adopted.

ANNOUNCEMENT

January 10, 2007

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 10, 2007.

BUDGET AND TAXATION

Senator Ulysses Currie, Chairman
Senator Patrick J. Hogan, Vice-Chairman

Senator David R. Brinkley
Senator James E. DeGrange, Sr.
Senator Verna L. Jones
Senator Edward J. Kasemeyer
Senator Rona E. Kramer
Senator Richard S. Madaleno, Jr.

Senator Nathaniel J. McFadden
Senator Donald F. Munson
Senator Douglas J.J. Peters
Senator James N. Robey
Senator J. Lowell Stoltzfus

EDUCATION, HEALTH & ENVIRONMENTAL AFFAIRS COMMITTEE

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

Senator Gwendolyn Britt
Senator Richard F. Colburn
Senator Janet Greenip
Senator Andrew P. Harris
Senator J. Robert Hooper

Senator Mike Lenett
Senator Paul G. Pinsky
Senator James C. Rosapepe
Senator Robert A. Zirkin

FINANCE COMMITTEE

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

Senator George W. Della, Jr.
Senator George C. Edwards
Senator Nathaniel Exum
Senator Robert Garagiola
Senator Delores G. Kelley

Senator Allan H. Kittleman
Senator Katherine Klausmeier
Senator E.J. Pipkin
Senator Catherine E. Pugh

JUDICIAL PROCEEDINGS COMMITTEE

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

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

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

RULES COMMITTEE

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

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

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

ANNOUNCEMENT

January 10, 2007

The President makes the following appointments to continuing committees pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 10, 2007.

EXECUTIVE NOMINATIONS

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

Senator Ulysses Currie
 Senator David R. Brinkley
 Senator Jennie M. Forehand
 Senator Brian E. Frosh
 Senator Larry E. Haines
 Senator Patrick J. Hogan

Senator Allan H. Kittleman
 Senator Katherine Klausmeier
 Senator Rona E. Kramer
 Senator Nathaniel J. McFadden
 Senator Thomas M. Middleton
 Senator Thomas V. Mike Miller, Jr.

Senator J. Robert Hooper
Senator Edward J. Kasemeyer

Senator Donald F. Munson
Senator Norman R. Stone, Jr.

JOINT COMMITTEE ON PROTOCOL

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

Senator James E. DeGrange, Sr.

Senator Katherine Klausmeier

ANNOUNCEMENT

January 10, 2007

The President makes the following appointments to the statutory committees; the appointments are effective as of January 10, 2007.

LEGISLATIVE POLICY COMMITTEE

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

Senator John C. Astle
Senator David R. Brinkley
Senator Joan Carter Conway
Senator Ulysses Currie
Senator Brian E. Frosh
Senator Lisa A. Gladden
Senator Larry E. Haines

Senator Patrick J. Hogan
Senator Edward J. Kasemeyer
Senator Allan H. Kittleman
Senator Nathaniel J. McFadden
Senator Thomas M. Middleton
Senator Norman R. Stone, Jr.

**JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE
AND LEGISLATIVE REVIEW**

Senator Paul G. Pinsky, Senate Chairman

Senator David R. Brinkley
Senator Gwendolyn Britt
Senator James Brochin
Senator Richard F. Colburn
Senator Roy P. Dyson

Senator Jennie M. Forehand
Senator Lisa A. Gladden
Senator Allan H. Kittleman
Senator Richard S. Madaleno, Jr.

JOINT AUDIT COMMITTEE

Senator Nathaniel J. McFadden, Senate Chairman

Senator John C. Astle
 Senator David R. Brinkley
 Senator Ulysses Currie
 Senator George C. Edwards
 Senator Jennie M. Forehand

Senator Patrick J. Hogan
 Senator Rona E. Kramer
 Senator E.J. Pipkin
 Senator Catherine E. Pugh

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

Senator Roy Dyson, Senate Chairman

Senator Richard F. Colburn
 Senator E.J. Pipkin

Senator Jamie Raskin
 Senator Norman R. Stone, Jr.

JOINT COMMITTEE ON LEGISLATIVE ETHICS

Senator Norman R. Stone, Jr., Senate Chairman

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

Senator Donald F. Munson
 Senator Jamie Raskin

JOINT COMMITTEE ON FEDERAL RELATIONS

Senator Jennie M. Forehand, Senate Chairman

Senator Nathaniel Exum
 Senator Rob Garagiola
 Senator Verna L. Jones
 Senator Michael Lenett

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

JOINT COMMITTEE ON ACCESS TO MENTAL HEALTH SERVICES

Senator Delores G. Kelley, Senate Chairman

Senator Gwendolyn Britt
Senator Joan Carter Conway

Senator Robert J. Garagiola
Senator J. Robert Hooper

JOINT COMMITTEE ON HEALTH CARE DELIVERY AND FINANCING

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

Senator Richard F. Colburn
Senator Janet Greenip
Senator Andrew P. Harris

Senator Michael Lenett
Senator C. Anthony Muse

JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS

Senator Verna L. Jones, Senate Chairman

Senator Ulysses Currie
Senator Jennie M. Forehand

Senator Larry E. Haines

JOINT COMMITTEE ON SPENDING AFFORDABILITY

Senator Ulysses Currie, Senate Chairman

Senator David R. Brinkley
Senator James E. DeGrange, Sr.
Senator Patrick J. Hogan
Senator Edward J. Kasemeyer
Senator Rona Kramer

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

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

Senator Nathaniel Exum, Senate Chairman

Senator Allan H. Kittleman

ANNOUNCEMENT

January 10, 2007

The President makes the following appointments to Joint Committees and Special Joint Committees; the appointments are effective as of January 10, 2007.

**JOINT ADVISORY COMMITTEE ON
LEGISLATIVE DATA SYSTEMS**

Senator Patrick J. Hogan, Senate Chairman

Senator Donald F. Munson
Senator James N. Robey

Senator James C. Rosapepe

JOINT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

Senator Rob Garagiola, Senate Chairman

Senator David R. Brinkley
Senator Joan Carter Conway
Senator Jennie M. Forehand
Senator Nancy Jacobs
Senator Verna L. Jones

Senator Rona E. Kramer
Senator Richard S. Madaleno, Jr.
Senator C. Anthony Muse
Senator Robert A. Zirkin

JOINT COMMITTEE ON PENSIONS

Senator Rona E. Kramer, Chairman

Senator Ulysses Currie
Senator Patrick J. Hogan
Senator Edward J. Kasemeyer

Senator Nathaniel J. McFadden
Senator Donald F. Munson

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards
Senator Michael Lenett

Senator Donald F. Munson
Senator Robert A. Zirkin

JOINT TECHNOLOGY OVERSIGHT COMMITTEE

Senator Patrick J. Hogan, Senate Chairman

Senator John C. Astle
Senator Ulysses Currie
Senator Lisa A. Gladden

Senator Donald F. Munson
Senator James C. Rosapepe

JOINT COMMITTEE ON WELFARE REFORM

Senator Nathaniel Exum, Senate Chairman

Senator Rob Garagiola
Senator Lisa A. Gladden

Senator E.J. Pipkin

ANNOUNCEMENT

January 10, 2007

The President makes the following appointments to a Senate Special Committee; the appointments are effective as of January 10, 2007.

SPECIAL COMMITTEE ON SUBSTANCE ABUSE

Senator Nathaniel Exum, Chairman
Senator Catherine E. Pugh, Vice-Chairman

Senator James Brochin
Senator Joan Carter Conway
Senator Roy P. Dyson
Senator Larry E. Haines
Senator J. Robert Hooper

Senator Verna L. Jones
Senator Douglas J.J. Peters
Senator Paul G. Pinsky
Senator Catherine E. Pugh
Senator Robert A. Zirkin

ANNOUNCEMENT

January 10, 2007

The President makes the following announcement:

Majority Leader - Senator Edward J. Kasemeyer

Deputy Majority Leader	-	Senator Rob Garagiola
Assistant Deputy Majority Leader	-	Senator Gwendolyn Britt
Majority Whip	-	Senator Lisa A. Gladden
Deputy Majority Whip	-	Senator James N. Robey
Assistant Deputy Majority Whip	-	Senator Catherine E. Pugh Senator James Rosapepe

Read and ordered journalized.

ANNOUNCEMENT

The Senate Minority Caucus met on December 18, 2006, for the purpose of electing the Minority Floor Leaders for the 2007 Legislative Session. The following members have been selected:

Senate Minority Leader : Honorable David R. Brinkley, District 4

Senate Minority Whip: Honorable Allan H. Kittleman, District 9

Read and ordered journalized.

MESSAGE TO THE SENATE

January 10, 2007

By The Majority Leader:

Ladies and Gentlemen of the Senate:

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

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

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

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

January 10, 2007

By the Majority Leader,

Ladies and Gentlemen of the House of Delegates:

We have received your message notifying the Senate of the organization of your Honorable Body, and requesting the appointment of a joint committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make.

We have appointed on the part of the Senate, Senators Kasemeyer and Brinkley.

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

By Order,
William B.C. Addison, Secretary
Secretary

Read and adopted.

MESSAGE TO THE EXECUTIVE

January 10, 2007

By the Majority Leader,

His Excellency, the Governor of Maryland
Robert L. Ehrlich, Jr.:

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

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

By Order,

William B.C. Addison, Jr.
Secretary

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 9)

ADJOURNMENT

At 1:04 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 11, 2007.

**Annapolis, Maryland
Thursday, January 11, 2007
10:00 A.M. Session**

The Senate met at 10:18 A.M.

Prayer by The Reverend Greg St. Cyr, Bay Area Community Church, guest of Senator Greenip.

The Journal of January 10, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Astle and Klausmeier be excused from today’s session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 17)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Senator Andrew Harris	The President and All Members	77

Read and adopted by a roll call vote as follows:

Affirmative - 42 Negative - 0 (See Roll Call No. 18)

INTRODUCTION OF BILLS

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow voters to vote at certain polling places in certain locations and on certain days prior to certain election dates; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 3

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

Senate Bill 2 – Senators Middleton, Miller, Currie, Astle, Britt, Conway, DeGrange, Dyson, Forehand, Frosh, Garagiola, Gladden, Hogan, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, McFadden, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

SECOND PRINTING

AN ACT concerning

State Employees' Rights and Protections Act of 2007

FOR the purpose of requiring the Secretary of Budget and Management to designate certain positions in State government as special appointment positions based on certain criteria; requiring the Secretary to provide certain information on special appointments; providing that certain personnel actions regarding certain special appointments in State government be made under certain circumstances; providing a certain exception; extending current provisions to require special appointees in the skilled, professional, and management services to be given a certain written job description and an annual performance evaluation; clarifying that certain disciplinary appeals by certain employees may only be based on the grounds that an action is arbitrary or capricious; clarifying that only employees in the executive or management services or under a special appointment in the State Personnel Management System may be terminated for any reason that is not illegal or unconstitutional, solely within the discretion of the employee's appointing

authority; providing that certain employees may not be terminated under certain circumstances; providing that terminated management service employees be given the reason for a termination in writing; allowing a court to allow certain fees and costs as a result of an action by certain employees; requiring the Department of Legislative Services, with assistance from the Department of Budget and Management, to undertake a review of the current State Personnel Management System and other State laws, and the extent to which changes to the laws may be needed particularly with respect to at-will and special appointment positions; requiring the Secretary of Budget and Management to develop certain processes through regulation for notifying certain employees of a certain status; and generally relating to State personnel in the Executive Branch of State government.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 1–101(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–201, 4–302, 5–208, 7–102, 7–501, 11–113, and 11–305
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 3 – Senators DeGrange, Miller, Astle, Currie, Della, Garagiola, Gladden, Hogan, Kasemeyer, Kelley, Kramer, Pugh, Raskin, and Stone

AN ACT concerning

Property Protection Act of 2007

FOR the purpose of requiring a certain government unit to make certain findings before condemning and transferring private property to a private party for economic development purposes; requiring the government unit to make a certain written record of its findings; establishing a certain standard for judicial review of a government unit's findings; prohibiting a government unit from condemning private property used for a farm operation under certain circumstances; establishing that damages awarded for the taking of property used for a business or farm operation shall include certain damages for the loss of "goodwill" under certain circumstances and certain damages for loss of net operating income for a certain period of time; requiring an owner of a business or farm operation to prove certain elements of a loss of "goodwill" in order to receive certain payments;

prohibiting an owner of a business or farm operation from receiving compensation for “goodwill” if that compensation is included in other compensation received; establishing a certain limitation on the amount of compensation for “goodwill”; requiring the State, its instrumentality, or a political subdivision to file a condemnation action for certain property within a certain period of time after a certain administrative or legislative determination to take the property; requiring the State, its instrumentality, or a political subdivision to obtain a new authorization to condemn certain property if it does not file a condemnation action within a certain period of time; requiring the plaintiff in a condemnation proceeding to pay certain costs incurred by the defendant under certain circumstances; establishing a right to reacquire certain condemned land not needed for a public purpose; establishing procedures for the reacquisition of certain condemned land; requiring a representative of a displacing agency to contact the owner of a certain business or farm operation within a certain period of time before the filing of a condemnation action to negotiate regarding relocation plans for the business or farm operation; altering the payment for relocation costs in a condemnation proceeding by adding certain payments for substitute tangible personal property under certain circumstances and by repealing certain monetary limitations; expressing the intent of the General Assembly; defining certain terms; making stylistic changes; and generally relating to procedures and compensation in condemnation proceedings.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 12–101, 12–106, and 12–205

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 12–102.1, 12–104(h), 12–105.1, 12–113, and 12–205.1

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 12–104(a) and 12–201(a), (c), (f), and (g)

Annotated Code of Maryland

(2003 Replacement Volume and 2005 Supplement)

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

Senate Bill 4 – Senator Frosh

AN ACT concerning

**Consumer Protection – Consumer Reporting Agencies – Consumer Reports –
Security Freezes**

FOR the purpose of authorizing a consumer to elect to place a security freeze on all or part of the consumer's consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer's consumer report within a certain number of days after a request is received and to take certain actions within a certain number of business days after placing a security freeze on a consumer's consumer report; providing that while a security freeze is in place, a consumer reporting agency may not provide any information in a consumer's consumer report without certain authorization of the consumer; requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances; establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of days after receiving a request from a consumer; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze; providing a certain exception; requiring a consumer reporting agency to give certain notices to a consumer at certain times; authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties; providing for the application of this Act; defining certain terms; making a conforming change; and generally relating to consumer reporting agencies and security freezes on consumer reports.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–1202.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 5 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Maryland Charter Day; and generally relating to commemorative days.

BY adding to

Article – State Government

Section 13–406

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

FOR the purpose of adding a new article to the Annotated Code of Maryland, to be designated and known as the “Human Services Article”, to revise, restate, and recodify the laws of the State relating to the Department of Human Resources and its component parts, including the Maryland Commission for Women, the Commission on Indian Affairs, the Commission on Responsible Fatherhood, the Social Services Administration, the Family Investment Administration, and the Community Services Administration; revising, restating, and recodifying certain provisions relating to local departments of social services, local directors, and local boards; revising, restating, and recodifying certain provisions relating to public assistance, including the Family Investment Program, the Public Assistance to Adults Program, burial assistance, and food stamps; revising, restating, and recodifying certain provisions relating to community services, including the Energy Assistance Program, transitional services programs, adult services, and the Citizenship Promotion Program; revising, restating, and recodifying certain provisions relating to the Department of Disabilities, the Maryland Commission on Disabilities, the Interagency Disabilities Board, the State Disabilities Plan, the Personal Assistance Services Advisory Committee, Blind Industries and Services of Maryland, disability programs and services, and individuals with disabilities; revising, restating, and recodifying certain provisions relating to children, youth, and families, including the Advisory Council to the Children’s Cabinet, local management boards, the State Coordinating Council for Children, local coordinating councils, the Children’s Cabinet Fund, at-risk youth prevention and diversion programs, residential child care programs, and the Residential Child

Care Capital Grant Program; revising, restating, and recodifying certain provisions relating to the Department of Juvenile Services and its facilities, programs, and services, the Interstate Compact on Juveniles, and the Juvenile Services Facilities Capital Program; revising, restating, and recodifying certain provisions relating to the Department of Aging, the Commission on Aging, the Interagency Committee on Aging Services, programs and services for seniors, continuing care, and senior citizen activities centers; revising, restating, and recodifying certain provisions relating to the Maryland Legal Services Corporation; revising, restating, and recodifying certain provisions relating to confidentiality of certain information and sharing of certain information by certain agencies; repealing certain obsolete provisions; defining certain terms; providing for the construction and application of this Act; providing for the continuity of certain units and the terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interests, licenses, registrations, certifications, and permits; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the laws of the State relating to human services.

BY repealing

Article 10 – Legal Officials

Section 45A through 45H and 45J through 45–O, inclusive, and the subheading
“The Maryland Legal Services Corporation”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article 30 – Deaf, Mute or Blind

In its entirety

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 41 – Governor – Executive and Administrative Departments

Section 2–501 through 2–503, inclusive, and the subtitle “Subtitle 5. At–Risk Youth Prevention and Diversion Programs”; 6–101 through 6–104, inclusive, and 6–106, and the subtitle “Subtitle 1. Creation and Organization of Department”; 6–201 through 6–204, inclusive, and the subtitle “Subtitle 2. Community Services Administration”; 6–401 through 6–406, inclusive, and the subtitle “Subtitle 4. Energy Assistance Program Act”; 6–7A–01 through 6–7A–06, inclusive, and the subtitle “Subtitle 7A. Community Attendant Services and Supports Program”; 6–901 through 6–912, inclusive, and the subtitle “Subtitle 9. Commission on Indian Affairs”; 14–901 through 14–914, inclusive, and the subtitle “Subtitle 9. Assistive Technology Guaranteed Loan Fund”; 18–401 through 18–408 and

the subtitle “Subtitle 4. Commission on Responsible Fatherhood”; 18–601 through 18–604, inclusive, and the subtitle “Subtitle 6. Attendant Care Program”; and 18–701 through 18–707, inclusive, and the subtitle “Subtitle 7. Residential Child Care Capital Grant Program”

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 49C – Maryland Commission for Women
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 49D – Children, Youth, and Family Services
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 70B – Department of Aging
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 78A – Public Works
Section 55 and the subheading “Check Cashing”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 83C – Juvenile Services
In its entirety
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 88A – Department of Human Resources
Section 1, 1A, 2, 3, 3A(a), (b), (c)(1), (2), and (4), (d), and (e), 4, 5, 6, 6A, 7, and 13 through 18, inclusive, and the subheading “In General”; 44A through 53A, inclusive, 55, and 56, and the subtitle “Family Investment Program”; 62 and the subheading “Prohibited Acts”; 62A and the subheading “Funeral Expenses”; 63 through 71, inclusive, 73 through 78, inclusive, 80,

82, and 83, and the subheading “State Public Assistance Programs”; 84 through 87, inclusive, and the subheading “Community Home Care Services”; 88 and 89 and the subheading “Federal Food Coupons”; 124 through 127, inclusive, and the subtitle “Homeless Women — Shelter”; 128 through 129A, inclusive, and the subheading “Respite Care for Developmentally and Functionally Disabled Persons”; 130A through 130E, inclusive, and the subtitle “Statewide Nutrition Assistance Program”; 130F through 130K, inclusive, and the subtitle “Maryland Emergency Food Program”; 131 through 137, inclusive, and the subtitle “Shelter, Nutrition, and Service Program for Homeless Individuals”; 138 through 141, inclusive, and 143 and the subtitle “Certified Adult Residential Environment Program”; and 145 and the subtitle “Citizenship Promotion Program”

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article – Courts and Judicial Proceedings
Section 7–408
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – State Government
Section 9–1101 through 9–1119, inclusive, and the subtitle “Subtitle 11.
Department of Disabilities”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing

The article designation “Article 88A – Department of Human Resources”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding

New Article – Human Services
Section 1–101 through 11–801, inclusive, and the various titles
Annotated Code of Maryland

BY repealing and reenacting, with amendments,

Article 1 – Rules of Interpretation
Section 25
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 1 – Rules of Interpretation
Section 34
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 6–306
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing

Chapter 9 of the Acts of the General Assembly of 2006
Section 4

BY repealing and reenacting, with amendments,

Chapter 9 of the Acts of the General Assembly of 2006
Section 5

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

Article 88A – Department of Human Resources
Section 3A(c)(3) and 4A
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross–References and Corrections

FOR the purpose of correcting certain cross–references to the Human Services Article in the Annotated Code of Maryland; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Human Services Article and cross–references and corrections to it.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–301(q)(8)(iii)1. and 12–107(b)(8)(ii)3. and (9)(ii)3.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–502(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–127
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10–303(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 23–101(e)(2)(vii) and (viii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–201(g)(2) and 9–604(b)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–810(a)(2), 3–827(a)(3), 3–8A–27(f), 5–805(a)(4) and (5)(ii)3.,
7–202(d)(2), and 7–301(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–401(f)(2)(ii), 9–404(b)(1)(ii), 9–405(a)(3)(i), and 9–410(f)(1)(iv)

Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–220(c)(2)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–217(a)(9), 7–502(c), 8–410(b)(2), 8–417(b)(1), and 22–301(f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 8–105(a)(10), 13–101(b)(3), (4), and (5), and 13–207(e)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–313(d)(3)(iv), 5–503(a), 5–508(b)(7), 5–509(b)(2), 5–509.1(b)(1) and
(2), 5–556(e), 5–561(b)(3), (4), and (5), 5–570(c)(3)(iii), 5–584(e),
5–714(f)(2), 5–1202(a)(4), 5–1310(a), 10–108(a)(5) and (6), 10–108.7(1),
10–112(a)(1) and (b)(1)(i) and (2), 10–113(a)(1), 10–113.1(a)(1),
10–119(b)(1)(i), 10–119.3(e)(1)(i)2.A., and 10–1A–01(c)(3)(i)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–302(d)(3), 4–306(b)(1)(iii), 5–406(a)(2), 7–703(c)(1)(i) and (vii),
13–1010(b)(1)(i), 13–1111(b)(1)(i), 15–103(b)(9)(xiv)3., 15–139(c)(1),
15–303(a)(3), 16–101(d)(2)(ii) and (e)(2)(iv), 16–206, 19–114(d)(2)(ii),
19–345.2(c)(3), 19–712.6(a), 19–1409(b)(8), 19–1801(2)(vii),
19–1806(a)(2) and (3), (c)(1), (d), and (e), and 19–1901(b)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–512.1(a)(7) and (c)(2)(i)1. and 8–201(a)(2)(i) and (iii)

Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–302(b)(2), 7–315(f)(2)(i) and (ii), and 13–224(a)(4) and (6)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–404(7), 6–406(c), 12–101(a)(7) and (14) and (b), 12–103.2(a), and
12–401(14)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 7–206(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 516 of the Acts of the General Assembly of 2005)

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

Senate Bill 8 – Senator Garagiola

AN ACT concerning

Maryland Commission for the Montgomery County Agricultural Reserve

FOR the purpose of creating the Maryland Commission for the Montgomery County Agricultural Reserve; providing for the appointment of members of the Commission; providing for the terms of the members of the Commission; providing that a commissioner who fails to attend a certain number of meetings during a certain time period is considered to have resigned; providing for appointment of members in case of a vacancy during an unexpired term; providing for the duties of the Commission; prohibiting a commissioner from receiving

certain compensations, but authorizing a commissioner to receive certain reimbursements; requiring the Commission to elect the chair of the Commission; authorizing the Commission to accept certain funds under certain circumstances; requiring certain State agencies to provide a liaison to the Commission; requiring the Commission to report annually to certain local governmental units, and to the Governor and General Assembly; and generally relating to the Maryland Commission for the Montgomery County Agricultural Reserve.

BY adding to

Article – Agriculture

Section 2–1301 through 2–1306 to be under the new subtitle “Subtitle 13.
Maryland Commission for the Montgomery County Agricultural Reserve”

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 9 – Senator Garagiola

AN ACT concerning

Education – Student Surveys – Youth Risk Behavior Surveillance System Survey

FOR the purpose of requiring the State Department of Education to collaborate with the Department of Health and Mental Hygiene to incorporate the provisions of the Maryland Adolescent Survey and the Youth Tobacco Survey into the Centers for Disease Control and Prevention Youth Risk Behavior Surveillance System survey; providing for certain exceptions to the authority of the Department of Education to omit certain survey questions; altering certain parental notification requirements; clarifying that certain surveys are part of the Youth Risk Behavior Surveillance System survey; requiring the Department of Health and Mental Hygiene, certain county boards, and certain schools to cooperate with the Department of Education in administering the survey; defining certain terms; requiring the Department of Education to administer a certain survey on or before a certain school year; and generally relating to the administration of the Centers for Disease Control and Prevention Youth Risk Behavior Surveillance System survey.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–420

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1001(l) and (w) and 13–1003(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 13–1001(w)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 10 – Senator Middleton

AN ACT concerning

Department of Health and Mental Hygiene – Medicaid Managed Care Pilot Program – Sunset Extension

FOR the purpose of extending the termination date of a certain Medicaid managed care pilot program; and generally relating to a Medicaid managed care pilot program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–141(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 4 of the Acts of the General Assembly of the First Special Session of 2004
Section 5

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

Senate Bill 11 – Senator Della

AN ACT concerning

Creation of a State Debt – Johns Hopkins Bayview Medical Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the

proceeds to be used as a grant to the Board of Trustees of Johns Hopkins Bayview Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 12 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – The Powerhouse

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of The East Harbor Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 13 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – School 33 Art Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of The Baltimore Office of Promotion and the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 14 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland Science Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the Maryland Academy of Sciences for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 15 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Beans and Bread

FOR the purpose of authorizing the creation of a State Debt not to exceed \$850,000, the proceeds to be used as a grant to the Board of Directors of St. Vincent de Paul of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 16 – Senator Della

AN ACT concerning

Baltimore City – Local Government Tort Claims Act – Baltimore Public Markets Corporation

FOR the purpose of including the Baltimore Public Markets Corporation, in Baltimore City, in the definition of local government for the purposes of the Local Government Tort Claims Act; providing that Baltimore Public Markets Corporation may not raise a certain defense; providing for the application of this Act; and generally relating to the Local Government Tort Claims Act and the Baltimore Public Markets Corporation, in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d) and 5–303(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 17 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – The Baltimore Station Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Baltimore Station, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 18 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Library Square Revitalization

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Patterson Park Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 19 – Senator Della

AN ACT concerning

**Creation of a State Debt – Baltimore City – Hispanic Apostolate and Immigration
Legal Services**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of Associated Catholic Charities, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 20 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Museum of Industry

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Museum of Industry, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

MESSAGE FROM THE EXECUTIVE

January 10, 2007

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, § 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2006 Recess of the General Assembly. I am confident you will find the individuals to be well qualified for their respective offices and deserving of your support for appointment confirmation.

Very truly yours,

Robert L. Ehrlich, Jr.
Governor

Read and ordered journalized.

2006 RECESS APPOINTMENTS
SUBMITTED FOR CONFIRMATION BY MARYLAND STATE SENATE

(See Exhibit C of Appendix III – 2006 Recess Appointments)

Referred to the Committee on Executive Nominations

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Kye Ho Chon	Senator Rob Garagiola	23
Mr. Gwang Cheol Shin	Senator Rob Garagiola	24
Mr. Suk Hee Yoo	Senator Rob Garagiola	25
Kyungsup Shin	Senator Rob Garagiola	26
Hyun Choi	Senator Rob Garagiola	27
Ho Sun Park	Senator Rob Garagiola	28
Jeong Keun Choi	Senator Rob Garagiola	29
In Young Lee	Senator Rob Garagiola	30
Young Cheon Kim	Senator Rob Garagiola	31
Dr. Ok Cha Soh	Senator Rob Garagiola	32

Read and adopted by a roll call vote as follows:

Affirmative - 45 Negative - 0 (See Roll Call No. 19)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 20)

ADJOURNMENT

At 10:43 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 12, 2007.

Annapolis, Maryland
Friday, January 12, 2007
11:00 A.M. Session

The Senate met at 11:11 A.M.

Prayer by Reverend Norman D. Crews, Chaplain of the Annapolis Police Department.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 11, 2007 was read and approved.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 41 Members present.

(See Roll Call No. 24)

INTRODUCTION OF BILLS

Senate Bill 21 – Senator Britt

AN ACT concerning

**Creation of a State Debt – Prince George's County – Brentwood Multi-Service
Town Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Brentwood for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 22 – Senator Britt

AN ACT concerning

**Creation of a State Debt – Prince George’s County – World Arts Focus
Performance Theatre**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the World Arts Focus, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

ANNOUNCEMENT

Announcement by the President re: Special Joint Legislative Committee to Select the State Treasurer

Senator Thomas M. Middleton, (Co-Chairman)

- Senator John C. Astle
- Senator David R. Brinkley
- Senator Gwendolyn T. Britt
- Senator Joan Carter Conway
- Senator Ulysses Currie
- Senator James E. DeGrange
- Senator Jennie M. Forehand
- Senator Brian E. Frosh
- Senator Larry E. Haines
- Senator Patrick J. Hogan
- Senator Edward J. Kasemeyer
- Senator Katherine A. Klausmeier
- Senator Allan H. Kittleman
- Senator Nathaniel J. McFadden
- Senator Donald F. Munson
- Senator Paul G. Pinsky

Senator Norman R. Stone, Jr.

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 40 Members present.

(See Roll Call No. 25)

ADJOURNMENT

At 11:21 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 15, 2007.

**Annapolis, Maryland
Monday, January 15, 2007
8:00 P.M. Session**

The Senate met at 8:16 P.M.

Prayer by Senator Nathaniel Exum.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 12, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 28)

INTRODUCTION OF BILLS

Senate Bill 23 – Senators Conway, Britt, and Kelley

AN ACT concerning

Procurement – Small Business Reserve Program – Sunset Extension

FOR the purpose of continuing until a certain date the provisions of the State Procurement Law relating to procurements from small businesses under the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501 through 14–505
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004
Section 2

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

Senate Bill 24 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Restoration Gardens

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Empire Homes of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 25 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Parks & People Headquarters at Auchentoroly Terrace

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of Parks & People, The Foundation for Baltimore Recreation & Parks, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 26 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Learning, Inc. Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Learning, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 27 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Sandi’s Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of Sandi’s Learning Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 28 – Senators Simonaire and Greenip

AN ACT concerning

Anne Arundel County – School Board – Elected Members

FOR the purpose of requiring that the members of the Anne Arundel County Board of Education be elected; establishing a procedure for the election of members of the Anne Arundel County Board of Education from certain districts; establishing a certain term of office for elected members and staggering the terms of the members; providing for the removal of members under certain circumstances; providing for a voting student member and for the selection of the student member; providing a procedure for filling a vacancy on the County Board; providing for the election of the president and vice president of the County Board; providing for the compensation of the members of the County Board; requiring the County Board to meet at certain intervals; specifying that certain powers and

duties of the County Board be exercised by a supermajority of its members; submitting this Act to a referendum of the legally qualified voters of Anne Arundel County; providing for the effective date of certain provisions of this Act; and generally relating to the Anne Arundel County Board of Education.

BY repealing

Article – Education
Section 3–110
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 3–114(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 3–2A–01 through 3–2A–05 to be under the new subtitle “Subtitle 2A.
Anne Arundel County”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 29 – Senators Conway, Exum, Gladden, Jones, Kelley, McFadden, and Pugh

AN ACT concerning

Maryland Higher Education Commission – Review of Duplicative Academic Programs

FOR the purpose of requiring the Maryland Higher Education Commission to make a certain determination concerning a program approved or implemented after a certain date under certain circumstances; providing that certain decisions of the Commission concerning duplication of academic programs are subject to judicial review in the circuit court in accordance with certain rules and certain provisions of the Maryland Administrative Procedure Act; and generally relating to the review of duplicative academic programs.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–206 and 11–206.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 30 – Senator Stone

AN ACT concerning

**Vehicle Laws – Distracted Driving and Use of Wireless Communication Devices
While Driving – Prohibitions**

FOR the purpose of providing that a person who drives a motor vehicle in an inattentive manner under certain circumstances is guilty of distracted driving; prohibiting a driver of a certain school vehicle from using certain wireless communication devices; prohibiting the holder of a learner’s instructional permit or a provisional driver’s license who is 18 years of age or older from driving a motor vehicle while using certain wireless communication devices; prohibiting a certain driver of a motor vehicle that is in motion from using the driver’s hands to use certain wireless communication devices; providing for exceptions to the prohibitions of this Act; making stylistic changes; defining certain terms; and generally relating to distracted driving and prohibitions against the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–901.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 31 – Senators Raskin, Frosh, Lenett, Muse, Peters, Pinsky, Rosapepe, Simonaire, Stone, and Zirkin

AN ACT concerning

Elections – Voter Registration and Voting – Age

FOR the purpose of altering the qualifications for voter registration to allow an individual who is at least 16 years old to register to vote; specifying that an individual is not eligible to vote until a certain election in which the individual is 18 years old or older; and generally relating to the age when an individual becomes qualified to register to vote and to vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 32 – Senators Raskin, Forehand, Frosh, Garagiola, Kramer, Lenett, and Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Birchmere Music Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 33 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title or other defects; altering the maximum criminal penalty for willfully and knowingly falsifying information filed in a registration or renewal registration of certain affected property under provisions relating to reduction of lead risk in housing; authorizing certain leasehold estates to be subjected to a condominium regime if a municipal corporation is the owner of the reversionary fee simple estate; amending the Community Based Regional Initiatives Loan of 2004 to remove a requirement that the Board of Directors of the Mount Olive Community Life Center grant and convey an historic easement to the Maryland Historical Trust; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title or other defects in order to validate those Acts.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–511
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–813 and 9–1707(a) and (c)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 16–306
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–520 and the part “Part III. Rate Stabilization”; and 7–547 and the part
“Part IV. Rate Stabilization – Specific Provisions”
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–102(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 37–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
The Public Local Laws of Baltimore City
Section 16–46
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

BY repealing and reenacting, without amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter
322 of the Acts of the General Assembly of 2006
Section 12(3) Item (AJ)

BY repealing and reenacting, without amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter
432 of the Acts of the General Assembly of 2004 and Chapter 508 of the
Acts of the General Assembly of 2006
Section 13(3)(i) Item (H)

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

THE COMMITTEE ON FINANCE REPORT #1

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross-References and Corrections

(Amendment ID: SB0007/387073/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 7
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after the semicolon insert “correcting certain errors in the Human Services Article;”.

On page 3, after line 24, insert:

“BY repealing and reenacting, with amendments,
Article - Human Services
Section 3-301(a) and 9-246(f)(1)(iv)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of
2007)”.

AMENDMENT NO. 2

On page 22, after line 11, insert:

“Article - Human Services

3-301.

(a) In this section, “local executive authority” means:

(1) except as provided in item (2) of this subsection, the county executive of a county that has a charter form of government;

(2) the County Council of Talbot County [or Wicomico County];

(3) the county commissioners of a county that does not have a charter form of government; or

(4) the Mayor of Baltimore City.

9-246.

(f) (1) A county board may include in a final proposal:

(iv) curriculum and activities that are coordinated with an after-school opportunity program operating under [Title 6, Subtitle 10 of this article] **TITLE 7, SUBTITLE 12 OF THE EDUCATION ARTICLE;**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

MESSAGE TO THE SENATE

BY THE MAJORITY LEADER

Ladies and Gentlemen of the Senate

We Propose with Your Concurrence a Joint Session of the General Assembly at 10:20 AM Jan 17, 2007 for the Purpose of Witnessing the Opening of the Certified Election Returns by the Speaker, for the Offices of Governor and Lieutenant Governor.

We Have Appointed Delegates Bobo and Stull to Escort Your Honorable Body to the House Chamber for this Joint Session.

By Order,

MARY MONAHAN

Chief Clerk

January 15, 2007

MESSAGE TO THE HOUSE OF DELEGATES

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message proposing a Joint Session of the General Assembly in the House Chamber on Wednesday, January 17, 2007 at 10:20 a.m. for the purpose of witnessing the opening of Certified Election Returns by the Speaker, for the Offices of Governor and Lieutenant Governor.

We respectfully concur in your message.

By Order,

William B.C. Addison, Jr.
Secretary

MARTIN LUTHER KING, JR., DAY ADDRESS

A TRIBUTE TO DR. MARTIN LUTHER KING, JR.
BY STATE SENATOR CATHERINE E. PUGH
GIVEN ON MONDAY, JANUARY 15, 2007
BEFORE THE MARYLAND GENERAL ASSEMBLY
IN THE SENATE CHAMBERS

Mr. President, President Pro Tem, Committee Chairs, Leaders of the Senate, members of this distinguished body, staff, guest, family and friends ...it is with great honor and humility that I stand before you to pay tribute to one of the most distinguished leaders of our time...Dr. Martin Luther King, Jr.

Martin Luther King was born Michael Luther King (a name he later changed) on January 15, 1929 at 12 noon in Atlanta Georgia, and was assassinated on April 4, 1968 at 6:01 p.m. in Memphis, Tennessee... (A day I will never forget)...Had he lived...he would be celebrating his 78th birthday...

Before I begin...this tribute I wanted to share with you a quick story...

When I was growing-up ...one of seven children...one of the tributes my mother use to pay to us on our birthdays' was...that she would bake us a cake...and it could be any color we desired...What you must know is that we thought our parents were pretty terrific...and the fact that our mother could make our birthday cake any color was amazing to us...of course I know now that what she did was add food color to her icing...

April 4th was my brother James' birthday...my brother and I took piano lessons together...so we would arrive home around 6:30 p.m...I was excited coming through the door because I knew that it was my brother's birthday and there would be a cake to cut after dinner...when I walked in and saw that blue cake...that's the color my brother had chosen...I was excited ...couldn't wait to get a piece of it...I heard sobbing coming from my parents' bedroom and my father was soon to come in from work...My mother had the room door closed and I could hear her TV running...I knocked but she did not answer...when my Dad came home he too could hear her sobbing...

So he rushed to her side, as he was always known to do...I think he already new what was going...I along with my brother's and sisters were anxious...ready for dinner and waiting to have a piece of my brother's blue cake after we were to sing Happy Birthday to him...my mom and dad emerged from the bedroom both with tears streaming down their faces...and announced to us...that Martin Luther King Jr. had been killed...This was big...Martin Luther King Jr.'s picture had hung in our house over the buffet, as though he was a member of our family for as long as I could remember...we shed a lot tears that evening...we huddled around the television set to watch the 7:00 p.m. news trying to understand why this had happened...How could a man, who had done so much, for so many, in such a short period of time be dead...I don't remember to this date if we sang happy birthday to my brother James, that year...I don't even remember if...or when, we cut his cake...I do remember the sadness, and the emptiness that ensued...that consumed all of us...as it must have consumed this nation...

I think while we felt we had lost a family member...we also believed that our hopes for equality and justice for all in America had been silenced that evening...and that a void...had been created that was so deep it could never be filled...I can tell you today I feel a bit differently...and that for me and many of us hope springs eternal...and that the numerous lessons Martin Luther King Jr.s' life taught planted seeds that have grown leaders with vision...many seated in these chambers to night...Whether he was speaking before a crowd of dignitaries, freedom fighters or from jail (where he was arrested over 20 times) he never failed to inspire his public...Martin Luther King Jr. constantly reminded America in his own words, "that injustice anywhere was a threat to justice everywhere"

I thought ...How do I adequately pay tribute to such a giant...a world wide symbol of equality, courage and justice –a, father, husband, minister following in his father's footsteps...a civil leaders who held several honorary degrees...

And an earned Doctorate from the University of Boston...what message do I leave you with...

and than I contemplated... what would Martin Luther King Jr. say to you if he were alive...and I also debated...what would he be doing...Martin Luther King Jr.,...The man

who started the Southern Christian Leadership Conference in 1957, becoming its first president...Time Magazine's 1963 Man of the Year, Martin Luther King the youngest Nobel peace prize winner at the age of 35...The magnetic leader who could galvanize millions of people to march across this country, for justice and liberation.. Staging non-violent demonstrations, boycotts, sit-ins...and marches...bringing over 250,000 (A quarter of a million) people to Washington, DC. "Where he gave his famous 1964 "I HAVE A DREAM SPEECH,"..." where he said..."we have come to our nation's capitol to cash a check ...when the architects of our republic wrote the magnificent words of the constitution they were signing a promissory note to which every American was to fall heir...he continued...

This note was a promise that all men, yes Black men as well as White men would be guaranteed the unalienable rights of Life, Liberty and the pursuit of happiness...that speech along with the series of protest marches that started in Albany, Georgia in 1961 created the momentum that led to the signing of the Civil Rights Act of 1964 that prohibited segregation in public places as well as discrimination in education and employment...Martin Luther King...who conferred with Presidents...campaigning for Lyndon Baines Johnson...and led thousands in 1965 from Selma to Montgomery, Alabama where he spoke before a crowd of 20,000 bringing national attention and support for the Voting Rights Act of 1965 that was finally signed that August by President Johnson...what would he have me say to you...or what would he say if he were standing where I stand this evening...I believe

He would first turn to you Mr. President and say thank you for being wise enough to recognize the talents of many without regard for color, creed or origin...

and placing people in leadership positions ...some that are historical ... and you place them in these positions not because of the color of their skin but because they are suited and well qualified to serve...thank you for recognizing that none of us knows everything and all of us know something...and most of us are capable of learning from each other....

Martin Luther King Jr. would want me to say to you tonight...remember that we are among the chosen...We have been chosen for such a time as this... to represent all people of this great state and we must stand and fight as he fought for equality and justice for all...and know...that the battle for equality and equal access continues...that among us are too many poor...and that in our rich state...there are people my colleagues tonight...as they have... and will continue to do... if we don't do something about it...sleeping on the streets of our cities and towns...How can we sleep comfortably in our beds at night knowing...that so many walking and breathing among us...have no bed...

How do we rest in our state when too many children that our ancestors fought to get in to un-segregated schools and to get an equal education are dropping out, and being suspended at alarming rates ... while we spend less to educate them... then we do to incarcerate them...that not just in Maryland but all across the country we spend on an average... \$10,000-\$15,000 a year to educate a child and \$40,000 a year... to incarcerate them...Martin Luther King Jr. would cry out...fix it...

Martin Luther King Jr...would say...leaders something is wrong when disparities in health care, leave many with no health care and others sick and dying because they can't gain access to health care less worth quality health care...he would shout out...fix it...

And he would be appalled over the numbers among us who fail to exercise their right to vote after so many died not able to vote and died so that we could vote...he would cry out! Educate and Encourage them...

In 1966 Martin Luther King Jr. turned his focus of civil rights activism to economic issues...

because he believed that our nation needed to redistribute its wealth in order to eliminate the increasing number of Blacks and the poor living in poverty...

I think today...that Martin Luther King would be pleased with the numbers of us who have risen to local, state and national leadership...I am not so sure he would be pleased with all of our agendas...I also believe because of the state of America, lack of affordable housing, unequal insurance rates, high unemployment rates that Martin Luther King Jr...today would be preparing for another March on Washington...calling on our President to bring our troops home...and to take care of HOME...the sick, the shut in, the poor, uneducated and unprepared...I think he would be organizing another march...to demand that this U.S. congress and senate close the gap between the haves and the have-nots...I think he would be planning another march on Washington...

to demand national healthcare ...

I think that on this evening of his birth...He would be reaching out to us as leaders...and asking us to Have Faith, Hope and Love and he would remind us that the greatest of these is LOVE..."It is hard to wrong those you love...and as stated in the great BOOK...Love is patient, it is kind, it does not envy, it does not boast, it is not proud, It is not rude, it is not self seeking , it is not easily angered it keeps no record of wrongs...Love does not delight in evil but rejoices with truth,, It always protects, always trusts...always hopes, always perseveres...Love Never Fails...I think that Martin Luther King Jr. would say to us today...LOVE One another...and remember that when the least of us suffers...we all suffer...and we have the power to change America...Change begins at home...Martin Luther King would say to us remember the sacrifices of those gone before us and with leadership comes responsibilities...never vacillate and be accountable to the people we serve and represent...He would say to us...dare to be great...become great servant leaders..

Martin Luther King Jr. would say to us...remember the promises of the U.S. Constitution...Life, Liberty and the pursuit of happiness...for all Americans...

I give to you this poetic tribute...reminiscent of the struggle to make Martin Luther King's birthday a national holiday...an effort that began in the 1980's and passed Congress in 1986. ..

Resulting in the third Monday in January being declared a federal legal holiday commemorating Dr. Martin Luther King's Birthday and signed into law by than President Ronald Reagan...

"We arose early that cold wintry morn..."

We could hardly wait for this day to be born

We were going to our nation's Capitol, Washington, D.C.

To proclaim for the people a memorable victory...
We were not there in 1963...
So we were anxious to be a part of this history...
We had missed Martin's speech from the foot of the monument...
But we read about all the messages to those gathered it sent
My sister and I together were there...
We had placed this day in our many prayers...
We felt this was the least we could do...
As we sang with Stevie Wonder...Martin
Happy Birthday to you...
January 15th is a day I will never forget...
Nor the smiles on the faces of the people we met...
Leaders spoke to us from across the nation...
About freedom, justice and liberation...
We heard Jesse Jackson and Coretta Scott King...
Talk about Martin Luther King and his dream...
I can still hear echoes of Stevie Wonder's song...
Happy Birthday to you...as the crowd looked on...
It had been a glorious and wondrous day...
As we left praying for a national holiday...
This in honor of the man who for equality stood...
Committed to righteous and to good...
Happy Birthday to you, Martin Luther King...
You made us believe that freedom can ring...
Happy Birthday, to you...Martin Luther King...
as we celebrate you this...January 15th...
And I close finally with these words paraphrasing...from Martin Luther King Jr.'s
infamous "I HAVE A DREAM SPEECH...
"I say to you today my friends...and I say to all gathered this evening...that in spite of
the difficulties and frustrations of the moment...balancing budgets and serving the
people...I too... dream...
It is a dream deeply rooted in the American Dream... I have a dream he said, that one day
this nation will rise up and live out the true meaning of its creed: We hold these truths to
be self evident that all men and women , ...are created equal ...I have a dream ...he said
...that my four little children will one day live in a nation where they will not be judged
by the color of their skin but the content of their character" I too have a dream and it
embellishes the aspirations and hopes of Martin Luther King Jr...that we help America
live up to its promise of equality and justice for all...
I have a dream that we always respect each other, and that we stand always on the side of
right and that we are not swayed by indecency and in our comings and goings...that we
value our neighbor and that when we can help someone...that we do...and that we use
our influence to better ...our communities, our state this nation...and that we put the
needs of those we serve above our personal desires...

and as Martin Luther King Jr. did, my colleagues...I encourage you to not only dream but to hold fast to them...because dreams are the source of visions...that fuel our mission for tomorrows...Thank you Martin Luther King JR...for your valor, victories, and vision...Thank you for your fortitude to not only dream but to never waiver in the face of adversity...and finally...I thank this nation for having the wisdom and courage to honor such a great man...Martin Luther King Jr. Thank you all again... for this privilege and GOD BLESS

QUORUM CALL

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

(See Roll Call No. 29)

ADJOURNMENT

At 8:48 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 16, 2007.

**Annapolis, Maryland
Tuesday, January 16, 2007
10:00 A.M. Session**

The Senate met at 10:18 A.M.

Prayer by Pastor Mike Kaylani.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 15, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 32)

INTRODUCTION OF BILLS

Senate Bill 34 – Senators Frosh, Britt, Brochin, Forehand, Gladden, Kelley, Munson, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

Electric Industry – Local Aggregation

FOR the purpose of repealing a provision that prohibits a county or municipal corporation from acting as an aggregator under certain circumstances; establishing a process by which a county or municipal corporation or group of counties and municipal corporations may become a local aggregator; providing that a local aggregator may not initiate aggregation exceeding a certain percentage of the historic demand in a certain service territory in a year; establishing a process under which certain customers shall be deemed to have given permission to a certain county or municipal corporation to act as its local aggregator; providing that certain customers may refuse to participate in certain aggregation activities under certain circumstances; requiring a county or municipal corporation to give or provide for certain notices to certain persons and to the Public Service Commission under certain circumstances; providing for the contents of certain

notices; prohibiting a county or municipal corporation from excluding certain customers from the ability to participate in certain aggregation activities under certain circumstances; requiring the Commission to notify a certain county or municipal corporation as to its compliance with certain requirements; providing that a local aggregator may award contracts for competitive generation service supply only at certain times; requiring the Commission to make a certain determination as to when a local aggregator may award contracts for competitive generation service supply; providing that a certain county or municipal corporation is deemed to have obtained certain customer authorization to retrieve certain data; requiring the Commission to review certain fees, request formats, and the format of certain data provided to facilitate the intent of certain provisions of law; prohibiting a local aggregator from assessing certain new fees, taxes, or charges in the aggregation charges or rates under certain circumstances; limiting the amount of a certain fee; requiring the Commission to adopt certain regulations and establish certain procedures; requiring the Commission to consider certain factors; defining certain terms; altering certain terms; providing for the effective dates of certain provisions of this Act; and generally relating to the ability of a county or municipal corporation to aggregate demand for electricity within the county or municipal corporation.

BY renumbering

Article – Public Utility Companies
Section 1–101(p) through (pp), respectively
to be Section 1–101(q) through (qq), respectively
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies
Section 1–101(b)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies
Section 1–101(p) and 7–510.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing

Article – Public Utility Companies
Section 7–510(f)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 35 – Senator Frosh

AN ACT concerning

Transportation – Highways – Federal Property

FOR the purpose of altering the definition of “highway” for the purposes of the application of State laws to include a certain part of any way or thoroughfare owned, leased, or controlled by the United States government and located in the State.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–127
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 36 – Senators Miller, Stone, and Peters

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Maryland Crime Victims’
Resource Foundation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Crime Victims’ Resource Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 37 – Senator Brinkley

AN ACT concerning

Creation of a State Debt – Frederick County – Agriculture and Education Complex

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Supervisors of the Frederick Soil Conservation District and the Board of Supervisors of the Catoclin Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantees provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 38 – Senator Pipkin

AN ACT concerning

Environment – Dredged Material Management – Duties of Executive Committee

FOR the purpose of requiring the Executive Committee overseeing the development of the State's plan for dredged material management to review, in conjunction with stakeholders, the State's dredging needs and placement requirements and make certain recommendations to the Governor; and generally relating to the duties of the Executive Committee.

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–1104.2
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 39 – Senator Pipkin

AN ACT concerning

Maryland Port Administration – Transfer to Department of Business and Economic Development

FOR the purpose of transferring the Maryland Port Administration from the Department of Transportation to the Department of Business and Economic Development; establishing the Maryland Port Administration Fund as a special, nonlapsing fund; specifying the contents, purpose, and permitted use of the Fund; providing that for each fiscal year, certain amounts of the Transportation Trust Fund shall be transferred and credited to a certain fund; altering the composition of the Maryland Port Commission; repealing certain powers of the Chairman of the Commission; specifying that all employees of the Administration are in the State Personnel Management System; providing for the transfer of certain employees in the Department of Transportation Human Resources Management System to the State Personnel Management System; providing that certain employees of the Maryland Port Administration of the Department of Transportation who are transferred under this Act to the Department of Business and Economic Development be transferred without any diminution of their rights, benefits, or employment status; requiring the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, to propose certain corrections to the Code necessitated by this Act; making certain conforming and stylistic changes; and generally relating to the Maryland Port Administration.

BY transferring

Article – Transportation

Section 6–101 through 6–411 and 6–601 and 6–602, respectively, and the title
“Title 6. Ports”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

to be

Article 83A – Department of Business and Economic Development

Section 7–101 through 7–502, respectively, and the title “Title 7. Ports”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 83A – Department of Business and Economic Development

Section 7–201, 7–201.1, and 7–201.2

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article 83A – Department of Business and Economic Development

Section 7–201.3

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 2–107(c)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–07(f) and 12–401
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 1–101(i), 2–102(c), 2–103(b), (f), and (g), 2–107(a), and 3–101(h)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing
Article – Transportation
Section 2–110
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 3–216(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 3–216(f)(3)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 40 – Senator Pipkin

AN ACT concerning

Maryland Transportation Authority – Chesapeake Bay Bridge – Tolls

FOR the purpose of requiring the Maryland Transportation Authority to temporarily stop collecting tolls for the William Preston Lane, Jr. Memorial Bridge (Chesapeake Bay Bridge) under certain congested traffic conditions; requiring the Authority to resume collecting tolls when certain congested traffic conditions no longer exist; requiring the Authority to take certain action to obtain a necessary modification of a certain trust agreement; and generally relating to a requirement that the Authority stop collecting tolls for the William Preston Lane, Jr. Memorial Bridge under certain traffic conditions.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 41 – Senator Pipkin

AN ACT concerning

Vehicle Laws – Study of the Effectiveness of Traffic Control Signal and Speed Monitoring Systems

FOR the purpose of requiring the State Highway Administration to conduct a study of the effectiveness of traffic control signal and speed monitoring systems in the State; requiring the Administration to conduct the study for a certain period of time; requiring the Administration to monitor and record certain data relating to compliance with speed limit and traffic control signal laws and data relating to a certain number of accidents in certain areas; requiring the Administration to compare certain data with other data; requiring the Administration to report to the Governor and the General Assembly, by a certain date, and include in the report a certain certification as to whether the operation of certain traffic control signal and speed monitoring systems has resulted in certain outcomes; providing for the termination of certain provisions of law relating to traffic control signal and speed monitoring systems contingent on the receipt of a certain certification; and generally relating to traffic control signal and speed monitoring systems.

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

Senate Bill 42 – Senator Pipkin

AN ACT concerning

Northern Chesapeake Bay Crossing with Terminus in Kent County – Prohibition on Planning, Financing, and Construction

FOR the purpose of repealing certain authority of the State Roads Commission concerning the construction and financing of a northern crossing of the Chesapeake Bay between Millers Island in Baltimore County and Kent County; prohibiting the Maryland Department of Transportation, the Maryland Transportation Authority, or any unit in the Department, from including in certain plans and other documents any reference or statement with respect to a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; providing that a certain provision of this Act may not be construed in a certain manner; providing that bonds or other financing mechanisms authorized by law may not be used to finance the planning, design, or construction of a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; requiring the Department, the Authority, and any unit of the Department, if it is in possession of any plan or other document prepared on or after a certain date, that has a reference or statement with respect to a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County, to remove or cause the removal of that reference or statement from the plan or document; amending a provision of law to prohibit the Authority from condemning property in connection with the construction of a northern crossing of the Chesapeake Bay that has a terminus that lies in whole or in part in Kent County; and generally relating to prohibitions concerning a northern Chesapeake Bay crossing that has a terminus in Kent County.

BY repealing and reenacting, with amendments,
Chapter 608 of the Acts of the General Assembly of 1976
Section 3. 1.

BY adding to
Article – Transportation
Section 2–112
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 4–206
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 236
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

MESSAGE TO THE HOUSE OF DELEGATES

January 16, 2007

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We respectfully invite your Honorable Body to be present in the Senate Chamber at 11:30 a.m. on Wednesday, January 17, 2007, to participate with us in the Inauguration of the Governor-elect, the Honorable Martin O’Malley and the Lieutenant Governor-elect, the Honorable Anthony Brown, as well as to witness the administration of the Oath of Office to them by the Chief Judge of the Court of Appeals of Maryland, in compliance with the requirements of the Constitution and the Laws of the State.

We have appointed on the part of the Senate, a committee consisting of Senators Frosh and Conway, who will wait upon your Honorable Body at 11:30 a.m., and conduct you to the Senate Chamber, where Members of the House will remain standing while the Governor-elect and the Lieutenant Governor-elect take the oath of office.

We propose also, with your concurrence, the appointment of a Committee of eight, four on the part of the House and four on the part of the Senate, to escort the Governor-elect and the Lieutenant Governor-elect to the Senate Chamber for the purpose of being sworn in by the Chief Judge of the Court of Appeals. After the administration of the Oath, the Committee will escort the Governor to the Executive Offices.

The Committee will at 12:30 p.m. escort the Governor to the West Portico of the State House, where his Inaugural Address will be delivered.

We have appointed on the part of the Senate for this Committee, Senators Kasemeyer and Brinkley to escort the Governor; and, Senators Currie and Middleton to escort the Lieutenant Governor.

By Order,

William B.C. Addison, Jr.
Secretary

MESSAGE TO THE SENATE

January 16, 2007

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

We Have Received and Accept Your Invitation to Attend the Inaugural Ceremonies in the Senate Chamber on Wednesday, January 17, 2007 at 11:30 AM.

We Concur with Your Message for the Appointment of a Committee of Eight, Four on the Part of the House and Four on the Part of the Senate, to Escort the Governor-elect and the Lieutenant Governor-elect to the Senate Chamber, and, at 12:30 PM to the North West Portico of the State House Where His Inaugural Address Will Be Delivered.

We Have Appointed on the Part of the House, Delegates Benson and McHale to escort the Governor-elect; and, Delegates Costa and Cane to escort the Lieutenant Governor-elect.

By Order,

MARY MONAHAN
Chief Clerk

QUORUM CALL

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

(See Roll Call No. 33)

ADJOURNMENT

At 10:34 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned in memory of Detective Troy Chesley until 10:00 A.M. on Wednesday, January 17, 2007.

Annapolis, Maryland
Wednesday, January 17, 2007
10:00 A.M. Session

The Senate met at 10:04 A.M.

Prayer by Senator J. Lowell Stoltzfus.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 16, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 36)

INTRODUCTION OF BILLS

Senate Bill 43 – Senators Lenett, Britt, Conway, Currie, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Kramer, Madaleno, McFadden, Muse, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Maryland Assault Weapons Ban of 2007

FOR the purpose of designating certain firearms as assault weapons; prohibiting with certain exceptions a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; requiring the Handgun Roster Board to compile and maintain a roster of prohibited assault weapons; requiring the Board to have the roster of prohibited assault weapons published in the Maryland Register at certain times and to send copies of the roster to certain persons; designating assault long guns and copycat weapons as types of assault weapons; authorizing certain licensed

firearms dealers to continue to possess, sell, offer for sale, or transfer assault long guns or copycat weapons under certain circumstances; authorizing certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; authorizing a procedure by which a person may petition the Board to remove a copycat weapon from the roster of prohibited assault weapons; requiring the Board to hold a hearing under certain circumstances; making it a misdemeanor to use an assault long gun or a copycat weapon in the commission of a felony or a crime of violence; establishing certain penalties; requiring that certain firearms be lawfully possessed on or before a certain date in order for them to qualify as regulated firearms for certain purposes; defining certain terms; making conforming changes; and generally relating to assault weapons.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–202(a)(2)(ii) and 4–106(a)(6)(ii); and 4–301 through 4–306 to be under the amended subtitle “Subtitle 3. Assault Weapons and Detachable Magazines”

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law

Section 4–305 and 4–306

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–101(p)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 44 – Senators Lenett, Conway, Madaleno, Middleton, Pinsky, Robey, and Stone

AN ACT concerning

**Vehicle Laws – Use of Wireless Communication Devices While
Driving – Prohibitions**

FOR the purpose of prohibiting a driver of a certain school vehicle from using certain wireless communication devices; prohibiting a holder of a learner’s instructional

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

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 45 – Senator Gladden

AN ACT concerning

**State Employee Health and Welfare Benefits Program – Judges' Retirement System
– Eligibility – Surviving Spouse or Dependent Child**

FOR the purpose of authorizing surviving spouses or dependent children of certain members or retirees of the Judges' Retirement System to enroll and participate in certain health insurance benefits under the State Employee and Retiree Health and Welfare Benefits Program; providing that certain surviving spouses or dependent children are eligible for certain State subsidies; and generally relating to the State Employee Health and Welfare Benefits Program, the Judges' Retirement System, and the enrollment and benefit eligibility of surviving spouses and dependent children.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–507 and 2–508(c)

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 46 – Senators Dyson, Kittleman, and Zirkin

AN ACT concerning

Election of Circuit Court Judges – Nonpartisan Elections

FOR the purpose of establishing a method of electing judges to the circuit court on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for a circuit court judgeship to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for a circuit court judgeship may not be nominated by petition; and generally relating to the nonpartisan nomination and election of circuit court judges.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 5–203 and 5–301(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–703(a), 5–706, and 9–210(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 8–901 through 8–905 to be under the new subtitle “Subtitle 9. Election of
Circuit Court Judges”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

SPECIAL ORDERS

Senator Klausmeier moved, duly seconded, to make Rule 17(c), Rule 77 and Rule 116 a Special Order for February 6, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 37)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 6 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 38)

The Bill was then sent to the House of Delegates.

Senate Bill 7 – The President (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Human Services Article – Cross-References and Corrections

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 39)

The Bill was then sent to the House of Delegates.

RECESS

At 10:15 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 10:20 A.M. on Wednesday, January 17, 2007 to House Chamber for the Certification of the Election Results.

**AFTER RECESS
Annapolis, Maryland
Wednesday, January 17, 2007
10:20 A.M. Session**

At 10:22 A.M. the Senate resumed its session.

JOINT SESSION

SENATE QUORUM CALL

The reading clerk of the Senate announced a quorum call, showing 46 Members present.

(See Roll Call No. 39A)

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

HOUSE QUORUM CALL

The reading clerk of the House announced a quorum call, showing 139 Members present.

(See House Roll Call No. 12)

The Speaker of the House, the Honorable Michael E. Busch, now presiding announced that the House and Senate are now in Joint Session.

MESSAGE FROM THE SECRETARY OF STATE

January 17, 2007

The Honorable Michael E. Busch
Speaker of the House of Delegates
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with the provisions of Article II, Section 2 of the Constitution of Maryland, I am enclosing herewith a certified copy of the official returns for the offices of Governor and Lieutenant Governor in the 2006 General Election.

Sincerely,
Mary D. Kane
Secretary of State

Read and ordered journalized.

STATE BOARD OF ELECTIONS

I, LINDA H. LAMONE, Administrator of the State Board of Elections, do hereby certify that the attached is a true and correct copy of the RESULTS OF THE NOVEMBER 7, 2006 GENERAL ELECTION FOR THE OFFICES OF GOVERNOR/LIEUTENANT GOVERNOR.

It is further certified that the original of this document is on file and part of the permanent records of the State Board of Elections.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused to be affixed the official seal of the State Board of Elections, this 16th day of January 2007.

Linda H. Lamone
Administrator

MARYLAND STATE BOARD OF ELECTIONS
NOVEMBER 7, 2006 GUBERNATORIAL GENERAL ELECTION
OFFICIAL ELECTION RESULTS

(See Exhibit D of Appendix III)

Read and ordered journalized.

ADJOURNMENT

At 10:23 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 18, 2007.

Annapolis, Maryland
Thursday, January 18, 2007
10:00 A.M. Session

The Senate met at 10:19 A.M.

Prayer by The Reverend Dr. Thomas P. Williamsen Gloria Dei! Lutheran Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 17, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Harris and Madaleno be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 42)

INTRODUCTION OF BILLS

Senate Bill 47 – Senators Stone, Frosh, Gladden, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Administrative Procedure Act – Scope of Judicial Review

FOR the purpose of expanding the circumstances under which a court may reverse or modify a final decision in a contested case under the Administrative Procedure Act; and generally relating to judicial review of an administrative decision.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–222(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–222(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 48 – Senator Middleton

AN ACT concerning

State Personnel – Certificate of Illness or Disability – Medical Technicians and Signatures

FOR the purpose of authorizing a medical technician who performed a test at the request of a certain medical doctor to sign a certain certificate of illness or disability; providing that a signature or facsimile of a signature provided by an employee of a medical provider, with the approval of the provider, meets a certain requirement that a certificate of disability or illness be signed by certain individuals; requiring a medical technician who signs a certificate of illness or disability to attach to the certificate a copy of a certain order or prescription; and generally relating to certificates of illness or disability, medical technicians, and signatures.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 9–504
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 49 – Senator Middleton (Joint Subcommittee on Program Open Space/Agricultural Land Preservation) and Senators DeGrange, Edwards, Hooper, and Munson

AN ACT concerning

Program Open Space – Attainment of Acquisition Goals – Increased Allocation for Local Government

FOR the purpose of altering the amount a local government can spend on development projects after it has attained its acquisition goals under Program Open Space; and

generally relating to the apportionment of local government funds for Program Open Space.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–905(c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 50 – Senator Middleton

AN ACT concerning

Governor’s Appointments Office and Appointing Authorities – Duties

FOR the purpose of prohibiting the Governor’s Appointments Office from superseding or interfering with any function of certain appointing authorities in the Executive Branch of State government and the Secretary of the Department of Budget and Management with respect to the Secretary’s functions regarding the State’s personnel systems as assigned by law; prohibiting the Governor from delegating to the Appointments Office or any other unit, officer, official, or employee in the Office of the Governor or the Executive Branch any function or duty with respect to the hiring and termination of at will and special appointments in the principal departments of the Executive Branch and other units in the Executive Branch; providing a certain exception; providing that appointing authorities in the Executive Branch of State government have certain exclusive powers and duties, including the power to appoint, transfer, reassign, discipline, and terminate employees under their jurisdiction; prohibiting an appointing authority from delegating final decisions on the termination of an employee; defining certain terms; and generally relating to gubernatorial appointments and appointing authorities in the Executive Branch of State government.

BY adding to
Article – State Government
Section 8–3A–01 to be under the new subtitle “Subtitle 3A. Appointments in State Government”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 51 – Senators Frosh, Britt, Brochin, Conway, Garagiola, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Zirkin

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment and the Motor Vehicle Administration to establish by regulation and maintain a certain low emissions vehicle program applicable to certain vehicles by a certain date; requiring the Administration and the Department to establish certain motor vehicle emissions standards and certain compliance requirements; authorizing the adoption of certain regulations; requiring the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling or registering certain vehicles under certain circumstances; prohibiting certain acts related to certain vehicles or vehicle engines under certain circumstances; providing for the application of certain enforcement and penalty provisions; defining certain terms; specifying that certain provisions of federal law apply to a certain extent; providing for the effective date of this Act; and generally relating to the establishment of a low emissions vehicle program.

BY adding to

Article – Environment

Section 2–1101 through 2–1106, inclusive, to be under the new subtitle “Subtitle 11. Low Emissions Vehicle Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 52 – Senators Forehand, Frosh, Britt, and Della

AN ACT concerning

Consumer Protection – Consumer Reporting Agencies – Consumer Reports – Security Freezes

FOR the purpose of authorizing a consumer to elect to place a security freeze on all or part of the consumer’s consumer report; establishing procedures for requesting a security freeze; requiring a consumer reporting agency to place a security freeze on a consumer’s consumer report within a certain number of days after a request is received and to take certain actions within a certain number of business days after placing a security freeze on a consumer’s consumer report; providing that while a

security freeze is in place, a consumer reporting agency may not provide any information in a consumer's consumer report without certain authorization of the consumer; requiring a consumer reporting agency to give certain notice to a consumer if any person requests access to a consumer's consumer report under certain circumstances; establishing procedures for requesting a security freeze to be lifted temporarily or removed; requiring a consumer reporting agency to temporarily lift or remove a security freeze within a certain number of days after receiving a request from a consumer; requiring a consumer reporting agency to develop certain procedures on or before a certain date; prohibiting a consumer reporting agency from charging a consumer for any service relating to a security freeze; providing a certain exception; requiring a consumer reporting agency to give certain notices to a consumer at certain times; authorizing a consumer who is affected by a violation of certain provisions of this Act to bring a certain action; establishing certain penalties; providing for the application of this Act; defining certain terms; making a conforming change; and generally relating to consumer reporting agencies and security freezes on consumer reports.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1202(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Commercial Law
Section 14–1202.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 53 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Fort McHenry Visitors Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Trustees of the Patriots of Fort McHenry/Living Classrooms, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 54 – Senators Kelley, Britt, Colburn, Conway, DeGrange, Della, Forehand, Frosh, Garagiola, Gladden, Jones, Kasemeyer, Klausmeier, Kramer, Madaleno, Middleton, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Health – General – Vaccine for Prevention of Cervical Cancer

FOR the purpose of requiring certain students to receive a certain vaccination by a certain time; requiring the Department of Health and Mental Hygiene to adopt certain regulations in accordance with certain requirements concerning the adoption of certain rules and regulations regarding the immunization of certain children; and generally relating to the vaccine for prevention of cervical cancer.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–104
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 5 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Brittany Lietz	Senator Astle	108

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 43)

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 44)

ADJOURNMENT

At 10:38 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 19, 2007.

Annapolis, Maryland
Friday, January 19, 2007
11:00 A.M. Session

The Senate met at 11:09 A.M.

Prayer by Pastor Darrin Spencer, Abundant Life Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 18, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Madaleno and Munson be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 48)

INTRODUCTION OF BILLS

Senate Bill 55 – The President (By Request - Administration)

AN ACT concerning

Budget Bill

(Fiscal Year 2008)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2008, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

Senate Bill 56 – The President (By Request - Administration)

AN ACT concerning

Creation of a State Debt - Maryland Consolidated Capital Bond Loan of 2007, and the Maryland Consolidated Capital Bond Loans of 2000, 2001, 2003, 2004, 2005, and 2006

FOR the purpose of authorizing the creation of a State Debt in the amount of Eight Hundred Six Million, Seven Hundred Ninety-Nine Thousand Dollars (\$806,799,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program; repealing a requirement for a certain appropriation; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000
Section 1(3) Item RB23(A) and Item SA23(C)

BY repealing and reenacting, with amendments,
Chapter 508 of the Acts of the General Assembly of 2000, as amended by Chapter
204 of the Acts of the General Assembly of 2003, and Chapter 46 of the
Acts of the General Assembly of 2006
Section 1(3) Item RP00(A)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item ML10(A) and Item ZA00(F)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter
445 of the Acts of the General Assembly of 2005, and Chapter 46 of the
Acts of the General Assembly of 2006
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ML10(A)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter
46 of the Acts of the General Assembly of 2006
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(1) and Section 1(3) Item MJ02(A) and Item ML10(A)

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

Senate Bill 57 – Senators Pinsky, Britt, Raskin, and Rosapepe

AN ACT concerning

**Education – Teachers – State and Local Aid Program for Certification by the
National Board for Professional Teaching Standards**

FOR the purpose of including the renewal of certain certification by the National Board for Professional Teaching Standards as part of a certain State and local aid program; altering the maximum number of teachers who may be selected to participate in a certain program; authorizing the State Board of Education to provide certain aid to certain participants for certain retakes of the National Board for Professional Teaching Standards assessment; extending a certain termination date; requiring the State Department of Education to request a certain amount of money needed to provide at least all eligible teachers with certain funds in a certain budget request; and generally relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–112
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 179 of the Acts of the General Assembly of 1997, as amended by Chapter
536 of the Acts of the General Assembly of 1999, Chapter 61 of the Acts of
the General Assembly of 2000, and Chapter 240 of the Acts of the General
Assembly of 2004

Section 3

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

Senate Bill 58 – Senators Pinsky, Britt, and Raskin

AN ACT concerning

Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers

FOR the purpose of establishing a Study Commission to Explore the Expanded Application of State Stipends for National Certification of Teachers; providing for the membership of the Study Commission; requiring the Governor to designate the chair of the Study Commission; requiring the State Department of Education to provide staff for the Study Commission; providing that a member of the Study Commission may not receive compensation but is entitled to certain reimbursement; requiring the Study Commission to assess the rigor of national certification for certain occupations and determine how these national certifications compare to national teacher certification and make certain recommendations; requiring the Study Commission to report certain findings and recommendations to the Governor and to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the expanded application of State stipends for national certification of teachers.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–306(a) and (b)(2)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 59 – Senator Lenett

AN ACT concerning

The Stem Cell Research Enhancement Act of 2007

FOR the purpose of requiring the Stem Cell Research Commission to place a priority on funding certain stem cell research; and generally relating to the funding of embryonic stem cell research.

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 5–2B–01(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–2B–07(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 60 – The President (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit and District Courts

FOR the purpose of altering the number of resident judges of the circuit courts in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; and generally relating to judgeships in the circuit courts and the District Court of Maryland.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–503(a)(15) and (b) and 1–603(b)(4) and (6)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 61 – Senators Brochin, Forehand, and Stone

AN ACT concerning

Evidence – Separate Act of Sexual Misconduct Involving a Minor – Admissibility

FOR the purpose of authorizing a court to admit evidence of a defendant's commission of a certain separate act of sexual misconduct involving a minor in a prosecution for certain sexual offenses involving a minor under certain circumstances; requiring

the State's Attorney to disclose to the defendant the State's intent to offer the evidence within a certain time period before the trial unless the court allows disclosure at a later time for good cause shown; specifying the content of the disclosure to the defendant; prohibiting certain evidence from being referred to in a statement to the jury or introduced at trial unless the court first holds a closed hearing and determines that the evidence is admissible; requiring the court to enter an order stating which evidence may be introduced under certain circumstances; authorizing the court to reconsider a ruling excluding evidence and hold an additional closed hearing if new information is discovered during the trial that may make the evidence admissible; defining certain terms; providing for the construction and application of this Act; and generally relating to the admissibility of evidence in criminal proceedings.

BY adding to

Article – Courts and Judicial Proceedings
Section 10–916.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Criminal Law
Section 1–101(g)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 62 – Senator Stoltzfus

AN ACT concerning

Somerset County – County Commissioners and Members of the County Roads Board – Salaries

FOR the purpose of increasing the salaries of the County Commissioners for Somerset County and the members of the County Roads Board of Somerset County; establishing a salary for the President of the County Commissioners for Somerset County and the President of the County Roads Board; providing that this Act does not apply to the salary or compensation of the incumbent County Commissioners, President of the County Commissioners, members of the County Roads Board, or President of the County Roads Board; and generally relating to the salaries of the County Commissioners for Somerset County, the President of the County Commissioners for Somerset County, members of the County Roads Board of Somerset County, and the President of the County Roads Board of Somerset

County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 2–101 and 9–104(a)
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2006 Supplement, as amended)

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

Senate Bill 63 – Senators Lenett, Frosh, and Madaleno

AN ACT concerning

Election Law – Voter’s Bill of Rights

FOR the purpose of requiring that certain voting systems produce an accessible voter–verified paper audit trail of a voter’s ballot choices and provide the voter with an opportunity to inspect the accessible voter–verified paper audit trail; requiring that the accessible voter–verified paper audit trails be preserved at the polling place in a certain manner for certain purposes; requiring the State Board of Elections to conduct a comparison of certain ballots in a random sampling of election districts; establishing the Voter’s Bill of Rights; requiring each local board of elections to post a copy of the Voter’s Bill of Rights document at each polling place on election day, to include a copy of the Voter’s Bill of Rights document with each sample ballot it distributes, to offer a copy of the Voter’s Bill of Rights document to voters at the polling place, and to make the Voter’s Bill of Rights document available in a language other than English in certain precincts; prohibiting a person from willfully or knowingly influencing or attempting to influence an individual from registering to vote or from engaging in certain voter activity through the use of fraud, stratagem, or ruse; and generally relating to voter protections.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(s)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 9–106
Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–201 and 16–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 64 – Senator Middleton

AN ACT concerning

Young Farmers Advisory Board – Termination Date – Repeal

FOR the purpose of repealing the termination date for the provisions of law that establish a Young Farmers Advisory Board in the Department of Agriculture; and generally relating to the Young Farmers Advisory Board.

BY repealing and reenacting, with amendments,
Chapter 517 of the Acts of the General Assembly of 2004
Section 2

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

Senate Bill 65 – Senators Brochin, Della, Haines, Raskin, and Stone

AN ACT concerning

Community or Homeowners' Associations – Standing to Participate in Certain Proceedings

FOR the purpose of authorizing a community or homeowners' association to institute, defend, intervene, or participate in certain governmental proceedings or forms of alternative dispute resolution under certain circumstances; authorizing a community or homeowners' association to assert a claim in its name on behalf of its members under certain circumstances; defining a certain term; expressing the intent of the General Assembly; providing for the construction and application of this Act; and generally relating to the standing of a community or homeowners' association to participate in certain proceedings and forms of alternative dispute resolution under certain circumstances.

BY renumbering

Article – Courts and Judicial Proceedings
Section 6–406.1
to be Section 6–406.2
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 5–406(a)(1), (7), and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings
Section 6–406.1
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Government
Section 7–108
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 66 – Senators Middleton, Dyson, and Miller

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

FOR the purpose of authorizing certain electric cooperatives to supply their standard offer service load through a portfolio of blended wholesale supply contracts of short, medium, and long terms under certain circumstances; making this Act an emergency measure; and generally relating to wholesale supply contracts and electric cooperatives.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7-510(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 67 – Senator Klausmeier

AN ACT concerning

**Income Tax – Credit for Smoking Prohibition on the Premises of Business
Establishments**

FOR the purpose of providing for certain credits against the State income tax for prohibiting smoking on the premises of certain business establishments; limiting the credit to a certain amount; providing for the issuance of certain eligibility certificates by the board of license commissioners; requiring a taxpayer claiming the credit to obtain and file with the income tax return a certain eligibility certificate; providing for revocation of a certain eligibility certificate and the recapture of the credit under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to a credit against the State income tax for prohibiting smoking on the premises of certain business establishments.

BY adding to

Article – Tax – General
Section 10-726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 68 – Senators Klausmeier and Mooney

AN ACT concerning

Radio Communications – Regulation of Amateur Radio Equipment – Limitations

FOR the purpose of requiring local zoning authorities to comply with certain federal regulations governing amateur radio service; prohibiting certain homeowners associations from restricting or prohibiting the design, placement, screening, height, or use of certain amateur radio equipment; prohibiting certain homeowners associations from amending certain governing documents under certain circumstances; requiring certain homeowners associations to provide certain

written notice to their lot owners within a certain amount of time; defining a certain term; and generally relating to the regulation of amateur radio equipment.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02, 2.13, and 4.01(b)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01(b)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 11B–111.5
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

AN ACT concerning

Task Force to Study Prison Violence in Maryland

FOR the purpose of establishing a Task Force to Study Prison Violence in Maryland; specifying the chair, membership, and duties of the Task Force; requiring the Task Force to make legislative recommendations; requiring the Task Force to meet with a certain frequency; requiring the Task Force to provide a certain report to the Governor and the General Assembly on or before a certain date; providing for staffing of the Task Force; providing for the termination of this Act; and generally relating to the Task Force to Study Prison Violence in Maryland.

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

Senate Bill 70 – Senators Jones, Forehand, Kelley, and Stone

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

FOR the purpose of altering a date by which the Task Force to Study Identity Theft is required to make a certain report; providing for an alternate date for the termination of the Task Force; making this Act an emergency measure; and generally relating to the Task Force to Study Identity Theft.

BY repealing and reenacting, with amendments,
Chapter 241 of the Acts of the General Assembly of 2005
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 242 of the Acts of the General Assembly of 2005
Section 1 and 2

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

Senate Bill 71 – The President (By Request – Administration)

AN ACT concerning

Health Services Cost Review Commission – User Fees

FOR the purpose of altering the maximum amount of user fees the Health Services Cost Review Commission may assess; and generally relating to the Maryland Health Services Cost Review Commission.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–213(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–213(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 72 – The President (By Request – Administration)

AN ACT concerning

Maryland Health Care Commission – User Fee Assessments

FOR the purpose of altering the maximum amount of user fees the Maryland Health Care Commission may assess; making permanent a certain authorization to assess indirect costs; and generally relating to the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–110(b) and 19–111(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 73 – The President (By Request – Administration)

AN ACT concerning

Maryland Transportation Authority – Intercounty Connector – Funding

FOR the purpose of altering a requirement that a certain sum be appropriated to the Maryland Transportation Authority for the Intercounty Connector for a certain fiscal year; and generally relating to the Maryland Transportation Authority and the funding of the Intercounty Connector.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE EXECUTIVE

January 18, 2007

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

Annapolis, Maryland 21401

Dear Mr. President:

It is a pleasure to submit to the Maryland State Senate, the following nominations for appointment as Department Secretaries:

Department of Budget and Management

T. Eloise Foster

Appointment as Secretary

To serve at the pleasure of the Governor

Department of the Environment

Shari T. Wilson

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Health and Mental Hygiene

John M. Colmers

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Natural Resources

John R. Griffin

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Planning

Richard E. Hall

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Transportation

John D. Porcari

Appointment as Secretary

To serve at the pleasure of the Governor

Thank you for your consideration. I look forward to your favorable approval of these nominations.

Very truly yours,

Martin O'Malley
Governor

The preceding nominations were referred to the Executive Nominations Committee.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 49)

ADJOURNMENT

At 11:24 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 22, 2007.

**Annapolis, Maryland
Monday, January 22, 2007
8:00 P.M. Session**

The Senate met at 8:13 P.M.

Prayer by Reverend Ron Maxson, Chaplain for the Frederick County Sheriff's Office, guest of Senator Mooney.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 19, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 52)

INTRODUCTION OF BILLS

Senate Bill 74 – Senators Harris and Haines

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore County – Eminent Domain – Limitation on Condemnation Authority

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property in Baltimore County under certain circumstances; defining a certain term; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department
Section 40, 40A, and 61

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

Senate Bill 75 – Harford County Senators

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Harford County – Eminent Domain – Limitation on Condemnation Authority

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property in Harford County under certain circumstances; defining a certain term; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40, 40A, and 61

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

Senate Bill 76 – Senator Jones

AN ACT concerning

Creation of a State Debt – St. Agnes HealthCare

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the proceeds to be used as a grant to the Board of Directors of St. Agnes HealthCare, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or the matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 77 – Senators Kelley, Britt, Brochin, Haines, Harris, Klausmeier, Munson, Rosapepe, Stone, and Zirkin

AN ACT concerning

Election Law – Rotation of Candidates Names on the Ballot

FOR the purpose of requiring that the names of certain candidates be listed on the ballot in accordance with certain regulations adopted by the Secretary of State; requiring the regulations to include a protocol for the rotation of the names of certain candidates; and generally relating to the rotation of candidates names on the ballot.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–210
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 78 – Senators Kelley and Rosapepe

AN ACT concerning

Election Law – Election Judges – Hiring on a Nonpartisan Basis

FOR the purpose of repealing a limitation that each polling place have an equal number of election judges from certain political parties; providing that election judges shall be hired on a nonpartisan basis; providing that minor election judges may not exceed a certain proportion of adult election judges; and generally relating to the employment of election judges.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 79 – Senators Kelley, Brochin, and Stone

AN ACT concerning

Baltimore County – Board of Education – Membership

FOR the purpose of requiring the appointments made by the Governor to the Baltimore County Board of Education to be with the advice and consent of the Senate of Maryland; requiring the composition of the membership of the Board to reflect certain demographics in the county; and generally relating to the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and 3–109
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 80 – Senators Stone and Harris

AN ACT concerning

Motor Fuel Tax – Refunds – Motor Fuel Used to Operate Vessels

FOR the purpose of allowing a refund of motor fuel tax paid on motor fuel that is used to operate a vessel; and generally relating to refunds of motor fuel tax paid on motor fuel that is used to operate a vessel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–901(f)(1)(ii)1. and 3.
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 81 – Senator Della

AN ACT concerning

Procurement of Services of Regulated Lobbyist – Prohibited

FOR the purpose of prohibiting a unit of State government from awarding a contract for services that is to be performed in whole or in part by a regulated lobbyist.

BY adding to

Article – State Finance and Procurement
Section 14–601 to be under the new subtitle “Subtitle 6. Prohibited Procurement”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government
Section 15–701(a) and 15–703(f)(3)(i)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 82 – Senator Zirkin

AN ACT concerning

Baltimore County – Board of Education – Elected Members

FOR the purpose of establishing a procedure for the election of certain members of the Baltimore County Board of Education; requiring some of the members of the County Board to reside in and be elected from certain districts; establishing a certain term of office for the elected members; providing for the removal of members under certain circumstances; providing a procedure for filling a vacancy for an elected member on the County Board; providing for the election of the chair and vice chair of the County Board; providing for the compensation of the members of the County Board; and generally relating to the election of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education
Section 3–108(a), 3–109, and 3–114
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 3–2A–01 through 3–2A–04 to be under the new subtitle “Subtitle 2A.
Baltimore County”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 83 – Senator Zirkin

AN ACT concerning

Sexual Offenders – Evaluation Before Sentencing

FOR the purpose of requiring a court, unless there is a certain waiver, before sentencing a certain defendant, to order that the defendant submit to a presentence investigation conducted by the Division of Parole and Probation and a mental health evaluation conducted by a certain individual employed or engaged by the Department of Health and Mental Hygiene; requiring a court to consider the presentence investigation and mental health evaluation when sentencing the defendant; and generally relating to evaluation and sentencing of sexual offenders.

BY adding to

Article – Criminal Procedure

Section 11–704.1

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 84 – Senator Zirkin

AN ACT concerning

Health Care Malpractice – Expression of Regret or Apology – Inadmissibility

FOR the purpose of altering a certain evidentiary rule concerning an expression of regret or apology in certain civil actions and proceedings against health care providers; making a stylistic change; providing for the application of this Act; and generally relating to the admissibility of an expression of regret or apology in certain health care malpractice proceedings or actions.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–920

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 85 – Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – HopeWell Cancer Support Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000 the proceeds to be used as a grant to the Board of Trustees of HopeWell Cancer Support, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 86 – Senator Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – United Cerebral Palsy Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Board of Directors of the United Cerebral Palsy of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 87 – Senator Middleton

AN ACT concerning

Creation of a State Debt – Charles County – Charles County Humane Society

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Charles County Humane Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 88 – Senators Conway, Britt, and Dyson

AN ACT concerning

State Board of Architects – Architecture Licensing Exam – Time Requirements

FOR the purpose of prohibiting the State Board of Architects from adopting time requirements for completing architecture licensing exams that begin running before the completion of any internship or training programs required by the Board; and generally relating to architecture licensing exams and the State Board of Architects.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 3–305
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 89 – Senators Kelley, Britt, Haines, Klausmeier, Middleton, Miller, Munson, Rosapepe, Stone, and Zirkin

AN ACT concerning

Election Law – Certificate of Candidacy – Address Requirement

FOR the purpose of requiring a candidate filing a certificate of candidacy for elective office to use the address of the candidate's current domicile; repealing a provision of law allowing a candidate to use certain other addresses; and generally relating to the type of address required on the certificate of candidacy for elective office.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–304(c)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–113.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 90 – Senators Kelley, Britt, Exum, Haines, Harris, Klausmeier, Miller, and Stone

SECOND PRINTING

AN ACT concerning

Election Law – Certificate of Candidacy – Given Name Requirement

FOR the purpose of repealing a provision of law authorizing a candidate for a certain office to file a certificate of candidacy under a name other than the candidate's given name, initial of other given name, and surname by filing a certain affidavit; and generally relating to the form of a candidate's name required by a certificate of candidacy.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 5–301(a) and (b)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–301(c)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 91 – Senators Garagiola, Britt, Currie, Forehand, Frosh, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Clean Indoor Air Act of 2007

FOR the purpose of prohibiting a person from smoking tobacco products except under certain circumstances; authorizing certain counties to regulate smoking under certain circumstances; repealing certain provisions of law concerning tobacco smoking in retail stores; declaring the intent of the General Assembly; stating the purpose of certain provisions of this Act; prohibiting a person from smoking in indoor areas open to the public except under certain circumstances; requiring the posting of certain signs; requiring the Department of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to report to the General Assembly regarding certain provisions of this Act; establishing certain penalties for certain violations of this Act; prohibiting smoking in certain places of employment; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly regarding the enforcement efforts and the effect of the efforts by the Department of Labor, Licensing, and Regulation; establishing certain penalties for certain violations in certain places of employment; defining certain terms; declaring that nothing in this Act shall be construed to preempt a certain entity from enacting and enforcing certain measures; making a stylistic change and generally relating to the prohibition of smoking in indoor areas open to the public and indoor places of employment.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 3(jj) and 236B
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Business Regulation
Section 2–105(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–205
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health – General

Section 24–501 through 24–505, inclusive, and the subtitle “Subtitle 5. Tobacco Smoking in Retail Stores”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 24–501 through 24–509, inclusive, to be under the new subtitle “Subtitle 5. Clean Indoor Air Act”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Labor and Employment
Section 2–106(c) and 5–314(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 5–101(a), (c), (d), and (g)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment
Section 5–608
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY renumbering

Article – Labor and Employment
Section 2–106(d) and (e), respectively
to be Section 2–106(c) and (d), respectively
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 92 – Senators Miller and Dyson

AN ACT concerning

Creation of a State Debt – Calvert County – Arc of Southern Maryland Community Resource Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Arc of Southern Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 93 – Senators Stone and Miller

AN ACT concerning

Unclaimed Restitution – Disbursements and Use

FOR the purpose of requiring the Comptroller to distribute all unclaimed money from certain judgments to the State Victims of Crime Fund for a certain purpose; requiring the State Board of Victim Services to ensure that the money obtained from unclaimed restitution is used for certain grants; providing that it is the intent of the General Assembly that if certain funding is terminated or reduced below a certain level, the Governor shall include a certain appropriation in the annual budget bill; and generally relating to disbursements and use of unclaimed restitution.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 17–101(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–919
Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 94 – Senators Brinkley and Mooney

AN ACT concerning

**Creation of a State Debt – Frederick County – C&O Canal National Historic
Catoctin Aqueduct**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Catoctin Aqueduct Restoration Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 95 – Senators Mooney and Brinkley

AN ACT concerning

Creation of a State Debt – Frederick County – Way Station

FOR the purpose of authorizing the creation of a State Debt not to exceed \$550,000, the proceeds to be used as a grant to the Board of Directors of Way Station, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 96 – Senators Mooney and Brinkley

AN ACT concerning

Frederick County – Alcoholic Beverages – Special Licenses

FOR the purpose of authorizing a certain organization in Frederick County to obtain

certain special licenses for the sale of certain alcoholic beverages; specifying the use of the net proceeds from the sale of certain alcoholic beverages; and generally relating to special alcoholic beverages licenses in Frederick County.

BY renumbering

Article 2B – Alcoholic Beverages

Section 8–211(i)

to be Section 8–211(j)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8–211(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–211(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 97 – Senators Kramer, Forehand, Garagiola, Hogan, and Lenett

AN ACT concerning

Creation of a State Debt – Montgomery County – Damascus Heritage Museum

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of the Damascus Heritage Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 98 – Senator Klausmeier

AN ACT concerning

Gaming – Slot Machines – Ownership and Operation by Eligible Nonprofit Organizations

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

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 99 – Senators Klausmeier and Harris

AN ACT concerning

Education – Baltimore County Board of Education – School Board Nominating Convention of Baltimore County

FOR the purpose of altering the appointment process for certain members of the Baltimore County Board of Education to require the Governor to select a member from a list of nominees submitted by the School Board Nominating Convention of Baltimore County; requiring the list of nominees to contain a certain number of names; specifying that members of the County Board be residents of the county; and generally relating to the appointment process and residency requirements for members of the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–109
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 100 – Senators Miller, Astle, Brinkley, Britt, Currie, DeGrange, Dyson, Garagiola, Hogan, Jacobs, Jones, Kasemeyer, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, Rosapepe, and Stone

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

FOR the purpose of allowing certain members of the military a motor vehicle excise tax credit under certain circumstances for a vehicle previously titled and registered in another state; defining a certain term; and generally relating to the motor vehicle excise tax.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–809(c)(3)(i)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 101 – The President (By Request – Administration) and Senators Hogan, Middleton, and Miller

AN ACT concerning

Nursing Facilities – Quality Assessment – Medicaid Reimbursement

FOR the purpose of authorizing the Department of Health and Mental Hygiene to impose a quality assessment on certain nursing facilities; providing for the terms of the assessment; requiring a certain assessment to be paid to the State Comptroller at a certain time; providing that the payment of the assessment by the nursing facility shall be based on certain net receipts; requiring the Department to use the amounts collected to fund reimbursements to nursing facilities under the Medicaid program; providing that the quality assessment funds allocated for Medicaid reimbursement of nursing facilities are to be in addition to and not to supplant funds already appropriated for this purpose; requiring the Department to adopt certain regulations; defining a certain term; requiring the Department to seek certain approval for excluding a continuing care facility from the definition of nursing facility; making this Act subject to a certain contingency; providing for the termination of this Act; and generally relating to a quality assessment on nursing facilities.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 10–401(d) and (m)
Annotated Code of Maryland
(As enacted by Chapter __ (S.B.6) of the Acts of the General Assembly of 2007)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–301(l) and (o)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 19–310.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 102 – The President (By Request – Administration)

AN ACT concerning

State Agencies – StateStat

FOR the purpose of establishing a StateStat accountability process to enhance the managing for results process; authorizing the Governor to require certain agencies to participate in the StateStat process; requiring certain agencies to submit certain strategic plans and performance measurement reports to the Secretary of Budget and Management by a certain date; requiring the performance measurement reports to contain certain information; requiring the budget books to contain certain limited information from the StateStat agency strategic plan of certain units of State government; authorizing the Office of Legislative Audits to include in certain performance audits a review of certain performance measures; defining certain terms; and generally relating to a StateStat accountability process and the managing for results process.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–1001 through 3–1003 and 7–121(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–1221(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1221(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 103 – The President (By Request – Administration) and Senator Frosh

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment and the Motor Vehicle Administration to establish by regulation and maintain a certain low emissions vehicle program applicable to certain vehicles by a certain date; authorizing a modification concerning the applicability of the program to vehicles of certain model years; requiring the Administration and the Department to establish certain motor vehicle emissions standards and certain compliance requirements; authorizing the adoption of certain regulations; authorizing the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling, registering, or transferring the registration of certain vehicles under certain circumstances; prohibiting certain acts related to certain vehicles or vehicle engines under certain circumstances; providing for the application of certain enforcement and penalty provisions; defining certain terms; specifying that certain provisions of federal law apply to a certain extent; and generally relating to the establishment of a low emissions vehicle program.

BY adding to
Article – Environment
Section 2–1101 through 2–1106 to be under the new subtitle “Subtitle 11. Low Emissions Vehicle Program”
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation

Section 13–110 and 13–406
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 104 – The President (By Request – Administration) and Senators Garagiola, Gladden, Hogan, Miller, and Rosapepe

AN ACT concerning

Maryland Life Sciences Advisory Board

FOR the purpose of establishing the Maryland Life Sciences Advisory Board in the Department of Business and Economic Development; providing for the membership, terms, and chair of the Advisory Board; providing for the duties of the Advisory Board; requiring certain reports by the Advisory Board; and generally relating to the Maryland Life Sciences Advisory Board.

BY adding to

Article 83A – Department of Business and Economic Development
Section 5–2C–01 through 5–2C–03 to be under the new subtitle “Subtitle 2C.
Maryland Life Sciences Advisory Board”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 105 – The President (By Request – Administration) and Senators DeGrange, Garagiola, Klausmeier, Miller, and Rosapepe

AN ACT concerning

Statewide Advisory Commission on Immunization – Universal Vaccine Purchasing System

FOR the purpose of expanding certain duties of the Statewide Advisory Commission on Immunizations; requiring the Commission to make certain recommendations in a certain annual report by a certain date; providing for the termination of a certain provision of this Act; and generally relating to the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Article – Health – General

Section 18–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of Ground Rent Leases for Residential Property

FOR the purpose of prohibiting, on or after a certain date, the creation of a lease or sublease of a certain term and subject to the payment of a certain ground rent for certain residential property; making this Act an emergency measure; and generally relating to ground rent leases for residential property.

BY adding to
Article – Real Property
Section 8–111.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 107 – The President (By Request – Administration) and Senators DeGrange, Garagiola, Hogan, Kasemeyer, Klausmeier, Middleton, Miller, Peters, and Rosapepe

AN ACT concerning

Task Force on Health Care Access and Reimbursement

FOR the purpose of establishing the Task Force on Health Care Access and Reimbursement; providing for the membership of the Task Force; authorizing the Task Force to consult with certain individuals and entities in performing the duties of the Task Force; requiring the Secretary of Health and Mental Hygiene to chair the Task Force and establish certain subcommittees; providing for the duties of the Task Force; requiring the Task Force to make certain recommendations; requiring the Department of Health and Mental Hygiene to provide staff support to the Task

Force; requiring the Task Force to make certain reports to the Governor and General Assembly on or before certain dates; providing that members of the Task Force are entitled to a certain reimbursement; providing for the termination of this Act; and generally relating to the Task Force on Health Care Access and Reimbursement.

BY adding to

Article – Health – General

Section 19–710.3

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 108 – The President (By Request – Administration) and Senators Currie, Frosh, Hogan, Middleton, Miller, and Rosapepe

AN ACT concerning

Higher Education – Tuition Affordability Act of 2007

FOR the purpose of prohibiting, for a certain academic year, an increase in the tuition that may be charged to a resident undergraduate student at certain public senior higher education institutions in Maryland; and generally relating to tuition reductions at certain public senior higher education institutions in the State.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.5

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 109 – Senator Currie and the President (By Request – Administration) and Senators Hogan, Jones, Miller, and Rosapepe

AN ACT concerning

Education – Geographic Cost of Education Index – Funding

FOR the purpose of requiring the State to provide certain grants to certain county boards of education to reflect regional differences in the cost of education that are due to factors outside the control of local jurisdictions; providing for the manner of

calculation and distribution of certain grants in certain fiscal years; requiring the State Department of Education to update a certain geographic cost of education index (GCEI) at certain times; requiring the Department to submit a certain proposed GCEI adjustment to the Governor and General Assembly and to recommend certain legislation at certain times; and generally relating to the funding of a geographic cost of education index in the Bridge to Excellence in Public Schools Act.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(f)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 110 – The President (By Request – Administration) and Senators Middleton, Dyson, Miller, Hogan, and Rosapepe

AN ACT concerning

Base Realignment and Closure Subcabinet

FOR the purpose of establishing the Base Realignment and Closure Subcabinet in State government; providing for the membership, chair, and staffing of the Subcabinet; providing for the duties and responsibilities of the Subcabinet; requiring the Subcabinet to submit a certain annual report to the Governor and General Assembly; defining a certain term; providing for the termination of this Act; and generally relating to the Base Realignment and Closure Subcabinet.

BY adding to

Article – State Government

Section 9–802

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 111 – The President (By Request – Administration)

AN ACT concerning

State Employees – Collective Bargaining – Negotiations

FOR the purpose of authorizing collective bargaining negotiations to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; and generally relating to permissible matters of negotiation under the State employee collective bargaining process.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 3–502
 Annotated Code of Maryland
 (2004 Replacement Volume and 2006 Supplement)

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

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Emily Hoffman	The President, et al	119
Rena Mitchell	The President, et al	120
Christopher Perdue	The President, et al	121
Justin Tibbels	The President, et al	122
Lauren White	The President, et al	123
Brennan Willard	The President, et al	124
Teresa Jones	The President, et al	125

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 53)

QUORUM CALL

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

(See Roll Call No. 54)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #2

Senate Bill 5 – Senators Forehand and Miller

AN ACT concerning

State Government – Commemorative Days – Maryland Charter Day

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 55)

The Bill was then sent to the House of Delegates.

QUORUM CALL

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

(See Roll Call No. 56)

ADJOURNMENT

At 8:38 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 23, 2007 in memory of the Honorable Stanley B. Frosh. (father of Senator Frosh)

**Annapolis, Maryland
Tuesday, January 23, 2007
10:00 A.M. Session**

The Senate met at 10:20 A.M.

Prayer by Senator C. Anthony Muse.

The Journal of January 22, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 59)

APPOINTMENTS

Announcement by The President re the nomination of Paula M. Carmody as People's Counsel

January 10, 2007

The Honorable Thomas V. Mike Miller, Jr.
Senate President
State House, H-107
Annapolis, Maryland 21401-1991

Dear President Miller:

I am pleased to submit the name of Paula M. Carmody for appointment as People's Counsel. She will serve a remainder of a six-year term from July 1, 2006.

Ms. Carmody served as an Assistant People's Counsel at the Office of People's Counsel for almost fifteen years.

As Assistant People's Counsel, Ms. Carmody represented the interests of residential consumers of utility services in state and federal regulatory agency proceedings. During her 15 years at the Office of People's Counsel, Ms. Carmody regularly appeared before the Maryland Public Service Commission and the Federal Energy Regulatory Commission. Ms. Carmody represented the Office in utility mergers and bankruptcy proceedings, electric and gas industry restructuring proceedings, and other administrative proceedings. She worked extensively on legislative matters, including the Electric Restructuring Act, the Natural Gas Supplier Licensing and Consumer Protection Act of 2000, and energy efficiency, renewable energy and low-income legislation.

Ms. Carmody has particular expertise in issues relating to regulations and policies necessary to protect consumers in a deregulated energy market. She has appeared as a speaker, a panelist and an instructor at a variety of conferences, forums and community meetings regarding the utility and energy industries. In addition, she developed consumer education materials for consumers and service providers, and worked with government agencies and nonprofit organizations on matters affecting low and moderate income consumers. Ms. Carmody has more than 25 years of litigation and legal experience.

Thank you for your consideration. I look forward to your favorable approval of this nomination.

Sincerely,

Douglas F. Gansler
Attorney General

The Message was referred to the Committee on Executive Nominations.

QUORUM CALL

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

(See Roll Call No. 60)

ADJOURNMENT

At 10:30 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 24, 2007.

Annapolis, Maryland
Wednesday, January 24, 2007
10:00 A.M. Session

The Senate met at 10:22 A.M.

Prayer by Reverend Sandra L. Cordingley, Christ Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 23, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Forehand, Frosh, Garagiola, Hogan, Pinsky, and Rosapepe be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 41 Members present.

(See Roll Call No. 66)

INTRODUCTION OF BILLS

Senate Bill 112 – Senators Britt, Miller, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

**Prince George's County – Task Force on the Establishment of Vocational and
Technical Education High School Academies**

FOR the purpose of establishing a Task Force on the Establishment of Vocational and Technical Education High School Academies in Prince George's County; establishing the membership and staffing of the Task Force; requiring the members of the Task Force to designate the chair of the Task Force; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a report to certain officials regarding its recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and

generally relating to the Task Force on the Establishment of Vocational and Technical Education High School Academies in Prince George's County.

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

Senate Bill 113 – Senators Britt, Muse, Peters, and Rosapepe

AN ACT concerning

**Juvenile Law – Truancy Reduction Pilot Program in Prince George's County
PG 303–07**

FOR the purpose of authorizing the establishment of a truancy reduction pilot program in Prince George's County; establishing that the failure of a child to attend school without a lawful excuse is a Code violation; establishing that the Code violation of failing to attend school without a lawful excuse is not a criminal conviction, and does not result in certain civil disabilities; requiring certain notice to the State's Attorney for Prince George's County if a child is alleged to have committed a certain violation; authorizing the State's Attorney to take certain actions; establishing certain procedures; authorizing the court to take certain actions in making a disposition on a petition; making certain cases eligible for family support services; specifying that certain criminal defendants are subject to certain conditions of probation; authorizing a party to appeal a final judgment in a certain manner; authorizing certain criminal charges to be filed in the juvenile court and assigned to a truancy docket; establishing a certain affirmative defense in certain criminal cases; requiring the Circuit Administrative Judge for the Seventh Circuit to submit a certain report on the pilot program; providing for the termination of this Act; and generally relating to a truancy reduction pilot program in Prince George's County.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–8D–01 through 3–8D–10, inclusive, to be under the new subtitle
“Subtitle 8D. Truancy Reduction Pilot Program in Prince George's County”

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–301

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 114 – Senators Britt, Miller, Muse, Peters, and Rosapepe

AN ACT concerning

Prince George's County – Drug-Free Zone Pilot Program

FOR the purpose of authorizing the establishment of a Drug-Free Zone Pilot Program in Prince George's County under the authority of the Prince George's County Council; authorizing the County Council to designate certain drug-free zones based on areas of the county that have a certain history of drug-related activity; requiring the County Council to consult with a certain committee before designating the drug-free zones; establishing the membership of the committee; requiring the county to post signs designating certain areas as drug-free zones; requiring that the signs contain certain information; requiring the County Council to publish a document containing the boundaries of the drug-free zones and maintain the document as an official record; providing that a person arrested for a certain drug-related offense committed in a drug-free zone or a person convicted of a certain drug-related offense committed in a drug-free zone may be subject to exclusion from the drug-free zone for a certain period of time; providing certain reasons for allowing an excluded person to enter a drug-free zone; establishing certain conditions to follow for an excluded person who enters a drug-free zone; authorizing a law enforcement officer to issue a notice of exclusion from a drug-free zone to a certain person; authorizing a law enforcement officer to issue a certain notice of variance to permit the excluded person to travel in a drug-free zone for certain purposes; requiring a certain notice of exclusion to be in writing and contain certain information; requiring the law enforcement officer to give a copy of the notice to the excluded person; requiring the excluded person to carry a notice of variance whenever the person is in the drug-free zone; authorizing a law enforcement officer to deny, revoke, or amend a notice of variance for certain reasons; providing certain penalties; establishing the right of an excluded person to appeal a notice of exclusion or variance by petition to the District Court; requiring an excluded person to meet certain time periods for filing a certain petition; establishing that the county must prove certain facts by a preponderance of the evidence in a District Court hearing on an appeal of a notice of exclusion and variance; establishing that certain documents present conclusive evidence of certain facts; establishing that certain other documents provide prima facie evidence of certain facts; establishing that the Maryland Rules, under certain circumstances, govern the format of a certain petition and certain procedures; authorizing a party to appeal a final judgment in accordance with certain laws; defining certain terms; requiring the County Council to submit a certain report on the pilot program; providing for the termination of this Act; and generally relating to the Drug-Free Zone Pilot Program in Prince George's County.

BY adding to

Article – Criminal Law

Section 5–631 through 5–639 to be under the new part “Part V. Drug–Free Zone Pilot Program”

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

Senate Bill 115 – Senator Britt

AN ACT concerning

Prince George’s County – Alcoholic Beverages – Class B–DD (Development District) License

FOR the purpose of creating in Prince George’s County a Class B–DD (development district) 7–day beer, wine and liquor license for on–sale consumption; specifying a certain annual license fee; specifying that a Class B–DD license be issued only for restaurants within certain areas; specifying certain restrictions on the transfer of a Class B–DD license; requiring the Board of License Commissioners to determine the persons to whom Class B–DD licenses are to be issued and the number of licenses each recipient may hold; authorizing a holder of a Class B–DD license to hold any other alcoholic beverages license; repealing the provisions that establish a Class B–RD license; exempting holders of Class B–DD licenses from certain qualifications for licensees and restrictions on holding multiple licenses; specifying certain areas, including in the Capital Plaza commercial area, in which Class B–DD licenses may be issued; repealing certain provisions allowing the holding of certain multiple Class B licenses under certain circumstances; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Prince George’s County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(r)(1)(i) and 9–217(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(r)(15)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article 2B – Alcoholic Beverages
Section 8–1001 and the Subtitle “Subtitle 10. Revitalization Districts”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages
Section 9–101(d)(6), 9–102(a), and 9–217(d), (e)(5), and (f)(1)(i), (2), and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 116 – Senators Brochin and Kittleman

AN ACT concerning

Education – Special Education Services – Children in a Home School Setting

FOR the purpose of requiring that a child with a disability in a home school setting be given the same consideration as a child with a disability in a private school setting for the purpose of the provision of certain special education services; defining a certain term; and generally relating to the provision of special education services.

BY adding to

Article – Education
Section 8–403.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 117 – Senator Middleton

AN ACT concerning

Creation of a State Debt – Charles County – Old Waldorf School Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the

proceeds to be used as a grant to the Board of Directors of the Friends of Old Waldorf School Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 118 – Senator Conway

AN ACT concerning

State Board of Nursing – Licensing, Certification, and Reinstatement Requirements

FOR the purpose of repealing certain authorization for certain unlicensed individuals to perform certain acts of registered nursing and licensed practical nursing; requiring the State Board of Nursing to begin a process of requiring certain criminal history records checks as a condition of certain licensure reinstatement and certain certificate reinstatement; altering certain grounds for revoking certain temporary licenses or temporary certificates if a criminal history records check reveals certain information; authorizing the Board to reinstate certain licenses or certain certificates if the licensee or certificate holder meets certain requirements for reinstatement and submits to a certain criminal history records check; providing that a certain subtitle does not apply to certain individuals who perform certain nursing assistant tasks while enrolled in certain nursing assistant training programs and practicing under certain supervision; requiring certain certified medicine aides and certain certified medication technicians who are renewing certain certificates to provide certain evidence of completion of a certain amount of practice within a certain time period; and generally relating to licensing, certification, and reinstatement requirements for nurses, nursing assistants, medicine aides, and medication technicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–102, 8–312(g), 8–315(e), 8–319, 8–6A–02, 8–6A–10(e), and 8–705

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 8–313

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–6A–08

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 390 of the Acts of the General Assembly of 2006)

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

Senate Bill 119 – Senator Munson

AN ACT concerning

Deputy Medical Examiners – Investigative Fees

FOR the purpose of altering the compensation for investigations performed by certain deputy medical examiners so that fees are established through the State budget; and generally relating to the compensation for certain deputy medical examiners.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 120 – Senator Munson

AN ACT concerning

Natural Resources – Tree Experts – Sole Proprietors

FOR the purpose of altering the qualifications for licensure as a tree expert for certain applicants; extending the termination date of a provision of law that relates to qualifications for licensure as a tree expert; providing for the termination of certain provisions of this Act; and generally relating to the licensure of tree experts.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–418

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 115 of the Acts of the General Assembly of 2006
Section 3

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

Senate Bill 121 – Senator Edwards

AN ACT concerning

**Garrett County – Property Tax Credit for Adventure Sports Center, Inc.
– Applicability**

FOR the purpose of providing for the applicability of a certain provision of law authorizing the governing body of Garrett County to grant, by law, a property tax credit against the county property tax imposed on property that is owned by Adventure Sports Center, Inc.; and generally relating to a property tax credit in Garrett County for Adventure Sports Center, Inc.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–313(b)(6)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 325 of the Acts of the General Assembly of 2006
Section 2

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

Senate Bill 122 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Garrett County – Garrett Performing Arts Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Garrett Performing Arts Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 123 – Senator Edwards

AN ACT concerning

**Creation of a State Debt – Allegany County – Human Resources Development
Commission Senior Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Allegany County Human Resources Development Commission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 124 – Senator Edwards

AN ACT concerning

Vehicle Laws – Registration Plates Honoring Mountain Maryland

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed registration plate honoring Mountain Maryland; specifying the vehicles that are eligible for the registration plate; requiring the owner of a vehicle issued the registration plate to pay certain fees; providing for the distribution of a certain fee to the Chesapeake Bay Trust and the Maryland Agricultural Education Foundation, Inc.; requiring the Administration to consult with the Greater Allegany Business Foundation and the Garrett County Economic Development Corporation on certain matters; requiring the Administration to adopt regulations; and generally relating to registration plates honoring Mountain Maryland.

BY adding to

Article – Transportation
Section 13–619.3

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 125 – Senator Della

AN ACT concerning

Fines for Parking Violations – Late Fees – Restrictions in Baltimore City

FOR the purpose of prohibiting Baltimore City from charging a person issued a citation for a parking violation who has failed either to pay the fine by a certain date or to file a notice of intent to stand trial by a certain date more than one late fee or a late fee exceeding a certain amount; and generally relating to restrictions in Baltimore City on the charging of late fees for unpaid fines for parking violations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–301
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 126 – Senators Della and McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Jonestown Entrepreneur Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of Jonestown Entrepreneur Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 127 – Senator Zirkin

AN ACT concerning

**Department of Education – Residential Child Care Programs – Rate Setting
Incentives**

FOR the purpose of requiring the Department of Education to incorporate incentives into the rate setting methodology for residential child care programs to develop certain programs in underserved geographic areas of the State; and generally relating to residential child care programs and rate setting incentives.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–417
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 128 – Senators Raskin, Britt, Della, Forehand, Garagiola, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Robey, Rosapepe, Simonaire, and Zirkin

AN ACT concerning

**Education – Public Schools – Constitution Day and Citizenship Day and Civic
Responsibility for Students**

FOR the purpose of acknowledging federal law that establishes Constitution Day and Citizenship Day and to celebrate that day in the public schools; requiring each county board to establish a certain program to teach students in its schools about the United States Constitution and the Maryland Constitution; requiring the program to include certain events and the opportunity for certain students to register to vote; and generally relating to Constitution Day and Citizenship Day and civic responsibility for students.

BY adding to
Article – Education
Section 7–116
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 129 – Senator Peters

AN ACT concerning

Creation of a State Debt – Prince George’s County – Bowie Municipal Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Bowie for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 130 – Senators Peters, Hogan, Britt, Forehand, Garagiola, Klausmeier, Pugh, and Raskin

AN ACT concerning

Public Safety – State Aid for Police Protection Fund – Municipal Sworn Officer Allocation

FOR the purpose of increasing certain State payments to certain municipalities for certain sworn police officers employed by certain municipalities; requiring that, subject to a certain limitation, certain payments to municipalities be adjusted for inflation using a certain index beginning in a certain fiscal year; providing that the annual rate of change for certain payments to municipalities may not exceed a certain rate; and generally relating to certain State payments to certain municipalities for certain sworn police officers employed by certain municipalities.

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(8)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 131 – Senators Pugh, Conway, Jones, and McFadden

AN ACT concerning

Real Property – Foreclosure – Posting of Notice

FOR the purpose of requiring persons authorized to make a sale in an action to foreclose a mortgage or deed of trust to post written notice on a certain part of the property to be sold; requiring notice to be posted by a certain time before sale of the property; and generally relating to notice requirements for foreclosure proceedings.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 7–105(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105(a–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 132 – Senators Pugh, Britt, Conway, Forehand, Garagiola, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Zirkin

AN ACT concerning

Education – Guidelines Governing Student Discipline

FOR the purpose of requiring the State Board of Education to adopt guidelines governing student discipline; requiring local school systems to adopt rules and regulations and implement programs and activities governing student discipline that are consistent with the guidelines established by the State Board; making stylistic changes; and generally relating to the adoption and implementation of guidelines governing student discipline in the public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–304, 7–304.1, and 7–305
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 133 – Senators Pugh, Britt, Conway, DeGrange, Jones, Lenett, McFadden, Muse, and Raskin

AN ACT concerning

Education – Student Suspension – In-School Requirement

FOR the purpose of defining the term “suspension” to require certain students to report to a certain school location and certain school official or teacher on school grounds for a certain number of school days determined by the school principal; prohibiting school officials from removing certain students from school grounds as a condition of suspension except in certain circumstances; and generally relating to an in-school requirement for suspended students.

BY adding to

Article – Education
Section 7–305(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 7–305(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 134 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Center for Fathers, Families and Workforce Development

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of the Center for Fathers, Families and Workforce Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 135 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – Healthy Start

FOR the purpose of authorizing the creation of a State Debt in the amount of \$800,000, the proceeds to be used as a grant to the Board of Directors of Baltimore City Healthy Start, Inc. for certain development or improvement purposes, providing for disbursement of the loan proceeds; subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 136 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Courts – Violation of Condition of Probation or Suspension of Sentence – Notice or Warrant

FOR the purpose of repealing a requirement that the District Court issue a warrant or give notice of a hearing on a violation of a condition of probation or suspension of sentence during the period of probation; stating certain powers of a circuit court to end probation at any time, to issue a warrant or notice concerning a violation of a condition of probation or suspension of sentence, to remand or release a probationer or defendant, and to revoke probation or suspension of sentence and impose a certain sentence under certain circumstances; requiring the State to proceed with reasonable promptness and diligence to prosecute a violation of a condition of probation or suspension of sentence under certain circumstances; requiring that a certain hearing date be timely; clarifying language; making stylistic changes; and generally relating to a proceeding in the District Court or circuit courts for a violation of a condition of probation or suspension of sentence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–223
Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 137 – Senators Middleton, Colburn, Dyson, Edwards, Mooney, and Pipkin

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Eligibility for Enrollment and Participation

FOR the purpose of allowing employees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain circumstances; requiring a regional library to pay certain costs to the State; requiring a regional library to make a certain determination; and generally relating to the participation in health and insurance benefit options under the State Employee and Retiree Health and Welfare Benefits Program by employees of the Southern Maryland Regional Library, the Eastern Shore Regional Library, and the Western Maryland Regional Library.

BY adding to

Article – State Personnel and Pensions

Section 2–515.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 138 – Senator Stone

AN ACT concerning

Motor Vehicles – Maintenance of Required Security – Administrative Offense

FOR the purpose of providing that failure to maintain the required security for a motor vehicle is solely an administrative offense punishable by certain civil penalties.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 17–104(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 139 – Senator Pipkin

AN ACT concerning

**Maryland Video Surveillance Camera Deployment Commission and Fund –
Establishment**

FOR the purpose of establishing the Maryland Video Surveillance Camera Deployment Commission; establishing a certain fund to pay for certain costs of the Commission; establishing the purpose, membership, and duties and powers of the Commission; providing certain funding for the Commission; exempting certain facilities from the oversight or regulation of the Commission; and generally relating to the Maryland Video Surveillance Camera Deployment Commission.

BY adding to

Article – State Government

Section 9–2701 through 9–2708, inclusive, to be under the new subtitle “Subtitle
27. Maryland Video Surveillance Camera Deployment Commission”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 140 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Motor Fuel Tax – Exemption for Biodiesel Fuel

FOR the purpose of exempting biodiesel fuel purchased for use in Queen Anne’s County government vehicles and school buses from the State motor fuel tax; providing for the termination of this Act; and generally relating to motor fuel tax exemptions for biodiesel fuel.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 9–303

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 41 Members present.

(See Roll Call No. 67)

ADJOURNMENT

At 10:47 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Thursday, January 25, 2007.

Annapolis, Maryland
Thursday, January 25, 2007
11:00 A.M. Session

The Senate met at 11:17 A.M.

Prayer by Senator Ulysses Currie.

The Journal of January 24, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 70)

INTRODUCTION OF BILLS

Senate Bill 141 – Senators Kramer, Britt, Hogan, Kasemeyer, Madaleno, Munson, Muse, Peters, and Robey

AN ACT concerning

Adoption – Placement Services for Children in Public Foster Care – State Contracts with Private Licensed Child Placement Agencies

FOR the purpose of requiring the Department of Human Resources to allocate not less than a certain amount of money from the Department's fiscal year 2008 budget appropriations to develop, implement, and monitor a program through which qualified licensed child placement agencies may enter into contracts with the State to provide adoption placement services for Maryland children in public foster care who have no identified permanency resource; and generally relating to the placement of children in public foster care in permanent adoption arrangements.

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

Senate Bill 142 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

FOR the purpose of altering certain provisions of law relating to jury selection and service, including provisions relating to limits on frequency of service, the contents of the juror qualification form, and postponement and other rescheduling of jury service; providing for the application of this Act; and generally relating to jury selection and service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–215(4), 8–216, 8–302(a), 8–304(b)(2), 8–305(2), 8–310(c)(2), 8–314(a),
and 8–402(a)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 143 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

FOR the purpose of authorizing the Administrative Office of the Courts, in collaboration with the other members of the oversight committee of the Circuit Court Real Property Records Improvement Fund, to establish a pilot program for electronic filing of certain instruments relating to real property; requiring that the pilot program be governed by the Maryland Rules; authorizing the pilot program to waive certain requirements for recording or indexing; requiring costs of the pilot program to be paid from the Circuit Court Real Property Records Improvement Fund; providing for the validity and effectiveness of certain instruments filed in accordance with the pilot program; providing for the termination of certain provisions of this Act; and generally relating to land records.

BY adding to
Article – Real Property
Section 3–502
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 144 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Zion Christian Middle School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Zion Christian Middle School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 145 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – L.A.M.B. Community Resource Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of L.A.M.B., Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 146 – Senator McFadden

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Safe Haven House for Youth and Families

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the name of a grantee from the Board of Directors of the Knox Community

Development Corporation, Inc. to the Board of Directors of the Oliver Community Association, Inc.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (X)

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

Senate Bill 147 – Chair, Anne Arundel County Senators

AN ACT concerning

**Housing and Community Development – Radium Pilot Grant Program – Sunset
Repeal**

FOR the purpose of repealing a certain termination provision relating to the Radium Pilot Grant Program; and generally relating to the Radium Pilot Grant Program.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–1301 through 4–1308
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 2

BY repealing and reenacting, with amendments,
Chapter 116 of the Acts of the General Assembly of 2003
Section 3

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

Senate Bill 148 – The President (By Request – Administration) and Senators Frosh and Miller

AN ACT concerning

Natural Resources – Chesapeake Bay – Oyster Restoration

FOR the purpose of authorizing the Department of Natural Resources to lease land under

certain waters of the Chesapeake Bay for oyster restoration; requiring the Department to adopt regulations and condition the leases to require a holder of certain oyster bottom to plant a certain minimum amount of seed oyster on certain surfaces within a certain time frame; authorizing the Department to extend the time frame for planting oyster seed on certain leased oyster bottom under certain circumstances; authorizing a holder of certain leased oyster bottom to catch oysters for certain purposes; establishing that a holder of certain leased oyster bottom may only restore a certain species of oyster; establishing that certain penalties apply for certain unlawful taking of oysters; establishing that certain penalties apply for unlawfully taking oysters in certain areas; altering a certain element of the criminal offense of unlawfully taking oysters; altering the range of time for a tidal fish license suspension that applies to a person who unlawfully takes oysters; establishing a certain additional penalty for a violation of certain time restrictions on catching or landing oysters; requiring the Department to impose certain license suspensions in a certain manner; requiring the Department to adopt certain regulations; establishing the Task Force on Oyster Restoration in the Chesapeake Bay; providing for the membership of the Task Force; requiring the Secretary of Natural Resources to appoint the chair of the Task Force; requiring the Task Force to examine certain issues related to oysters in the Chesapeake Bay and to formulate a certain action plan; providing for reimbursement for the expenses of a member of the Task Force; providing that certain provisions of the Maryland Public Ethics Law do not apply under certain circumstances to certain regulated lobbyists who serve on the Task Force; providing for the staff of the Task Force; requiring the Task Force to report to the Governor and the General Assembly by a certain date; providing for the termination of certain provisions of this Act; making certain technical corrections; making certain stylistic changes; altering a certain definition; and generally relating to oyster restoration in the Chesapeake Bay.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–11A–05(a)(1), (b), and (f)(1) and (2), 4–11A–07, 4–11A–11, 4–11A–12(a), 4–11A–13(a), (b), and (c)(1), and 4–1201(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Natural Resources

Section 4–1201(g)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Senator Colburn moved to suspend the rules to allow **Senate Bill 148** to be referred to the Committee on Education, Health, and Environmental Affairs.

The motion was adopted.

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

Senate Bill 149 – The President (By Request – Administration) and Senators Exum, Garagiola, Gladden, Kelley, Klausmeier, Middleton, Pipkin, Pugh, and Zirkin

AN ACT concerning

Maryland Health Care Access Act of 2007

FOR the purpose of altering certain eligibility requirements for participation in the Maryland Children’s Health Program; requiring the Department of Health and Mental Hygiene to establish a certain annual family contribution; requiring the Department to adopt certain regulations; establishing the Maryland Institute for Health Care Quality as an independent, nonprofit organization; establishing the purpose, duties, and membership of the Institute; requiring the State Health Services Cost Review Commission to adopt certain regulations and make a certain report on or before a certain date; requiring the Commission to establish certain standards and benchmarks in conjunction with certain entities; establishing the Maryland Health Insurance Exchange as a body corporate and independent of all State units; providing for the governance, purpose, and duties of the Exchange; establishing the Board of Directors of the Exchange; establishing the composition, terms of members, duties, and authority of the Board; establishing eligibility requirements for participation in health benefit plans offered by the Exchange; requiring each employer in the State with a certain number of employees to adopt and maintain a certain cafeteria plan; providing certain penalties for a violation of certain provisions of this Act; requiring each group or individual health benefit plan issued or delivered in the State by certain carriers to permit a child to continue coverage under the plan under certain circumstances and for a certain period of time; authorizing certain carriers in the small group insurance market to offer a discounted rate for participation in certain wellness activities; providing that the Maryland Health Insurance Plan is within the Exchange; altering the purpose of the Plan; repealing certain provisions of law that establish and govern the Board of Directors for the Plan; repealing certain provisions of law that authorize the Board of Directors for the Plan to aggregate the purchasing of prescription drugs for certain enrollees; repealing certain reporting requirements; requiring the Board of Directors of the Exchange to make certain annual reports to the Governor and the General Assembly; requiring the Secretary of Health and Mental Hygiene to develop a certain plan to improve the quality and cost-effectiveness of care for certain individuals and to make a certain report on the plan; requiring the Department of Budget and Management and the

Department of Health and Mental Hygiene to jointly develop a certain wellness incentive pilot program; requiring the Departments to implement the plan on or before a certain date; requiring the Maryland Health Care Commission and the State Health Services Cost Review Commission to collaborate in seeking a proposal to establish a certain regional health information exchange; establishing a Task Force on Expanding Access to Affordable Health Care; providing for the membership, chair, staff, compensation of members, and duties of the Task Force; defining certain terms; altering certain definitions; providing for the application of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Maryland Health Care Access Act of 2007.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–301(a) and 19–219(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–301(b) and (c), 15–301.1, and 19–219(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 19–140 and 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance
Section 15–418, 15–1201(r); and 15–1601 through 15–1614 to be under the new subtitle “Subtitle 16. Maryland Health Insurance Exchange”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment
Section 12–101 through 12–103 to be under the new title “Title 12. Cafeteria Plan”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–501(a), (g), (i), and (j) and 15–1201(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–501(c), 14–502, 14–503, and 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Senator Colburn moved to suspend the rules to allow **Senate Bill 149** to be referred to the Committee on Finance.

The motion was adopted.

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

Senate Bill 150 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code and Public Local Laws and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; validating and ratifying certain corrections made by the publisher of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publisher of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(n)(6)(i)6., 12–107(a), and 12–108(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 23A – Corporations – Municipal
Section 19(o)(3)(ii)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403(b)(5)(i)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–321(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–310(a)(12), 11–831(4)(ii), 11–1302(5), and 11–1306(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–204(2), 14–1504(a), 14–1804, 14–1806, 14–2007(c), 14–2205(1),
14–2506, 14–2602(b), and 14–2705(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–106(c)(1)(ii)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(o)(2)(v)2., 3–218, 3–2A–04(b)(1), 5–602(b), 5–803(a), and 10–703
Annotated Code of Maryland
(2006 Replacement Volume)

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

Section 3–8A–01(z)
Annotated Code of Maryland
(2006 Replacement Volume)
(As enacted by Chapter 387 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–406
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)
(As enacted by Chapter 297 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–709(a)(1)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–303(h)(1), 5–401(k), 8–408(a)(5), 8–416(c) and (g)(1) and (2)(i),
12–109(f), 12–113(b), 12–115(c)(1), 13–516(f), 14–104(n), 16–305(b)(10),
16–310(a)(2), 16–504(c)(1), 24–303(f), and 24–513(a)(4)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–205(b)(6)(ii)1.
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–338(b) and 12–202(a)(2)(iii)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–603 Part IV: Signature and Witnesses
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 522 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–203(b), 13–901(a)(2), 13–1506(2)(i), 15–139(c)(1), 18–338.3(b)(2)(i) and (ii), and 19–3A–07(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–1810

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 478 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 4–202(b)(4), 4–308(c) and (f), and 8–302(f)(4)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 15–302.1(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 540 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

The subtitle designation “Subtitle 11. Operating Assistance Grants” in Title 4

Annotated Code of Maryland

(2006 Volume)

BY repealing and reenacting, without amendments,

Article – Housing and Community Development

Section 4–1101(a), 6–303(b)(4), 12–206(a)(1)(i), 12–704(a)(3)(iii); and 16–109(3) and the title designation “Title 16. Montgomery County”

Annotated Code of Maryland

(2006 Volume)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–415(a) and 24–201(g)

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–609(b)(3)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(d)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 270 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701.1(g)(6)(i)2.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–306(b)(12)(ii)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 2–108(d)(8)(i), 7–509(c)(3), and 7–510(c)(4)(ii)1.
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–505(b)(8)(ii)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)
(As enacted by Chapter 5 of the Acts of the General Assembly of the 2006 Special
Session)

BY repealing and reenacting, with amendments,
Article – Real Property

Section 8A-1001(c), 10-608, and 14-117(j)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 2-701, 3-409(a)(4), 4-407(b)(2), 4-416(a), 5A-301, 5A-406,
12-107(b)(5) and (6), and 15-221.2(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A-328(c)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 26 of the Acts of the General Assembly of 2005)

BY repealing
Article – State Finance and Procurement
Section 6-207 and 12-107(b)(7)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19-115
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 283 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2-1505(f), 6-110(a), (b), and (c), 6-406(a), (b)(2), and (c),
9-122(d)(3), 9-906(f)(1); the title designation “Title 13. Emblems;
Commemorative Days” immediately preceding section 13-101;
15-714(d)(1), and 18-101(b)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 13-101
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – State Personnel and Pensions

Section 29–115(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

The title designation “Title 34. Postretirement Health Benefits”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 433 of the Acts of the General Assembly of 2006)

BY adding to

Article – State Personnel and Pensions

New subtitle designation “Subtitle 1. Postretirement Health Benefits Trust Fund”
to immediately precede Section 34–101

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 433 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 34–101

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–205(h)(1), (2), and (4), 10–208(n)(1)(ii) and (2) and (o)(1) and (2),
10–720(e)(2)(i), and 13–918(a)(4)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – Tax – General

Section 10–306(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 8–104(c)(3) and (4) and 8–219(a)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing

Article – Tax – Property
Section 13–209(g)(3)(iii)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 2–103.4(c)(4) and 8–408(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 7–902(e)(1)(vi)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 18 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 13–815(d)(1)(iii) and (iv), 16–205.1(f)(6)(ii), 18–107(d), and
21–1124(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 134 of the Acts of the General Assembly of 2001, as amended by Chapter
153 of the Acts of the General Assembly of 2002, as amended by Chapter
236 of the Acts of the General Assembly of 2003
Section 12

BY repealing and reenacting, with amendments,

Chapter 135 of the Acts of the General Assembly of 2001, as amended by Chapter
153 of the Acts of the General Assembly of 2002, as amended by Chapter
236 of the Acts of the General Assembly of 2003
Section 12

BY repealing and reenacting, with amendments,

Chapter 19 of the Acts of the General Assembly of 2006

Section 2

BY repealing and reenacting, with amendments,
Chapter 59 of the Acts of the General Assembly of 2006
Section 4

BY repealing and reenacting, with amendments,
Chapter 381 of the Acts of the General Assembly of 2006
Section 4(b)(1)(vii)

BY repealing and reenacting, with amendments,
Chapter 472 of the Acts of the General Assembly of 2006
Section 3

BY repealing and reenacting, with amendments,
Chapter 558 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
Chapter 596 of the Acts of the General Assembly of 2006
Section 2

BY repealing and reenacting, with amendments,
The Public Local Laws of Frederick County
Section 2-2-23(a), 2-3-1, 2-10-1, and 2-13-15(a)(1)
Article 11 – Public Local Laws of Maryland
(2004 Edition and June 2006 Supplement, as amended)

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

Senate Bill 151 – Senator Britt

AN ACT concerning

**Creation of a State Debt – Prince George’s County – North Brentwood Town Hall
and Recreation Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of North Brentwood for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 152 – Senator Gladden

AN ACT concerning

Family Law – Criminal History Records Check Costs – Exemption for Volunteers

FOR the purpose of waiving certain costs and fees for certain volunteers at certain facilities and local departments of social services who are required to obtain a criminal history records check; and generally relating to volunteers and criminal history records checks.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–561(d), (e), (f), (g), and (i)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–561(h)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 153 – Senators Mooney and Brinkley

AN ACT concerning

Frederick County – Board of Education – Nonvoting Student Member

FOR the purpose of adding a nonvoting student member to the Frederick County Board of Education; requiring the student member to meet certain qualifications; specifying the term of the student member; requiring that the student member advise the County Board on certain matters; prohibiting the student member from attending an executive session of the Board; and generally relating to the Frederick County Board of Education.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–5B–01

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 154 – Senators Forehand, Brochin, Jacobs, Muse, and Raskin

AN ACT concerning

Child Support Enforcement – Child Support Payment Incentive Program

FOR the purpose of requiring the Child Support Enforcement Administration, by a certain date, to develop a statewide Child Support Payment Incentive Program to encourage payment of child support in certain cases; establishing certain criteria for participation in the Program; requiring the Administration to consider certain factors in determining whether to authorize a child support obligor to participate in the Program; establishing a certain presumption; requiring the Administration to reduce certain child support arrearages under certain circumstances; requiring that certain child support enforcement actions be suspended except under certain circumstances; requiring the Administration to take certain actions; establishing that a Program agreement is effective without the necessity of judicial approval; requiring that a Program agreement be terminated under certain circumstances; prohibiting a certain obligor from future participation in the Program under certain circumstances; establishing certain appeal procedures; requiring the Administration and local support enforcement offices to jointly develop a certain public awareness campaign; authorizing the Secretary of Human Resources to adopt certain regulations; requiring the Administration to report to the General Assembly on or before a certain date; defining a certain term; and generally relating to the Child Support Payment Incentive Program.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 10–112
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Family Law
Section 10–112.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 155 – Senators Kelley, Astle, Britt, Conway, Della, Exum, Garagiola, Hooper, Jacobs, Klausmeier, Lenett, Middleton, Pugh, and Raskin

AN ACT concerning

Maryland Medical Assistance Program – Medical Day Care – Reimbursement Rates

FOR the purpose of requiring that the reimbursement rates for medical day care be adjusted by a certain index annually; prohibiting certain adjustments to a certain reimbursement rate from exceeding a certain percentage on a certain basis; providing for the application of this Act; and generally relating to reimbursement rates for medical day care services through the Maryland Medical Assistance Program.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–111
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 156 – Senators Kelley, Colburn, Conway, Exum, Hooper, Jacobs, Jones, Miller, Mooney, and Rosapepe

AN ACT concerning

Insurers – Third Party Claimants – Notice of Payment to Claimant’s Attorney

FOR the purpose of requiring, instead of authorizing, an insurer to provide certain notice to certain third party claimants if payment, in a certain amount, of a certain third party liability claim is made to the claimant’s attorney under certain circumstances; altering the time period within which notice must be sent to a third party claimant; making conforming changes; and generally relating to notice to third party claimants of payment by insurers to a claimant’s attorney.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 4–117
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 157 – Senators Kelley, Conway, Exum, Frosh, Hooper, Jacobs, Jones, Muse, Pugh, Raskin, and Stone

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

FOR the purpose of requiring each law enforcement agency in the State to adopt written policies relating to eyewitness identification that comply with certain standards by a certain date; requiring each law enforcement agency to file a copy of a certain policy with the Department of State Police by a certain date; requiring the Department to compile certain policies and allow public inspection of certain policies by a certain date; and generally relating to eyewitness identification in a criminal proceeding.

BY adding to

Article – Public Safety

Section 3–505

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 158 – Senators Kelley, Britt, Conway, Exum, Greenip, Harris, Kittleman, Klausmeier, Mooney, Muse, and Rosapepe

AN ACT concerning

Department of Education – Residential Child Care Programs – Rate Setting Requirements

FOR the purpose of requiring the Department of Education to adopt regulations that link the determination of rates for certain residential child care program services licensed by certain agencies to performance–based outcomes by a certain date; and generally relating to the determination of rates for residential child care program services.

BY repealing and reenacting, with amendments,

Article – Education

Section 8–417

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 159 – Senators Brochin, Della, Klausmeier, Pugh, and Stone

AN ACT concerning

Planning and Zoning Decisions – Standing to Appeal

FOR the purpose of altering the standing requirements for a party to a proceeding before a county board of appeals to appeal the decision of the county board of appeals to the circuit court under certain circumstances; altering the standing requirements for a party to a proceeding in a circuit court regarding a decision of a county board of appeals to appeal the decision of the circuit court under certain circumstances; altering the standing requirements for an aggrieved person, a community association, and a homeowners association to appeal to the circuit court a final action of the district council in Montgomery County or Prince George's County, a decision of the board of appeals in Montgomery County, or a decision of the board of zoning appeals in Prince George's County under certain circumstances; imposing certain requirements on an appeal heard by the circuit court in Montgomery County or Prince George's County under certain circumstances; altering the standing requirements for an aggrieved person, a community association, and a homeowners association to appeal to the circuit court a decision of a local board of appeals, a zoning action of a local legislative body, or any matter arising under the planning and zoning laws of a local jurisdiction under certain circumstances; imposing certain requirements on an appeal heard by the circuit court on certain planning and zoning matters under certain circumstances; repealing the authority of a local legislative body to allow an appeal to the circuit court of any matter arising under the planning and zoning laws of the local jurisdiction under certain circumstances; providing for the construction of this Act; defining certain terms; providing for the application of this Act; and generally relating to standing to appeal planning and zoning decisions.

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 5(U)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–105(a), 8–106(e), 8–110(b), and 8–111.1(a)
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission

Section 8–111.2

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 66B – Land Use

Section 1.02, 2.13, and 4.08

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 160 – Senators Mooney, Colburn, Greenip, Haines, Harris, Hooper, Jacobs, Kittleman, Munson, Muse, Peters, Raskin, Simonaire, and Stone

AN ACT concerning

Hate Crimes – Expanding Prohibitions and Protected Classes of People

FOR the purpose of expanding the scope of the prohibition against harassment, destruction of property, and damage to certain buildings to include certain persons who are homeless; and generally relating to hate crimes against homeless persons.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–304 and 10–305

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

Senate Bill 161 – Senators Stone and Della

AN ACT concerning

**Vehicle Laws – Automotive Dismantlers and Recyclers and Scrap Processors –
Notice of Vehicle Acquisition**

FOR the purpose of repealing a certain provision of law requiring an automotive dismantler and recycler or scrap processor to provide certain notice to the Motor

Vehicle Administration within a certain time period after acquiring title to a vehicle and before disposing of the vehicle for dismantling or scraping; and generally relating to automotive dismantlers and recyclers and scrap processors.

BY repealing

Article – Transportation

Section 15–508

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 162 – Senators Stone and Della

AN ACT concerning

Motor Vehicles – Certificate of Title – Rebuilt Salvage

FOR the purpose of requiring that a certificate of title to a vehicle contain a conspicuous notation that the vehicle is “rebuilt salvage” whenever an insurance company’s application for a salvage certificate for the vehicle contains a statement that the cost to repair the vehicle for highway operation was equal to or less than the fair market value of the vehicle prior to the vehicle sustaining damage; and generally relating to salvaged vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–506(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–507

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 163 – Senator Dyson

AN ACT concerning

Creation of a State Debt – Calvert County – Annmarie Garden

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

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

Senate Bill 164 – Senators Miller and Dyson

AN ACT concerning

Business Regulation – Licenses – Application – Calvert County

FOR the purpose of prohibiting the clerk of the circuit court for Calvert County from issuing a certain license to a business that will be located in Calvert County unless the applicant submits to the clerk a certain certification that the location of the business is zoned for the type of business for which the applicant is seeking the license; requiring that the certification be issued by a certain department or municipal corporation under certain circumstances; and generally relating to the issuance of licenses in Calvert County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 17–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 165 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

FOR the purpose of establishing a Task Force to Study the Boating Industry in Maryland; establishing the membership and staffing of the Task Force; requiring the President of the Senate and the Speaker of the House to designate the chair of the

Task Force; authorizing the Task Force to establish certain subcommittees; requiring the Task Force to evaluate and make recommendations regarding certain issues; requiring the Task Force to submit a preliminary report and a final report to the Governor and General Assembly and its committees regarding its recommendations by a certain date; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; providing for the termination of this Act; and generally relating to the Task Force to Study the Boating Industry in Maryland.

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

MESSAGE FROM THE EXECUTIVE

January 24, 2007

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

Dear Mr. President:

It is a pleasure to submit to the Maryland State Senate, the following nominations for appointment as Department Secretaries:

Secretary of Higher Education

James E. Lyons, Sr.

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Labor, Licensing, and Regulation

Thomas E. Perez

Appointment as Secretary

To serve at the pleasure of the Governor

Thank you for your consideration. I look forward to your favorable approval of these nominations.

Very truly yours,

Martin O'Malley
Governor

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

QUORUM CALL

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

(See Roll Call No. 71)

ADJOURNMENT

At 11:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 26, 2007.

Annapolis, Maryland
Friday, January 26, 2007
11:00 A.M. Session

The Senate met at 11:14 A.M.

Prayer by Pastor Bryan P. Brought, Calvary United Methodist Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 25, 2007 was read and approved.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 74)

INTRODUCTION OF BILLS

Senate Bill 166 – Senators Klausmeier, Colburn, Forehand, Greenip, Hooper, and Jacobs

AN ACT concerning

Public Institutions of Higher Education – Textbook Fairness Act

FOR the purpose of requiring the governing board of a public institution of higher education to notify students of the textbooks assigned for certain courses on the website of the institution at a certain time; requiring that the notification contain certain information; prohibiting an employee of a public institution of higher education from receiving certain benefits in exchange for requiring students to purchase certain textbooks; and generally relating to textbooks assigned for courses at public institutions of higher education.

BY adding to

Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 167 – Senators Kramer, Forehand, Garagiola, McFadden, Munson, and Muse

AN ACT concerning

Transportation Funding – Mass Transit Account

FOR the purpose of altering the distribution of sales and use tax revenue; creating a Mass Transit Account within the Transportation Trust Fund; providing for the distribution of certain sales and use tax revenue to the Mass Transit Account; pledging certain taxes collected to pay the principal and interest on certain bonds; limiting the use of the Mass Transit Account to funding certain transit expenses; providing that certain revenues distributed to the Mass Transit Account are in addition to and may not supplant certain other funds for mass transit; stating the intent of the General Assembly that the Washington Metropolitan Area Transit Authority Board of Directors adopt certain financial planning and business practices; and generally relating to the funding of mass transit in the State.

BY repealing

Article – Transportation
The subtitle designation “Subtitle 4. Transportation Revenue Sharing Fund” of
Title 3
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 2–1302.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1303
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–215(b) and 3–216
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 3–401 to be under the new subtitle “Subtitle 4. Mass Transit Account”
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 168 – Senators Stone, Brochin, Colburn, Haines, Jacobs, and Mooney

AN ACT concerning

Criminal Procedure – Registered Offenders – Residential Restrictions

FOR the purpose of prohibiting a person who is required to register on a certain offender registry for a term of life from residing, after a certain date, within a certain distance of a public or nonpublic elementary or secondary school or a park where children regularly gather; establishing a certain penalty; providing for the retroactive application of this Act; and generally relating to restrictions on registered offenders.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–707
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–727
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

Senate Bill 169 – Senators Stone, Brochin, Colburn, Haines, and Jacobs

AN ACT concerning

Public Safety – Statewide DNA Data Base System – Sample Collection on Arrest

FOR the purpose of requiring the collection of a DNA sample from an individual under arrest for a felony or certain burglary offenses; altering a certain definition; requiring a DNA sample to be collected at the facility where a certain arrest is processed; requiring an individual who was arrested before a certain date and convicted on or after a certain date to submit a DNA sample; and generally relating to the collection of DNA samples.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–501, 2–504, and 2–511
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 170 – Senators Stone, Brochin, Colburn, Haines, Jacobs, and Mooney

AN ACT concerning

Child Sexual Abuse and Crimes of Violence

FOR the purpose of adding the crime of sexual abuse of a minor under a certain age by an adult and the crime of a continuing course of conduct with a child to the list of crimes of violence for which certain enhanced penalties are applied to certain offenders; and generally relating to crimes of violence.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 14–101
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 171 – Senators Stone, Colburn, Jacobs, and Mooney

AN ACT concerning

**Criminal Law – Abduction of Child Under 16 Years for Prostitution or Sex Crime –
Penalty**

FOR the purpose of altering the penalty for a certain offense involving the abduction of a child under the age of 16 years under certain circumstances for purposes of prostitution or certain other sexual crimes; changing the offense from a misdemeanor to a felony; repealing a certain nonconforming provision concerning the prosecution of the offense as a misdemeanor; and generally relating to penalties for the abduction of a child under the age of 16 years for prostitution or other sex crime.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–305
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 172 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland State Boychoir Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000, the proceeds to be used as a grant to the Board of Directors of The Maryland State Boychoir, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 173 – Senator Edwards

AN ACT concerning

Garrett County – Local Government Tort Claims Act – Inclusion of Garrett County Municipalities, Inc.

FOR the purpose of including Garrett County Municipalities, Inc., in Garrett County in the definition of local government for the purposes of the Local Government Tort Claims Act; providing that Garrett County Municipalities, Inc., and its employees

may not raise as a defense a certain limitation on liability; providing for the application of this Act; and generally relating to the Local Government Tort Claims Act and Garrett County Municipalities, Inc., in Garrett County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d) and 5–303(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 174 – Senator Edwards

AN ACT concerning

Environment – Mining – Security

FOR the purpose of expanding the pool of financial institutions from which the Department of the Environment may accept certain financial instruments instead of a performance bond for strip, deep, or surface mining operations; and generally relating to financial security for strip, deep, or surface mining operations.

BY repealing and reenacting, without amendments,
Article – Environment
Section 15–507(b)(1) and (d), 15–612(a), (c), and (d), and 15–823(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 15–507(c), 15–612(e)(1), and 15–823(d)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 175 – Senators Zirkin and Muse

AN ACT concerning

Juveniles – Mentoring Program – “Maryland Rising”

FOR the purpose of requiring the Secretary of Juvenile Services to establish a statewide program of volunteer mentors for children in detention or committed placement; requiring the Program to try and place mentors in a certain manner; establishing that the Program shall be called “Maryland Rising”; establishing the purpose of the Program; requiring the Department of Juvenile Services to develop a statewide network of State and community agencies, volunteer organizations, and other groups to recruit mentors; providing for the role of mentors; authorizing the Department to adopt certain regulations; and generally relating to a mentoring Program in the Department of Juvenile Services called “Maryland Rising”.

BY adding to

Article – Human Services

Section 9–240.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 176 – Senator Zirkin

AN ACT concerning

Juveniles – Summer Opportunity Pilot Program – Funding and Sunset Extension

FOR the purpose of requiring that, beginning in a certain fiscal year, the Governor include certain funding in the State budget to establish and maintain the Department of Juvenile Services Summer Opportunity Pilot Program and the Department of Juvenile Services Summer Opportunity Pilot Program Fund and for certain other purposes; extending the termination date of the Program; and generally relating to the Department of Juvenile Services Summer Opportunity Pilot Program.

BY repealing and reenacting, with amendments,

Article 83C – Juvenile Services

Section 2–134

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 691 of the Acts of the General Assembly of 2001, as amended by Chapter 164 of the Acts of the General Assembly of 2003

Section 3

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

Senate Bill 177 – Senator Zirkin

AN ACT concerning

Residential Child Care Programs – Out-of-Home Placement – Standards for Staff and System for Outcomes Evaluation

FOR the purpose of requiring the Department of Juvenile Services, the Department of Human Resources, the Department of Health and Mental Hygiene, and the Governor's Office for Children to adopt certain regulations to require certain staff members of certain residential child care programs to meet certain qualifications; requiring the Department of Juvenile Services, the Department of Human Resources, and the Governor's Office for Children to develop, coordinate, and implement a certain system of outcomes evaluation; specifying the uses of the system for outcomes evaluation; requiring the system for outcomes evaluation to use certain measures for a certain purpose; requiring the Governor's Office for Children, the Department of Juvenile Services, and the Department of Human Resources to consult with the University of Maryland, Baltimore, in planning and implementing the system for outcomes evaluation; establishing certain requirements for the system for outcomes evaluation; providing that the Department of Juvenile Services and the Department of Human Resources may not disclose personal identifiers and must ensure confidentiality of certain information when reporting certain information and data; requiring the Governor's Office for Children, in coordination with the Department of Juvenile Services and the Department of Human Resources, to submit a certain report to the Governor and the General Assembly on or before a certain date; requiring the Governor's Office for Children, the Department of Juvenile Services, the Department of Human Resources, and the Department of Health and Mental Hygiene, in cooperation with representatives of certain programs and certain groups, to develop certain regulations and certain recommendations; requiring the Governor's Office for Children to report to the General Assembly on certain recommendations on or before a certain date; defining certain terms; and generally relating to residential child care programs.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 8–101(a), (b), (c), (k), and (m)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Human Services

Section 8–1001 through 8–1003, to be under the new subtitle “Subtitle 10. Residential Child Care Programs – Standards for Staff and System for Outcomes Evaluation”

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 178 – Senator Zirkin

AN ACT concerning

Human Resources – Children in Out-of-Home Placements – Visits by Local Departments

FOR the purpose of requiring a local department of social services to visit a certain child at the child’s out-of-home placement at certain minimum intervals under certain circumstances; requiring a local department to certify in writing whether a certain placement continues to be safe and stable for a child; and generally relating to the visiting of certain children in out-of-home placements by local departments of social services.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–826
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 179 – Senators Kittleman and Brochin

AN ACT concerning

Robert Kittleman Scholarship Reform Act

FOR the purpose of repealing certain laws relating to senatorial and delegate scholarships; and generally relating to the repeal of senatorial and delegate scholarships.

BY repealing
Article – Education

Section 18–401 through 18–408, inclusive, and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507, inclusive, and the subtitle “Subtitle 5. Delegate Scholarships”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 180 – Senator Stoltzfus

AN ACT concerning

Somerset County – Sale of Property – Whittington Elementary School

FOR the purpose of authorizing the County Commissioners of Somerset County to sell certain property known as Whittington Elementary School to Shore Up Inc., under terms the County Commissioners consider appropriate; exempting the sale of certain property from certain general requirements for the sale of surplus property; and generally relating to the sale of county property in Somerset County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 11A(a) and (b)(1) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 181 – Senator Middleton

AN ACT concerning

Oral Health Safety Net Program

FOR the purpose of establishing the Oral Health Safety Net Program in the Office of Oral Health in the Department of Health and Mental Hygiene; providing for the

purpose of the Program; requiring the Office to solicit and award certain grants, subject to the State budget; requiring the Office to oversee the operation of the Program; requiring the Office to conduct a certain annual evaluation of the Program; requiring the Office to contract with a certain individual, subject to the State budget; requiring the Office to provide certain education courses, subject to the State budget; requiring the Office to submit a certain report to the Governor and to the General Assembly on or before a certain date; declaring the intent of the General Assembly; requiring the Department to conduct a certain survey; defining a certain term; providing for the termination of this Act; and generally relating to oral health for underserved populations in the State.

BY adding to

Article – Health – General

Section 13–2501 through 13–2506, inclusive, to be under the new subtitle
“Subtitle 25. Oral Health Safety Net Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 182 – Senators Greenip, Brinkley, Brochin, Colburn, Edwards, Garagiola, Haines, Harris, Hooper, Jacobs, Kittleman, Mooney, Peters, Pipkin, and Simonaire

AN ACT concerning

**Maryland Estate Tax – Unified Credit Effective Exemption Amount and Deduction
for State Death Taxes**

FOR the purpose of repealing a certain limit on the unified credit used for determining the Maryland estate tax; repealing a requirement that the Maryland estate tax be determined without regard to a certain deduction allowed under the federal estate tax; clarifying a certain limitation on the amount of the Maryland estate tax; providing for the application of this Act; providing that certain estates may claim a refund of the Maryland estate tax in certain circumstances; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–309

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 183 – Senators Greenip, Britt, Colburn, Edwards, Garagiola, Haines, Harris, Hooper, Jacobs, Klausmeier, Madaleno, Mooney, Munson, Pipkin, and Stone

AN ACT concerning

Income Tax Exemption Amounts – Blind and Elderly Individuals

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland income tax for certain individuals who as of the last day of the taxable year are blind or are at least a certain age; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to certain exemptions allowed to be deducted to determine Maryland taxable income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–211
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 184 – Senators Greenip, Colburn, DeGrange, Dyson, Edwards, Haines, Harris, Hooper, Jacobs, Kittleman, Klausmeier, Mooney, Simonaire, and Stone

AN ACT concerning

Vehicle Laws – Drivers’ Licensing of Illegal Aliens – Restrictions

FOR the purpose of prohibiting, in order to facilitate compliance with the federal Real ID Act, the Motor Vehicle Administration from issuing a new driver’s license to an individual who cannot provide certain documentation certifying that the individual is lawfully present in the United States in accordance with federal law, except under certain circumstances; authorizing the Administration to issue a new driver’s license under certain circumstances to an individual whose documentation certifying lawful presence in the United States has expired; prohibiting the Administration from issuing to a certain individual a driver’s license that has a certain effective term; authorizing the Administration to renew for certain periods the driver’s license of an individual not lawfully present in the United States under certain circumstances; and generally relating to drivers’ licenses and individuals who are not lawfully present in the United States.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–103.1

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 185 – Senators Kelley, Colburn, Della, Hogan, Jones, Middleton, and Raskin

AN ACT concerning

Maryland Uniform Power of Attorney Act

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the Maryland Uniform Power of Attorney Act; establishing certain exceptions to the application of this Act; establishing that a power of attorney created under this Act is durable unless the power of attorney contains a certain provision; requiring a power of attorney to be signed by the principal or a certain other individual; providing that the signature on a power of attorney is presumed genuine under certain circumstances; providing for the validity of certain powers of attorney under certain circumstances; providing that a certain photocopy or electronically transmitted copy of an original power of attorney has a certain effect; providing for the meaning and effect of a certain power of attorney in certain circumstances; authorizing a principal, in a power of attorney, to make a certain nomination; requiring a court to make a certain appointment; establishing the accountability of a certain agent under certain circumstances; establishing that, with certain exceptions, a certain court appointment does not terminate a power of attorney; establishing that a power of attorney is effective under certain circumstances; authorizing a principal in a power of attorney to authorize certain persons to make a certain determination; establishing that a certain power of attorney may become effective on a certain determination by a certain individual; establishing certain circumstances under which a certain person may act as the principal's personal representative for certain purposes; establishing certain circumstances under which a power of attorney terminates; providing that a certain agent's authority remains exercisable, notwithstanding certain circumstances; establishing that the termination of an agent's authority or a power of attorney is not effective as to certain persons under certain circumstances; establishing that certain persons are bound by certain acts; establishing that the incapacity of a certain principal in a power of attorney does not have a certain effect; establishing that the execution of a power of attorney does not revoke a previously executed power of attorney, with certain exceptions; authorizing a principal in a power of attorney to designate a certain number of coagents for certain purposes; authorizing a principal in a power of attorney to make certain designations and grant a certain authority; establishing the authority of a certain successor agent in certain circumstances; limiting the liability of a certain agent for the actions of another agent in certain circumstances; requiring a certain agent with certain

knowledge to take certain actions; establishing liability of a certain agent for failure to take certain actions in certain circumstances; establishing the entitlement of a certain agent to a certain reimbursement in certain circumstances; providing for the acceptance of a certain appointment by an agent under certain circumstances; requiring a certain agent that has accepted a certain appointment to act in a certain manner; providing for the liability of a certain agent under certain circumstances; establishing that a certain agent is not required to disclose certain information, with certain exceptions; requiring a certain agent to comply with a certain request within a certain time period, under certain circumstances; establishing that a certain provision in a power of attorney is binding on certain persons; authorizing certain persons to petition a court for certain purposes; requiring a court to dismiss a certain petition; providing for the liability of a certain agent for a certain amount; authorizing a certain agent to resign by giving a certain notice; authorizing a certain person to rely on a certain presumption concerning a certain signature; authorizing a certain person to rely on a certain power of attorney; authorizing a certain person to request and rely on a certain certification, translation, or opinion, without further investigation; establishing that a certain person is without actual knowledge of a certain fact under certain circumstances; establishing that this Act does not supersede and is controlled by certain other laws; authorizing a certain agent to do certain acts only under certain circumstances; prohibiting an agent that is not an ancestor, spouse, or descendent of the principal from exercising a certain authority; providing that a certain power of attorney provides a certain agent with certain authority; subjecting a certain grant of authority to certain limitations of this Act; providing for a certain controlling authority under certain circumstances; establishing certain circumstances under which a certain authority is exercisable with respect to certain property; establishing that a certain act performed by a certain agent has a certain effect and inures to the benefit of and binds certain persons; establishing that a certain agent has authority described in this Act under certain circumstances; providing that a certain reference in a power of attorney incorporates a certain provision of this Act as if set out in full; authorizing a certain principal to modify a certain authority; providing that a principal, by executing a certain power of attorney, authorizes an agent to do certain acts; establishing that certain language authorizes a certain agent to do certain acts; establishing that certain language in a power of attorney, subject to the terms of a certain document or agreement, authorizes the agent to do certain acts; establishing that certain language in a power of attorney authorizes the agent to do only certain acts; establishing that a document substantially in a certain form may be used to create a certain statutory form power of attorney; establishing that a certain optional form may be used by an agent to certify certain facts concerning a power of attorney; authorizing the use of the title of this Act in certain circumstances; requiring that, in applying and construing this Act, a certain consideration be given; establishing that this Act modifies, limits, and supersedes a provision of a certain federal law, but not certain other provisions; providing for the application of this Act; defining certain

terms; and generally relating to powers of attorney.

BY repealing

Article – Estates and Trusts

Section 13–601 through 13–603 and the subtitle “Subtitle 6. Powers of Attorney”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Estates and Trusts

Section 17–101 through 17–404 to be under the new title “Title 17. Maryland
Uniform Power of Attorney Act”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 186 – Senators Garagiola, Brochin, Dyson, Forehand, Kramer, Lenett, Madaleno, Mooney, Munson, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

Solar Energy Grant Fund

FOR the purpose of establishing a Solar Energy Grant Fund to be administered by the Maryland Energy Administration, subject to oversight by the Public Service Commission; requiring the State Treasurer and the State Comptroller to perform certain functions related to the Solar Energy Grant Fund; providing that the Solar Energy Grant Fund consists of certain fees, investment earnings, and other money appropriated to the Fund or accepted for the Fund from any other source; authorizing the Solar Energy Grant Fund to be used for grants to eligible projects; limiting the amount of funds that may be used for certain administrative expenses; providing that certain money expended from the Solar Energy Grant Fund is supplemental to funding that otherwise would be appropriated for the Solar Energy Grant Program; requiring that a certain percentage of certain compliance fees be paid into the Maryland Renewable Energy Fund and a certain percentage of certain compliance fees be paid into the Solar Energy Grant Fund; and generally relating to the Solar Energy Grant Fund.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7–705

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Government
Section 9–2007.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 187 – Senators Garagiola, Brochin, Colburn, Dyson, Forehand, Kramer, Lenett, Madaleno, Mooney, Munson, Pinsky, Pugh, Rosapepe, and Stone

AN ACT concerning

Solar Energy Grant Program

FOR the purpose of altering the amounts of certain grants awarded under the Solar Energy Grant Program in the Maryland Energy Administration; repealing certain provisions relating to the Geothermal Heat Pump Grant Program; and generally relating to the Solar Energy Grant Program.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2007
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – State Government
Section 9–2008
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 188 – Senator Jacobs

AN ACT concerning

Harford County – Deer Hunting on Private Lands – Sundays

FOR the purpose of removing Harford County from the list of counties in which deer hunting on private lands on certain Sundays is prohibited; and generally relating to deer hunting on private lands on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 189 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Alcoholic Beverages Licensees – Age of Employees

FOR the purpose of prohibiting an alcoholic beverages licensee in Harford County from employing a person under a certain age to act as a bartender or to serve alcoholic beverages at a permanent full–service bar; authorizing a licensee to employ a person of a certain age to serve alcoholic beverages while acting as a waiter or waitress; authorizing a licensee to employ a person of a certain age to act as a bartender’s assistant who may perform certain tasks; making certain stylistic changes; and generally relating to alcoholic beverages licensees in Harford County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–213(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 190 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Alcoholic Beverages – Repeal of Obsolete and Unused Provisions

FOR the purpose of repealing certain alcoholic beverage provisions for Harford County that are obsolete or no longer used; repealing certain provisions regarding a Class B-4 (seafood restaurant) license, the distance required between a school and a premises licensed for alcoholic beverages, the use of a neighborhood by the Liquor Control Board as a factor in deciding whether to issue a license, possession of alcoholic beverages brought on the premises of a racetrack in the county, a certain requirement regarding alcoholic beverages inspectors, licenses for racquet clubs and box lacrosse clubs, and the borrowing power of the Board for the benefit of dispensaries; and generally relating to alcoholic beverages in Harford County.

BY repealing

Article 2B – Alcoholic Beverages

Section 5-201(n)(6), 9-213(b)(4) and (7) and (g), 11-513(b)(2), and 12-213(d)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6-301(n)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6-301(n)(6), 10-202(a)(2), 15-112(n), and 15-202(b)(2) and (c)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 191 – Senators Jacobs, Harris, and Hooper

AN ACT concerning

Harford County – Liquor Control Board – Salaries

FOR the purpose of altering the annual salaries of the Chairman and regular members of the Harford County Liquor Control Board; providing that this Act does not apply to the salary or compensation of the incumbent Chairman or regular members of the Board; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(h)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 192 – Senators Conway, Britt, Currie, Exum, Gladden, Jones, Kelley, McFadden, Muse, and Pugh

AN ACT concerning

Procurement – Commercial Nondiscrimination Policy – Modifications

FOR the purpose of requiring the staff of the Maryland Commission on Human Relations to review certain complaints and make certain determinations; altering the responsibilities of the Commission and Commission staff; requiring the Commission to protect certain confidential information; altering the standard for certain findings made by Commission staff; altering the procedures to obtain a contested case hearing; requiring certain parties in a contested case hearing to provide notice on all other parties; providing the Commission with the discretion to designate the venue for a contested case hearing; authorizing an administrative law judge to affirm or reject all or part of a statement of charges; altering the scope of evidence that an administrative law judge may consider in a contested case hearing; requiring all false or frivolous allegations to be knowingly false or frivolous; authorizing the Commission to adopt certain regulations; altering certain terms; defining certain terms; making technical changes; making stylistic changes; and generally relating to the Maryland Commission on Human Relations and the Commercial Nondiscrimination Policy.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 19–103, 19–106 through 19–110, 19–116, and 19–119
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 193 – Senators Conway, Britt, Currie, Della, Exum, Gladden, Jones, Kelley, McFadden, Pugh, and Raskin

AN ACT concerning

Criminal Procedure – Custodial Interrogation – Electronic Recordation

FOR the purpose of establishing that, in a prosecution for a crime of violence, statements of a defendant made during a certain custodial interrogation are presumed involuntary unless a certain electronic recording is made of the interrogation; establishing that, if a court finds by a preponderance of evidence that a defendant was subjected to a custodial interrogation in violation of this Act, a statement made by the defendant following the custodial interrogation is presumed involuntary in a prosecution for a crime of violence; establishing that a presumption of involuntariness established by this Act may be overcome by certain clear and convincing evidence; providing that this Act does not preclude the admission in a criminal proceeding of certain statements by a defendant; prohibiting the State from destroying or altering certain electronic recordings made of certain custodial interrogations until certain circumstances exist; defining certain terms; providing for the application of this Act; and generally relating to custodial interrogations of certain individuals.

BY adding to

Article – Criminal Procedure

Section 2–401 through 2–403 to be under the new subtitle “Subtitle 4. Custodial Interrogation”

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 194 – Senators Kelley, Astle, Garagiola, Klausmeier, and Middleton

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring a certain business, when destroying a customer’s records that contain certain personal information of the customer, to take certain steps to protect against unauthorized access to or use of the personal information under certain circumstances; requiring a certain business that owns or licenses certain personal information of an individual residing in the State to implement and maintain certain security procedures and practices under certain circumstances; requiring certain businesses that own, license, or maintain computerized data that includes certain personal information of an individual residing in the State to conduct a certain investigation and notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which

notification must be given; authorizing notification to be given in a certain manner; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a business to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; providing that certain businesses and affiliates shall be deemed to be in compliance with the requirements of this Act under certain circumstances; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; providing for a delayed effective date; and generally relating to the protection of personal information contained in the records of businesses, owned or licensed by businesses, or included in computerized data owned, licensed, or maintained by businesses.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3508 to be under the new subtitle “Subtitle 35.
Maryland Personal Information Protection Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 195 – Senators Brochin, Exum, Raskin, and Zirkin

AN ACT concerning

Election Law – Political Committees – Campaign Finance

FOR the purpose of prohibiting an organization that collects dues from its members from engaging in campaign finance activity except through an affiliated political action committee; subjecting a certain membership entity to certain campaign finance reporting requirements; defining certain terms; repealing certain exceptions relating to a political club; and generally relating to the regulation of campaign finance activities conducted by certain political committees.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101, 13–207, 13–243, and 13–304(a)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 196 – Senators Stone, Brochin, DeGrange, Della, Gladden, Klausmeier, McFadden, and Simonaire

AN ACT concerning

Baltimore County – Liquefied Natural Gas Facilities – Dredging, Construction, and Permitting

FOR the purpose of altering the restrictions on dredging projects in the Baltimore Harbor and waters of Baltimore County under certain circumstances; prohibiting the Board of Public Works from approving certain licenses for certain dredging projects in a certain area under certain circumstances; requiring a certain person that proposes the construction of a liquefied natural gas facility to post a surety bond for a certain amount; requiring the Governor to designate the Public Service Commission as the agency to consult with the Federal Energy Regulatory Commission under certain circumstances; prohibiting the Public Service Commission from recommending regulatory approval for the construction or operation of a liquefied natural gas facility in Baltimore County that is located within a certain distance of a residence; making the provisions of this Act severable; providing for the termination of certain provisions of this Act; and generally relating to the dredging, construction, and permitting for liquefied natural gas facilities.

BY adding to

Article – Environment

Section 16–202(f)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 11–101

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

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

Senate Bill 197 – Senators Forehand, Garagiola, and Jacobs

AN ACT concerning

**Maryland Medical Assistance Program – Eligibility for Long–Term Care Services –
Individuals with Substantial Home Equity**

FOR the purpose of providing that an individual is not ineligible for nursing facility services or other long–term care services under the Maryland Medical Assistance Program unless the individual’s equity interest in the individual’s home exceeds a certain amount; exempting certain individuals from disqualification for long–term care services under certain circumstances; requiring the Secretary of Health and Mental Hygiene to establish a certain waiver process; providing for the construction and effectiveness of this Act; requiring the Secretary to adopt certain regulations; providing for the application of this Act; and generally relating to eligibility for long–term care services under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a) and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 15–144
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 198 – Senators Forehand, Garagiola, Jacobs, and Rosapepe

AN ACT concerning

Task Force to Combat Driving Under the Influence of Drugs and Alcohol

FOR the purpose of establishing the Task Force to Combat Driving Under the Influence of Drugs and Alcohol; providing for the membership of the Task Force; designating the chair of the Task Force; providing for the staffing for the Task Force; providing that a member of the Task Force may not receive certain compensation, but is entitled to a certain reimbursement; establishing the duties of the Task Force; requiring the Task Force to submit interim and final reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Combat Driving Under the Influence of Drugs and Alcohol.

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

Senate Bill 199 – Senator Forehand

AN ACT concerning

Family Law – Protective Orders – Duration of Final Order

FOR the purpose of altering the maximum duration of a final protective order; and generally relating to the duration of a final protective order.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(g)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 200 – Senators Stone and Miller

AN ACT concerning

Criminal Injuries Compensation – Claims by Victims

FOR the purpose of requiring the Criminal Injuries Compensation Board to reduce the amount of a certain award or deny a certain claim if the Board finds that the victim contributed to the victim’s own injury under certain circumstances; repealing a provision authorizing the Board to disregard the responsibility of the victim for the victim’s own injury under certain circumstances; repealing a provision prohibiting a certain claimant from receiving an award unless the claimant proves a certain lack of knowledge; repealing a provision prohibiting a claimant from receiving an award under certain circumstances; repealing a reference to a certain schedule of benefits as it existed on a certain date and providing that the effective schedule of benefits applies; modifying certain definitions; providing that certain limitations regarding eligibility for an award do not apply with respect to certain victims; and generally relating to claims by victims for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801, 11–808(a), 11–810(a) and (d), and 11–811(a)(1)(i)
Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 201 – Senator Stoltzfus

AN ACT concerning

Somerset County – Alcoholic Beverages – License Fees

FOR the purpose of increasing by a certain amount the annual fees for all retail alcoholic beverages licenses in Somerset County; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 3–101(u), 3–201(u), 3–301(u), 3–401(u), 4–201(b)(6), 5–101(u),
5–201(u), 5–301(u), 5–401(u), 6–201(u)(2), 6–301(u)(2), 6–401(u),
7–101(s)(5), and 8–312(f)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 3–201(a)(1), 3–301(a)(1), 3–401(a)(1), 4–201(a)(15), 5–201(a)(1),
5–301(a)(1), 5–401(a)(1), 6–201(a)(1) and (u)(1), 6–301(a)(1) and (u)(1),
6–401(a)(1), 7–101(s)(1), and 8–312(a) and (b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 202 – Senator Stoltzfus

AN ACT concerning

Somerset County – Treasurer – Salary

FOR the purpose of altering the salary of the Treasurer of Somerset County; providing that this Act does not apply to the salary or compensation of the incumbent Treasurer of Somerset County; and generally relating to the salary of the Treasurer of Somerset County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 51(r)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 203 – Senators Stoltzfus and Colburn

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Wicomico County – Salisbury Area Chamber of Commerce

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to authorize the matching fund to include real property; extending the deadline by which the grantee is required to present evidence to the Board of Public Works that a matching fund will be provided; and generally relating to the Maryland Consolidated Capital Bond Loan of 2005 and the Salisbury Area Chamber of Commerce.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BR)

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

Senate Bill 204 – Senator Stoltzfus

AN ACT concerning

Creation of a State Debt – Somerset County – Alice Byrd Tawes Nursing Home Replacement Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the McCready Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 205 – Senators Stoltzfus and Colburn

AN ACT concerning

Creation of a State Debt – Wicomico County – The Arrow Project of Maryland

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of the Arrow Project of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 206 – Senators Stoltzfus and Colburn

AN ACT concerning

Natural Resources – Soft Crabs – Bycatch

FOR the purpose of creating a certain exception to the prohibition against possessing a bycatch of undersized soft crabs; and generally relating to catching or possessing soft crabs.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–809
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

RULES

MOTION

Senator Kasemeyer moved, duly seconded, to offer the following amendment to Senate Rule 46.

AMENDMENT TO SENATE RULE NO. 46

ORDERED by the Senate of Maryland, that Senate Rule 46, as adopted by the Senate for the 2007 Session be and it is hereby repealed and readopted with amendments, to read as follows:

“46. Change of Purpose.

(A) A bill or resolution may not be amended in its passage through the Senate or by a conference committee, by the use of the phrase “strike out everything after the words ‘A BILL’” or by any other amendment or series of amendments, with the effect of changing the original purpose of the bill or resolution. A motion to suspend the provisions of this Rule must refer to it and state the reason for the proposed suspension. The proposed amendment shall be submitted in writing and copies shall be distributed to each Senator’s desk.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A BILL OR RESOLUTION MAY NOT BE AMENDED ON SECOND READING IN THE SENATE OR, AS TO A HOUSE BILL OR RESOLUTION, ON SECOND OR THIRD READING IN THE SENATE, OR BY A CONFERENCE COMMITTEE, TO INCLUDE A PROPOSED CONSTITUTIONAL AMENDMENT.

THIS SUBSECTION DOES NOT APPLY TO AN AMENDMENT ADOPTED BY A STANDING COMMITTEE AND INCLUDED IN THE COMMITTEE’S FAVORABLE REPORT OF THE BILL THAT IS THE SUBJECT OF THE PROPOSED AMENDMENT.”

Senator Kasemeyer moved, duly seconded, to refer the above amendment to Senate Rules Committee.

The motion was adopted.

MOTION

Senator Harris moved, duly seconded, to offer the following amendments to Senate Rules 77(b) and 17(c).

Change of Rule 77. DEBATE. Limit of Debate. (b)

(b) Upon motion of a Senator, supported by a vote of ~~three-fifths~~ TWO-THIRDS of the Members elected to the Senate, debate may be limited pursuant to the terms of the motion. This motion is not debatable or amendable. It is a question of the

highest privilege and prevails of the questions and motions listed in Rules 70, 83, and 86, and it may be made at any time.

Change of Rule 17. COMMITTEES, Appointment (c)

(c) After consultation with the President, the minority leader shall recommend IN WRITING minority party Members for appointment to each standing committee. After due consideration of the minority leader's recommendations, the President shall appoint Members to each standing committee in a manner that reflects the diversity of the Senate, including but not limited to political party affiliation.

Senator Kasemeyer moved, duly seconded, to refer the above amendments to Senate Rules Committee.

The motion was adopted.

MOTION

Senator Kittleman moved, duly seconded, to offer the following amendment to Senate Rules.

“Each bill introduced in the Senate of Maryland must receive a recorded vote by the committee to which it is assigned by the eighty-ninth (89th) day of the Legislative session.”

Senator Kasemeyer moved, duly seconded, to refer the above amendment to Senate Rules Committee.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 75)

ADJOURNMENT

At 11:31 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 29, 2007.

**Annapolis, Maryland
Monday, January 29, 2007
8:00 P.M. Session**

The Senate met at 8:12 P.M.

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

(For Prayer see Exhibit A of Appendix III)

The Journal of January 26, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 77)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
The University of Maryland’s Women’s Field Hockey Team	Senator Rosapepe	154

Read and adopted by a roll call vote as follows:

Affirmative - 47 Negative - 0 (See Roll Call No. 78)

Recipient	Sponsor	Resolution No.
Mary Fawcett Watko	President and all members	180

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 79)

INTRODUCTION OF BILLS

Senate Bill 207 – Senators Jones, Britt, Conway, Forehand, Frosh, Garagiola, Gladden, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

Healthy Maryland Initiative

FOR the purpose of requiring the Governor to include in the annual State budget bill for certain fiscal years certain appropriations for certain activities aimed at reducing tobacco use in the State; expanding eligibility under the Maryland Medical Assistance Program to certain parents having incomes at or below certain levels, subject to certain limitations; requiring the Secretary of Health and Mental Hygiene to develop and implement a certain education and outreach campaign; requiring that certain funds from a certain special fund be used to subsidize a certain specialty care network; establishing the Healthy Maryland Initiative Fund; establishing the source of money in the Fund; providing that the investment of earnings in the Fund shall be retained to the Fund; specifying the purposes for which the Fund shall be used; requiring certain appropriations from the Fund for certain purposes; requiring that certain moneys from the Fund supplement certain programs; prohibiting certain moneys from supplanting certain programs; altering the distribution of tobacco tax revenues; providing for the distribution of certain tobacco tax revenues to the Healthy Maryland Initiative Fund for certain purposes; altering the tobacco tax rate imposed on cigarettes; altering the tobacco tax rate imposed on certain tobacco products other than cigarettes; establishing a Small Business Health Care Incentive Program in the Department of Business and Economic Development; requiring the Department to administer the Program; establishing certain eligibility requirements for the Program; providing for certain grants to be awarded under the Program; establishing a certain priority for the award of certain grants under the Program; requiring the Secretary of the Department to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date; providing for the termination of the Program after a certain date; extending the termination provisions relating to the Joint Legislative Task Force on Universal Access to Quality and Affordable Health Care; requiring the Task Force to conduct a certain study; authorizing the Task Force to contract for the completion of the study; requiring the Governor, in a certain fiscal year, to include a certain appropriation for a certain purpose; delaying the due date for the Task Force report; requiring the Department of Health and Mental Hygiene to notify the Centers for Medicare and Medicaid Services for an amendment to the Maryland Medical Assistance

Program to expand eligibility for the Maryland Medical Assistance Program; authorizing certain funds to be appropriated and transferred by budget amendment from the Fund in a certain fiscal year; requiring the Department of Health and Mental Hygiene to report to the Governor and certain committees of the General Assembly on or before a certain date; defining certain terms; making certain stylistic changes; providing for the application of this Act; and generally relating to the tobacco tax, the Healthy Maryland Initiative, and the extension and modifications of the Joint Legislative Task Force on Universal Access to Quality and Affordable Health Care.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1015, 15–103(a), and 19–2111
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 15–144; and 20–1301 to be under the new subtitle “Subtitle 13. Healthy
Maryland Initiative Fund”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 2–1601 and 2–1602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1603 and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 2–1604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development

Section 5–2001 through 5–2007 to be under the new subtitle “Subtitle 20. Small Business Health Care Incentive Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 280 of the Acts of the General Assembly of 2005, as amended by Chapter 21 of the Acts of the General Assembly of 2006
Section 5 and 14

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

Senate Bill 208 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Edward A. Myerberg Senior Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Edward A. Myerberg Senior Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 209 – Senator Gladden

AN ACT concerning

Baltimore City – Circuit Court – Jury Staff

FOR the purpose of authorizing the administrative judge of the Circuit Court for Baltimore City to appoint a jury commissioner and employ staff; repealing certain provisions that subject the jury commissioner’s office to the personnel merit system of the office of the clerk of the Circuit Court for Baltimore City; providing that the jury commissioner designated in the jury plan for Baltimore City shall be the individual appointed by the administrative judge; providing for the construction and application of this Act; and generally relating to the position of jury commissioner of the Circuit Court for Baltimore City.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–5A–06(a) and 8–205
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–513
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 210 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – The Mount

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Progressive Horizons, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey an easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 211 – Senators Gladden, Britt, Conway, Exum, Jones, Kelley, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, and Raskin

AN ACT concerning

Criminal Law – Death Penalty – Repeal

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that certain inmates who have been sentenced to death may not be executed and shall be considered as having received a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that in certain cases in which the State has filed a notice to seek a sentence of death the notice shall be considered withdrawn and it shall be

considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible persons for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing

Article – Correctional Services

Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”

Annotated Code of Maryland

(1999 Volume and 2006 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108 and 11–404

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 5–101(c), 7–101, 7–103(b), and 7–107(b)

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–201(b), 2–304(a), 2–305, and 14–101

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing

Article – Criminal Law

Section 2–202, 2–301, and 2–303; and 2–401 and the subtitle “Subtitle 4. Review by Court of Appeals”

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–505(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 212 – Chair, Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Impact Fees – Workforce Housing

FOR the purpose of authorizing the County Council of Anne Arundel County by ordinance to grant exemptions from or credits against development impact fees for developments that include workforce housing, as defined by the County Council; and generally relating to certain enabling authority for Anne Arundel County to impose development impact fees.

BY repealing and reenacting, with amendments,

The Public Local Laws of Anne Arundel County

Section 17–11–213

Article 2 – Public Local Laws of Maryland

(2005 Edition and December 2006 Supplement, as amended)

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

Senate Bill 213 – Senators Colburn, Brochin, Harris, Hogan, Jacobs, Mooney, Munson, Robey, and Stone

AN ACT concerning

Corrections – First Degree Murder – Minimum Sentence

FOR the purpose of requiring that a person convicted of first degree murder serve a certain minimum term before being eligible for parole consideration; prohibiting the deduction in advance from a term of confinement of an inmate if the inmate has been convicted of murder in the first degree until the inmate has served a certain term; providing for the application of this Act; and generally relating to eligibility for parole consideration or a deduction in advance from a term of confinement for first degree murder.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704, 4–305(b), and 7–301(d)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

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

Senate Bill 214 – Senators Colburn, Harris, Jacobs, Jones, Middleton, Munson, Pugh, and Stone

AN ACT concerning

Crimes – Unauthorized Possession of Contraband – Place of Confinement

FOR the purpose of prohibiting a person from knowingly possessing certain contraband to effect an escape, a weapon, an alcoholic beverage, a controlled dangerous substance, or a telecommunication device in a certain place of confinement without authorization by a certain managing official; establishing penalties for a violation of this Act; defining a certain term; and generally relating to possession of contraband in a place of confinement.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–401(c), 9–410(a), (c), (e), and (f), 9–411, 9–413, 9–414, 9–415, and 9–416
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–410(g) and 9–412
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law

Section 9–410(g)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

Senate Bill 215 – Senators Colburn, Harris, Pugh, and Robey

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area Protection
Program – Advisory Committee**

FOR the purpose of establishing an advisory committee to study and recommend certain reforms of a certain growth allocation process within the Chesapeake and Atlantic Coastal Bays Critical Area Protection Program; providing for the membership and staffing of the Advisory Committee; requiring the Advisory Committee to report its findings and recommendations to certain persons on or before a certain date; and generally relating to growth allocation and critical areas.

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

Senate Bill 216 – Senator Colburn

AN ACT concerning

Video Lottery Terminals – Statewide Straw Ballot

FOR the purpose of requiring that a question be placed on the ballot in the next general election of the State to determine the sense of the voters in the State on the issue of locating video lottery terminals licensed by the State for commercial gaming purposes at certain types of locations in the State; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot at the next general election of the State.

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

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

FOR the purpose of altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture; repealing the termination date for certain provisions related to the design of and the renewal fees for the Chesapeake Bay Commemorative License Plate; and generally relating to special and commemorative registration plates for motor vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–618 and 13–619.2(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 3 of the Acts of the General Assembly of the First Special Session of 1992, as amended by Chapter 91 of the Acts of the General Assembly of 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts of the General Assembly of 2000, Chapter 34 of the Acts of the General Assembly of 2002, and Chapter 398 of the Acts of the General Assembly of 2003
Section 3

BY repealing and reenacting, with amendments,
Chapter 251 of the Acts of the General Assembly of 2000, as amended by Chapter 398 of the Acts of the General Assembly of 2003
Section 3

BY repealing and reenacting, with amendments,
Chapter 398 of the Acts of the General Assembly of 2003
Section 3

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

Senate Bill 218 – Senator Gladden

EMERGENCY BILL

AN ACT concerning

**Communications Towers – Zoning and Other Regulatory Approval – Adjacent
Local Jurisdiction**

FOR the purpose of prohibiting a local jurisdiction from granting zoning or other regulatory approval to a communications tower located within a certain distance from another local jurisdiction unless that communications tower satisfies the zoning and other regulatory requirements of each local jurisdiction; prohibiting a local jurisdiction from granting zoning or other regulatory approval to a communications tower subject to this Act unless the person seeking approval of the tower submits a certain written statement of approval from a certain adjacent local jurisdiction; requiring a local jurisdiction to consider a request for a certain written statement of approval of a certain communications tower according to established policies and procedures governing approval of communications towers in the jurisdiction; making this Act an emergency measure; providing for the application of this Act; and generally relating to zoning and other regulatory approval for communications towers.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.02 and 2.13
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01(b)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 219 – Senator Frosh

AN ACT concerning

Estates and Trusts – Donation of Conservation Easements

FOR the purpose of clarifying that certain persons may donate a conservation easement on real property if certain governing instruments authorize the donation; providing for the application of this Act; and generally relating to donation of conservation easements on real property.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts
Section 7–401(dd), 14–111(b), and 15–102(aa)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 220 – Senator Frosh

AN ACT concerning

Real Property – Release of Mortgage, Security Instrument, or Deed of Trust

FOR the purpose of authorizing a security instrument to be released in a certain manner; altering the procedures by which a mortgage, security instrument, or deed of trust may be released when the party whose debt is satisfied fails to provide a release; altering the persons who are authorized to prepare and record a certain release and affidavit; authorizing, under certain conditions, the release of a mortgage, security instrument, or deed of trust when the debt secured by the mortgage or deed of trust is paid fully or satisfied by wire transfer; providing a form for a certain affidavit; and generally relating to recording of releases of mortgages, security instruments, and deeds of trust.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–105(a) and (d)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 221 – Senator Frosh

AN ACT concerning

Maryland Condominium Act – Application and Preemption of Certain Laws

FOR the purpose of providing for the application and effect of certain laws, ordinances, and regulations concerning the development or subdivision of land on property subjected to a condominium regime; establishing that the Maryland Condominium Act does not preempt certain local laws, ordinances, and regulations; making stylistic changes; and generally relating to the application of certain laws to property subjected to a condominium regime.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–122
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 222 – Senator Kittleman

AN ACT concerning

State Government – Notary Public – Appointment

FOR the purpose of repealing a provision of law requiring a notary public applicant to receive certain approval from a certain State Senator; repealing a provision of law requiring an individual appointed as a notary public to be a resident of the senatorial district from which the individual is appointed; altering a provision of law by authorizing the removal or suspension of a notary public from office based on a request made to the Governor from the Secretary of State instead of from a specified State Senator; making certain conforming changes; making a certain technical change; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–101, 18–102, 18–103(a), and 18–104(a)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 223 – Senator Kittleman

AN ACT concerning

Family Law – Motions for Modification of a Child Support Award – Hearings and Decisions

FOR the purpose of requiring a court to hold a hearing on a motion for modification of a child support award within a certain time period after the date the motion was filed; requiring a court to issue a decision on a motion for modification of a child support award within a certain time period after a hearing; and generally relating to motions for modification of a child support award.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–104
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 224 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Property Tax Credit for Newly Constructed Dwellings

FOR the purpose of altering the termination date applicable to certain provisions authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the local property tax imposed on certain newly constructed dwellings under certain circumstances; and generally relating to property tax credits for newly constructed dwellings in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–304(d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 225 – Senator McFadden

AN ACT concerning

Teacher Incentive Act of 2007

FOR the purpose of allowing certain classroom teachers to claim an income tax credit in a certain amount under certain circumstances; providing that the credit may not exceed the State income tax for the taxable year and that any unused credit may not be carried over to any other taxable year; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain teachers under certain circumstances.

BY adding to
Article – Tax – General
Section 10–726

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 226 – Senators Mooney, Astle, Brinkley, Colburn, DeGrange, Della, Dyson, Edwards, Exum, Garagiola, Greenip, Haines, Hooper, Jacobs, Kittleman, Kramer, Munson, Pipkin, Stoltzfus, and Stone

AN ACT concerning

**Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –
Exceptions**

FOR the purpose of providing certain exceptions to the prohibition against operating or riding on a motorcycle without certain protective headgear; and generally relating to the requirement that protective headgear be worn by operators or riders of a motorcycle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1306
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 227 – Senators Frosh, Britt, Dyson, Lenett, Pinsky, and Raskin

AN ACT concerning

Campaign Finance – Affiliated Business Entities – Attribution of Contributions

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; and generally relating to the attribution of certain campaign finance contributions.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–226(e)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 228 – Senators Lenett, Garagiola, Forehand, Frosh, Hogan, Kramer, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Agriculture Activity Center Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$675,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 229 – Senator Edwards

AN ACT concerning

Garrett County – Local Government Tort Claims Act – Inclusion of Specified Nonprofit Entity

FOR the purpose of altering the definition of a “local government” under the Local Government Tort Claims Act to include a certain nonprofit corporation in Garrett County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Garrett County or its employees; and generally relating to the inclusion of a certain nonprofit entity in Garrett County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301 and 5–304
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 230 – Senators Brinkley, Astle, Colburn, Dyson, Garagiola, Haines, Hogan, Hooper, Jacobs, Kasemeyer, Kittleman, Kramer, Middleton, Miller, Mooney, Munson, Pugh, Robey, Simonaire, and Stoltzfus

AN ACT concerning

Admissions and Amusement Tax – Exemption for Activities Related to Agricultural Tourism

FOR the purpose of providing that the admissions and amusement tax may not be imposed by a county on gross receipts derived from any admissions and amusement charge for any activities related to agricultural tourism; making a technical change; and generally relating to exemptions from the admissions and amusement tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–103(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 231 – Senators Hogan, Colburn, DeGrange, Della, Forehand, Garagiola, Jacobs, Jones, Kasemeyer, Kelley, Kramer, Lenett, Madaleno, Middleton, Munson, Pinsky, Rosapepe, and Stone

AN ACT concerning

Education – Funding Formula for Adult Education and Literacy Grants

FOR the purpose of requiring the State Department of Education to provide competitive adult education grants beginning in a certain fiscal year for certain eligible adult education providers; requiring that funding for State adult education grants shall be provided in the State budget; providing for the manner of calculation of the amount of a certain State adult education grant available for each county for distribution to certain adult education providers; providing for an adjustment to the State adult education grant to reflect regional differences in the cost of education due to certain factors; providing for a certain minimum adult education provider adjustment amount to certain adult education providers under certain circumstances; providing for a certain small program adjustment amount for certain adult education providers under certain circumstances; providing for the calculation of the total State adult education grant amount available to the counties under certain circumstances; providing for a certain phase-in of the total State

adult education grant amounts available for certain fiscal years under certain circumstances; requiring that a county provide a certain local share of funding for adult education programs in order to be eligible to receive a State adult education grant; providing for the manner of calculation of certain county contributions for adult education funding; providing that a county's local contribution to adult education program funding may include certain contributions of private donors and the federal government; requiring the State Department of Education to distribute competitive grants for certain adult education and literacy services in accordance with the State Plan for Adult Education and Family Literacy; requiring that certain State grants for adult education programs be based on need and performance; requiring the State Board of Education to adopt certain regulations; defining certain terms; and generally relating to establishing a funding formula for adult education and literacy services.

BY repealing

Article – Education
Section 5–218
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 5–218
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 232 – Senators Hogan, Astle, Colburn, DeGrange, Della, Dyson, Forehand, Garagiola, Jacobs, Jones, Kasemeyer, Klausmeier, Kramer, Lenett, Madaleno, Middleton, Munson, and Stone

AN ACT concerning

Income Tax – Research and Development Tax Credits – Modifications

FOR the purpose of increasing the aggregate amount of income tax credits for certain research and development expenses that may be approved by the Department of Business and Economic Development each year; providing for the application of this Act; and generally relating to an income tax credit for certain research and development expenses.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–721
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 233 – Senators Hogan, Garagiola, and Kramer

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County –
Montgomery Village and Germantown Boys & Girls Club**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the purpose of a grant to the Board of Directors of the Montgomery Village Foundation and to reduce the amount of the grant; amending the Maryland Consolidated Capital Bond Loan of 2006 to provide a grant to the Board of Directors of the Boys & Girls Clubs of Greater Washington, Inc. for certain development and improvement purposes; and generally relating to the Maryland Consolidated Capital Bond Loan of 2006, the Montgomery Village Foundation, and the Germantown Boys & Girls Club.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (BJ)

BY adding to
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (BJ–2)

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

Senate Bill 234 – Senators Hogan and Garagiola

AN ACT concerning

Creation of a State Debt – Montgomery County – Katherine Thomas High School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Trustees of The Treatment and Learning Centers, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the

issuance and sale of bonds evidencing the loan.

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

Senate Bill 235 – Senators Hogan and Garagiola

AN ACT concerning

**Creation of a State Debt – Montgomery County – Germantown Boys & Girls Club
Gymnasium**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$700,000, the proceeds to be used as a grant to the Board of Directors of the Boys & Girls Clubs of Greater Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 236 – Senators Kelley, Astle, Garagiola, and Klausmeier

AN ACT concerning

Life Insurance – Investment Accounts

FOR the purpose of expanding the scope of certain provisions of law that authorize a life insurer to allocate to one or more separate investment accounts certain amounts paid to the life insurer by repealing the requirement that the accounts must be established or operated for the funding of certain qualified plans; expanding the authority of a separate investment account or a segregated asset account to make investments for the account by repealing a requirement that the plan of operation in which the investments must be specified must be issued to a qualified plan; repealing a certain definition; clarifying language; making technical and conforming changes; and generally relating to investments of life insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–512
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 16–113(d)(3) and 16–602(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 237 – Senators Stoltzfus and Colburn

AN ACT concerning

Natural Resources – Open Air Burning Limitations – Application

FOR the purpose of establishing that the prohibition against open air burning at certain times and places does not apply to a burning conducted under the direct control and supervision of certain personnel; making a technical correction; making certain stylistic changes; altering a certain definition; and generally relating to the application of a ban on open air burning.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–720
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 238 – Senators Stone, Brochin, Haines, Harris, Kasemeyer, Klausmeier, and Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Community College of Baltimore County Dental Education Facility and Clinic

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of The Community College of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 239 – Senators Stone, Astle, Hooper, Jacobs, Klausmeier, and Miller

AN ACT concerning

Administrative Procedure Act – Exemption – Death Penalty Protocols

FOR the purpose of exempting from the requirements of the Administrative Procedure Act the protocols of the Department of Public Safety and Correctional Services governing the administration of the death penalty, including any execution operations manual; and generally relating to death penalty protocols and the Administrative Procedure Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–102

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 240 – Senators Exum, Conway, Currie, Gladden, Jones, Muse, and Rosapepe

AN ACT concerning

State Government – Commemorative Months – Black History Months

FOR the purpose of requiring the Governor to proclaim the months of January and February to be “Black History Months”.

BY adding to

Article – State Government

Section 13–502

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 241 – Senators Exum, Conway, Dyson, Gladden, Hooper, and Lenett

AN ACT concerning

Education – Alcohol and Drug Testing for Pupils in Public or Private Schools

FOR the purpose of requiring public school or private or parochial school officials to implement a policy of alcohol and drug testing for high school pupils in their schools; specifying that testing for alcohol or drugs is permitted only on the basis of a reasonable suspicion of unlawful use; requiring school officials to provide notice to certain persons of an alcohol and drug testing policy; requiring school officials to maintain certain test results as confidential medical records and to grant access to the records only to certain persons; requiring school officials to refer certain pupils for certain treatment services; defining terms; providing for the construction of this Act; and generally relating to alcohol and drug testing of pupils in public or private schools.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(f)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–308, 7–411, and 7–412
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 242 – Senators Britt, Conway, Dyson, Kramer, Lenett, Muse, Pugh, and Rosapepe

AN ACT concerning

Education – Multiple Student Suspensions – Services and Actions Required

FOR the purpose of requiring certain principals to report certain suspensions of certain students in writing to certain county superintendents within certain periods of time; requiring certain principals to refer certain students to certain pupil services

teams and give certain notice to certain students and certain parents or guardians that certain pupil services teams shall meet within a certain period of time; requiring certain notice to be provided in certain languages or certain modes of communication; requiring certain pupil services teams to meet with certain students and certain parents or guardians to develop certain plans, determine certain dates and times for certain subsequent meetings, identify certain resources to be used for certain purposes, and review certain student records within a certain period of time; requiring certain pupil services teams to refer to certain community resources lists in developing certain plans; and generally relating to student suspensions.

BY adding to

Article – Education
Section 7–305(c–1)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 243 – Senator Britt

AN ACT concerning

Employees' Pension System – Transfer of Service Credit

FOR the purpose of providing that certain members of the Employees' Pension System may transfer certain service credit from the State Contributory Employees' Pension System in a certain manner; requiring that certain members of the Employees' Pension System who transfer certain service credit from the State Contributory Employees' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the transfer of service credit for members of the Employees' Pension System.

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

Senate Bill 244 – Senators Britt, Conway, Dyson, Muse, Pugh, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Student Health and Fitness Act of 2007

FOR the purpose of requiring that public school students in kindergarten through a certain grade be provided certain minimum levels of a program of physical education each week; requiring increasing minimum levels of a program of physical education over a certain period of time; requiring that the program of physical education for a certain category of student be consistent with a certain plan for the student; and generally relating to student health and fitness.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–409
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 245 – Senator DeGrange

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Old Mill High School Stadium

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Patriots Boosters Club of Old Mill High School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 246 – Senator Dyson

AN ACT concerning

Transportation – Governor Thomas Johnson Bridge – Second Companion Span

FOR the purpose of requiring the Secretary of Transportation to include sufficient funds in the Consolidated Transportation Program for certain fiscal years for the planning, design, and construction of a second companion span for the Governor Thomas Johnson Bridge; requiring the Secretary to make sufficient funds available

in a certain fiscal year, through a special fund deficiency, for the planning and design of the second companion span; and generally relating to the planning, design, and construction of a second companion span for the Governor Thomas Johnson Bridge.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 2–103.1(c)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 247 – Senators Currie, Britt, Miller, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Attorney
Compensation**

FOR the purpose of requiring the County Council of Prince George’s County to pay the attorney for the Board of License Commissioners of Prince George’s County certain legal fees for representing the Board in court; requiring the Board to establish the rate for those fees; specifying that the salary of and certain additional compensation for the attorney for the Board be included in the annual budget; making certain stylistic changes; and generally relating to the Board of License Commissioners of Prince George’s County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–109(r)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(r)(5) and (6)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 248 – Senators Kelley, Britt, Colburn, Conway, Currie, Exum, Klausmeier, McFadden, and Miller

AN ACT concerning

Real Property – Common Ownership Communities – Disclosures

FOR the purpose of providing that a certain contract for the resale of a cooperative interest by a certain member is not enforceable against a certain purchaser unless the purchaser is given, within a certain time after entering into the contract, copies of certain documents and certain statements under the Maryland Cooperative Housing Corporation Act; requiring a certain cooperative housing corporation, after receiving a certain request, to furnish a certificate containing certain information to a certain member; authorizing the cooperative housing corporation to charge a reasonable fee; limiting the amount of the fee; providing that certain statements may be summarized or produced in a collection of certain documents; authorizing a purchaser to rescind, in writing, a certain contract within a certain time, without liability; providing that a certain purchaser shall be entitled to prompt return of a certain deposit; requiring a certain seller to deliver to a certain purchaser a copy of certain amendments, supplements, or modifications after a certain contract is signed and before issuance or transfer of a certain certificate; providing that certain requirements do not apply to the sale of a certain cooperative interest in a unit that is to be used and occupied for nonresidential purposes; altering the time during which a contract for the resale of a unit by a certain unit owner is not enforceable unless the contract of sale contains a certain notice under the Maryland Condominium Act; altering the time by which a certain council of unit owners must furnish a certain certificate; altering the time during which a purchaser has the right to cancel a certain contract without penalty; making conforming changes to a certain notice under the Maryland Condominium Act; altering the percentage change of certain mandatory fees about which a certain purchaser must be given notice under the Maryland Homeowners Association Act; requiring an initial sale of a lot subject to a homeowners association to contain a certain statement; altering the time by which a certain declarant must furnish certain information; requiring a certain vendor to provide to a certain purchaser a certain operating budget of a certain homeowners association including certain details; altering the required contents of a certain statement about certain judgments or lawsuits; altering the times during which a certain purchaser may cancel a certain contract without stating a reason and without liability; making certain conforming changes to certain notices under the Maryland Homeowners Association Act; making a stylistic change; and generally relating to disclosures for sales of property in a condominium, cooperative housing corporation, or homeowners association.

BY adding to

Article – Corporations and Associations
Section 5–6B–03.1
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–135, 11B–105, 11B–106, and 11B–108
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 249 – Senator Miller

AN ACT concerning

Criminal Procedure – Supervised Probation – Exemptions from Program and Supervision Fees

FOR the purpose of authorizing a court to exempt a certain person under the supervision of the Division of Parole and Probation from paying a certain monthly program fee under certain circumstances; clarifying that a certain exemption from paying a certain monthly fee that a court may grant a certain person under the supervision of the Division under certain circumstances applies to any monthly fee imposed under a certain provision of law, including the monthly fee imposed during certain fiscal years; providing for the application of this Act; and generally relating to fees imposed on persons in supervised probation.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–115
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–226(a) and (d)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–226(b)

Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

Senate Bill 250 – Senators Raskin, Forehand, and Madaleno

AN ACT concerning

Creation of a State Debt – Montgomery County – Takoma Park Community Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$3,000,000, the proceeds to be used as a grant to the Mayor and City Council of Takoma Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 251 – Senators Raskin, Forehand, and Madaleno

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Directors of Pyramid Atlantic, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA02 (AY)

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

Senate Bill 252 – Chair, Anne Arundel County Senators

AN ACT concerning

Roadside Solicitation of Money or Donations from Occupants of Vehicles in Anne Arundel County – Prohibition

FOR the purpose of prohibiting a person from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; repealing the authority of the Anne Arundel County Council to enact, by ordinance, a certain licensing program for individuals who are of a certain age or older and certain organizations that wish to solicit money or donations from the occupants of vehicles by standing in a roadway, median divider, or intersection in Anne Arundel County; repealing the authority for the Anne Arundel County Council to prohibit, by ordinance, a person under a certain age from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle; and generally relating to restrictions on the use of highways in Anne Arundel County for solicitation.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–507
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 253 – Senator Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Dorothy M. Higgins Community Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the New Christian Community Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 254 – Senator Conway

AN ACT concerning

Environment – Groundwater Contamination – Notification and Reimbursement of Costs

FOR the purpose of altering certain procedures for notification of certain property owners of certain groundwater contamination findings by the Department of the Environment and the local health department; altering certain reimbursement requirements for certain responsible persons; and generally relating to groundwater contamination.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–411.2
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 255 – Senator Conway

AN ACT concerning

State Board of Physicians – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physicians in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; repealing a provision of law requiring the Board to elect a secretary–treasurer; authorizing the Board’s executive director or other duly authorized agent or investigator of the Board to enter certain premises under certain circumstances; requiring applicants for licensure by the Board to submit to a certain criminal history records check; prohibiting a certain applicant who has a certain disciplinary order in another state from qualifying for a license under certain circumstances; requiring certain applicants to submit certain fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward certain information to the Board and to certain applicants; providing that certain information is confidential and may be used only for certain purposes; authorizing certain subjects to contest certain contents of certain printed statements; requiring certain applicants for licensure to submit certain evidence to the Board; prohibiting the

Board from issuing certain licenses if certain criminal history record information has not been received; requiring the Board to begin a process of requiring certain criminal history records checks as a condition of certain licensure renewal as determined by certain regulations; authorizing the Board to impose a certain civil penalty for a licensee's failure to obtain the required continuing medical education credits under certain circumstances; requiring the Board to develop a pilot program for continuing competency for licensed physicians that addresses a physician's ability to practice medicine; authorizing a certain pilot program to be implemented in a certain teaching hospital; authorizing the Board to provide technical assistance and financial support to a certain teaching hospital for a continuing competency pilot program; requiring the Board to issue a certain report on or before a certain date including certain information; repealing a provision requiring the Physician Rehabilitation Committee to report certain noncompliance by a physician to the Board; requiring the Board to provide services for physician rehabilitation or contract with an entity or entities for physician rehabilitation; altering certain requirements that the Board contract with an entity or entities for further investigation and physician peer review; repealing provisions of law requiring the Board to assess certain applicants a fee for physician rehabilitation and peer review activities; authorizing the Board to disclose certain licensee information to the National Practitioner Data Bank under certain circumstances; modifying the criteria for the reporting of medical malpractice claims and settlement information on the individual licensee profiles; requiring proceedings of the Board or the hearing officer to be open to the public under certain circumstances; authorizing the Board or hearing officer to close proceedings under certain circumstances; requiring the Board to adopt certain regulations; requiring the Administrative Office of the Courts and the Chief Judge of the District Court, in collaboration with the Board, to develop a certain procedure for required reporting; altering certain confidentiality requirements so as to require that certain records and other information relating to the records of a proceeding or transaction before an entity or entities that contract with the Board are confidential; authorizing the Board to impose a certain civil penalty for failure to file certain reports with the Board; prohibiting certain entities from employing certain individuals without a certificate; authorizing the Board to impose a certain civil penalty for employing certain uncertified individuals; requiring the Comptroller to distribute certain funds for certain programs administered by the Maryland Higher Education Committee under certain circumstances; repealing provisions of law requiring the Comptroller to distribute certain fees received from the Board to the General Fund; providing that the Insurance Commissioner, instead of certain regulatory boards, determines if certain payments were provided as a result of a prohibited referral; extending to a certain date the termination provision relating to the statutory and regulatory authority of the Polysomnography Professional Standards Committee; altering certain definitions; defining a certain term; making technical changes; repealing certain provisions requiring the Board to establish or designate a training program for certain physicians on or before a certain date;

repealing certain provisions requiring the Board to inform physicians about the availability of certain training and experience; requiring the Board to utilize a certain peer reviewer to affirm a certain decision; requiring the Board to make certain regulatory changes on or before a certain date; requiring the Secretary of Health and Mental Hygiene to standardize investigator job classifications within the Board on or before a certain date; requiring the Chief Administrative Law Judge to designate certain administrative law judges to hear certain cases referred by the Board; exempting the Board from certain provisions of law requiring a certain preliminary evaluation; and generally relating to the State Board of Physicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–101, 14–203(a), 14–206(d)(1), 14–207, 14–307(a) and (f), 14–309(a), 14–313, 14–316(d) and (e), 14–401, 14–402, 14–411(b) and (c), 14–411.1(b)(4), 14–413(b), 14–414(b), 14–506, 14–5B–08, 14–5C–25, 14–702, and 15–206

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 14–307.1, 14–316(g), 14–322, 14–411.2, 14–5A–18(g), 14–5B–15(g), and 14–5C–18(g)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–411(a), 14–411.1(b)(3), 14–5A–18(a), 14–5B–15(a), and 14–5C–18(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–110

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(49) and (53)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 220 of the Acts of the General Assembly of 2003
Section 1

BY repealing and reenacting, with amendments,
Chapter 252 of the Acts of the General Assembly of 2003
Section 8

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

Senate Bill 256 – Senator Astle

AN ACT concerning

City of Annapolis – Housing Authority – Approval of Commissioners by City Council

FOR the purpose of requiring that the Commissioners of the Housing Authority of the City of Annapolis who are appointed by the Mayor of Annapolis be approved by the Annapolis City Council; and generally relating to the Housing Authority of the City of Annapolis.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 13–104(a)
Annotated Code of Maryland
(2006 Volume)

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

Senate Bill 257 – Senator Astle

AN ACT concerning

Continuing Care in a Retirement Community – Appeal Procedure for Subscriber Grievances

FOR the purpose of establishing a procedure for subscribers who are not satisfied with the resolution of grievances by providers to submit complaints to the Secretary of Aging; requiring the Secretary or the Secretary's designee to conduct a preliminary review of a complaint in a certain manner; requiring the Office of

Administrative Hearings to hold a hearing on a complaint under certain circumstances; requiring the Office of Administrative Hearings to issue certain orders under certain circumstances; requiring the Secretary to issue certain orders or to remand the complaint under certain circumstances; requiring the Secretary to adopt certain regulations; and generally relating to an appeal procedure for grievances of subscribers in continuing care retirement communities.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–428

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Human Services

Section 10–430

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 258 – Senators Frosh, Britt, Dyson, and Harris

AN ACT concerning

State Board of Physicians – Subpoenas – Medical Records for Mental Health Services

FOR the purpose of requiring certain health care providers, in accordance with a subpoena, to disclose certain medical records for mental health services to the State Board of Physicians for certain investigations into complaints made by a certain person under certain circumstances; authorizing the Board to issue certain subpoenas for medical records for mental health services for certain investigations if on a certain date the Board notifies the patient by certified mail that the subpoena has been issued and that the patient may assert certain rights within a certain period of time; authorizing the Board to require the disclosure of certain medical records if certain rights are not asserted within a certain period of time; and generally relating to the issuance of subpoenas for medical records for mental health services by the State Board of Physicians.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–307(k)(1)(v)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–401(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 259 – Senators Frosh, Forehand, Garagiola, Hogan, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Glen Echo Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$225,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 260 – Senators Garagiola, Exum, and Madaleno

AN ACT concerning

Labor and Employment – Leave with Pay – Illness of Employee’s Immediate Family

FOR the purpose of authorizing employees of certain employers to use leave with pay for the illness of the employee’s immediate family; providing that an employee may only use leave with pay that has been earned; providing that an employee who earns more than one type of leave with pay may elect the type and amount of leave with pay to be used; requiring an employee who uses leave with pay under this Act to comply with the terms of a collective bargaining agreement or employment policy with a certain exception; providing that the terms of a collective bargaining agreement or employment policy shall prevail under certain circumstances; prohibiting an employer from eliminating or threatening to eliminate an existing leave with pay benefit; prohibiting an employer from taking certain actions against

an employee who exercises certain rights, files a complaint, testifies against, or assists in a certain action; providing that this Act does not affect leave granted under the federal Family and Medical Leave Act; defining certain terms; and generally relating to leave with pay and illness of an employee's immediate family.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–801 and 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment
Section 3–802
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 261 – Senators Garagiola, Brinkley, Colburn, Conway, Forehand, Hogan, Hooper, Jacobs, Jones, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Mooney, Pugh, and Raskin

AN ACT concerning

Biodiesel Renewable Fuel Act

FOR the purpose of requiring certain retail service station dealers to sell a certain percentage of biodiesel in diesel fuel on an annual basis under certain circumstances; providing for the increase in the percentage of biodiesel that must be sold in the State, by certain years, and under certain circumstances; requiring the Secretary of Agriculture to make certain determinations; requiring certain retail service station dealers to provide certain evidence to the Secretary and the Comptroller on an annual basis; requiring the Department of Agriculture and the Comptroller to jointly establish an Advisory Committee to facilitate the implementation of this Act; requiring the Advisory Committee to make a certain annual report; exempting the sale of aviation fuel from the provisions of this Act; and generally relating to the use of biodiesel in the State.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 10–1501(a) and (b)
Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–101(k)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 10–325
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 262 – Senators Klausmeier and Della

AN ACT concerning

Consent Provisions – Minors – Mental or Emotional Disorder

FOR the purpose of authorizing psychologists to give certain individuals information, without the consent of or over the express objection of a minor, about treatment of a mental or emotional disorder needed by a minor or provided to a minor under certain circumstances; authorizing certain individuals, on advice or direction of a psychologist, to give certain individuals information, without the consent of or over the express objection of a minor, about treatment of a mental or emotional disorder needed by a minor or provided to a minor under certain circumstances; and generally relating to the disclosure of information about the treatment of a mental or emotional disorder of a minor.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–104
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 263 – Senators Klausmeier, Astle, Exum, and Pinsky

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

FOR the purpose of requiring a health insurance carrier to establish and implement a certain procedure for requesting a referral to a nonphysician specialist who is not part of the carrier's provider panel; providing that a certain decision by a health insurance carrier constitutes an adverse decision under certain circumstances; defining a certain term; and generally relating to health insurance carrier provider panels and nonphysician specialists.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–830
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 264 – Senators Klausmeier, Brochin, and Stone

AN ACT concerning

Creation of a State Debt – Baltimore County – Storyville Children's Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Foundation for Baltimore County Public Library, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 265 – Senators DeGrange, Astle, Brinkley, Currie, Della, Dyson, Hogan, Jones, Klausmeier, Kramer, McFadden, Middleton, Miller, Munson, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

Building Opportunities for All Students and Teachers (BOAST) in Maryland Tax Credit

FOR the purpose of allowing a credit against the State income tax for contributions made

to an eligible educational scholarship organization or an eligible innovative educational grant organization; requiring the State Department of Education to administer the tax credit; requiring an entity to submit an application to be an eligible educational scholarship organization or an eligible innovative educational grant organization by a certain date each year; requiring an eligible educational scholarship organization or an eligible innovative educational grant organization to meet certain qualifications; requiring a business entity to submit a certain application within a certain time period and to make a contribution to an eligible educational scholarship organization or an eligible innovative educational grant organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; requiring the Department to approve certain applications within a certain time period and in a certain manner; requiring the Department to rescind certain tax credit certificates if certain notice is not provided within a certain time period; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; providing that certain unused tax credits may not be carried forward; requiring the Department to publish and update a certain list in a certain manner each year and to submit a certain report by a certain date each year; requiring a certain addition modification under the Maryland income tax if a certain tax credit is claimed; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for contributions made to an eligible educational scholarship organization or an eligible innovative educational grant organization.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–205(a) and 10–306(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–205(j), 10–306(f), and 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

MESSAGE FROM THE HOUSE

January 29, 2007

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

The Governor of Maryland has signified his intention of addressing the General Assembly of Maryland on Wednesday, January 31, 2007, at 12 Noon in the House Chamber.

We propose with your concurrence, a joint meeting of the two Houses for this occasion and have appointed Delegates Howard and Myers to escort your Honorable Body to the House Chamber.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House, to escort the Governor to the House Chamber. We have appointed Delegates McHale, Benson and Kach.

We further propose the appointment of a joint committee of four, two on the part of the Senate and two on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates Griffith and O'Donnell.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

MESSAGE TO THE HOUSE OF DELEGATES

January 29, 2007

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message that the Governor has signified his intention to address the General Assembly of Maryland on Wednesday, January 31, 2007, at 12:00 Noon, and proposing a joint meeting of the General Assembly in the Chamber of the House of Delegates.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators McFadden, Kasemeyer and Brinkley as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

We have also appointed as members of a joint committee, Senators Hogan and Kittleman to escort the Lt. Governor to the House Chamber.

By Order,

William B.C. Addison, Jr.
Secretary of the Senate

QUORUM CALL

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

(See Roll Call No. 80)

ADJOURNMENT

At 8:34 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 30, 2007.

Annapolis, Maryland
Tuesday, January 30, 2007
10:00 A.M. Session

The Senate met at 10:14 A.M.

Prayer by The Reverend Byron E. Brought, Friendship United Methodist Church, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 29, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 82)

INTRODUCTION OF BILLS

Senate Bill 266 – Senators Lenett and Madaleno

AN ACT concerning

Prescription Privacy Act

FOR the purpose of prohibiting the transfer by certain persons of information that identifies a specific prescriber or patient on a prescription; providing certain exceptions; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations and enforce certain requirements; and generally relating to the transfer of identifying information on a prescription.

BY adding to

Article – Health – General

Section 21–220.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1215
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 267 – Senator Lenett

AN ACT concerning

Maryland Comparative Negligence Act

FOR the purpose of establishing that in an action brought to recover damages for negligence under certain circumstances, the fact that a plaintiff may have been contributorily negligent may not bar recovery by the plaintiff or the plaintiff's legal representative or beneficiary under certain circumstances; requiring any damages awarded under this Act to be diminished in proportion to the amount of negligence attributed to the plaintiff; providing for the scope of this Act; providing for the application of this Act; and generally relating to certain actions for damages and comparative negligence.

BY adding to

Article – Courts and Judicial Proceedings
Section 11–2A–01 to be under the new subtitle “Subtitle 2A. Maryland
Comparative Negligence Act”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 268 – Senators Conway, Astle, Britt, Brochin, Colburn, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Greenip, Haines, Hogan, Hooper, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, McFadden, Middleton, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Higher Education – Blind and Print Disabled Students – Instructional Materials

FOR the purpose of requiring the Maryland Library for the Blind and Physically Handicapped to convene a certain committee on or before a certain date; providing for the membership of the committee; requiring a certain number of the members

of the committee to be blind or print disabled; requiring the committee to establish certain procedures to facilitate the delivery of certain materials to certain students in certain formats; authorizing the Library to determine certain eligibility of certain students to make certain requests; requiring the Library to make certain requests to certain publishers regarding the provision of certain instructional materials; providing certain publishers a certain period of time to respond to certain requests; requiring certain publishers to indicate certain information to the Library; exempting certain publishers from certain requirements of this Act; requiring the Governor to include in the annual budget submission a certain appropriation beginning in a certain fiscal year and each fiscal year thereafter; providing for the application of this Act; defining certain terms; requiring the Library to consult and coordinate with the State Department of Education to facilitate the utilization of certain equipment and staff for certain purposes; and generally relating to instructional materials for blind or print disabled students.

BY adding to

Article – Education

Section 11–901 through 11–905 to be under the new subtitle “Subtitle 9.
Instructional Materials for Blind and Print Disabled Students”

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 269 – Senator Conway

AN ACT concerning

**Maryland Health Care Commission – Racial and Ethnic Variations Data –
Nondiscrimination in Health Insurance**

FOR the purpose of requiring the Maryland Health Care Commission to include certain racial and ethnic variations in certain systems to evaluate the quality of care outcomes and performance measurements of certain health maintenance organization benefit plans, nursing facilities, hospitals, and ambulatory surgical facilities; prohibiting the use of certain racial or ethnic variations information to deny or otherwise affect a health insurance policy or contract; providing that the provisions of certain insurance laws apply to health maintenance organizations; and generally relating to the collection and use of racial and ethnic variations data.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 19–134(c) and (d)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–134(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)
(As enacted by Chapter 450 of the Acts of the General Assembly of 2006)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–706(ggg)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 27–914
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 270 – Senators Conway, Kasemeyer, and Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Irvine Nature Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Trustees of the Irvine Natural Science Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
University of Maryland School of Medicine	The President and all Members	109

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 83)

QUORUM CALL

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

(See Roll Call No. 84)

ADJOURNMENT

At 10:33 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Wednesday, January 31, 2007.

Annapolis, Maryland
Wednesday, January 31, 2007
11:00 A.M. Session

The Senate met at 11:44 A.M.

Prayer by The Reverend Clare Petersberger, Towson Unitarian Universalist Church, guest of Senator Brochin.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 30, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 88)

INTRODUCTION OF BILLS

Senate Bill 271 – Senator Edwards

AN ACT concerning

Hunting – Exemptions from License and Stamp Requirement

FOR the purpose of expanding the exemption from the hunting license and stamp requirement for hunting on farmland to include certain persons who live on, work on, or manage the farmland; and generally relating to the exemptions for the hunting license and stamp requirement.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–301(a) and (b)
Annotated Code of Maryland

(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–301(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 272 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Allegany County – Greenway Avenue Stadium

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Allegany County Public Schools Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 273 – Senator Edwards

AN ACT concerning

Maryland Agricultural Land Preservation Foundation – Allegany County and Garrett County – Coal Rights

FOR the purpose of prohibiting regulations and procedures adopted by the Maryland Agricultural Land Preservation Foundation for the establishment and monitoring of agricultural districts from requiring, in Allegany County and Garrett County, a coal rights owner or lessee to subordinate its interest to the Foundation’s interest under certain circumstances; requiring that a certain report be submitted by a certain date; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,
Article – Agriculture

Section 2–509(c)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 274 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Credit – New or Expanding Businesses

FOR the purpose of authorizing the governing body of Garrett County to grant, by law, a property tax credit against the county property tax imposed on certain real property owned or occupied by certain businesses in Garrett County under certain circumstances and subject to certain limitations and requirements; authorizing the governing body of Garrett County to provide for the amount and duration of the credit, qualifications and application procedures for the credit, and other provisions for the credit; providing for the application of this Act; and generally relating to authorization for a property tax credit in Garrett County for certain real property owned or occupied by certain businesses in Garrett County under certain circumstances.

BY adding to

Article – Tax – Property
Section 9–313(b)(7)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 275 – Senators Middleton and Munson

EMERGENCY BILL

AN ACT concerning

Maryland Tort Claims Act – Employee or Official of the Maryland Agricultural and Resource–Based Industry Development Corporation

FOR the purpose of expanding the definition of State personnel under the Maryland Tort Claims Act to include an employee or official of the Maryland Agricultural and Resource–Based Industry Development Corporation; making this Act an

emergency measure; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)(2)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 276 – Senator Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – National Labor College Academic Services Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$3,500,000, the proceeds to be used as a grant to the Board of Trustees of the National Labor College, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 277 – Senator Madaleno

AN ACT concerning

Economic Development Opportunities (Sunny Day) Account – Extraordinary Economic Development Opportunity – Definition

FOR the purpose of altering the definition of an extraordinary economic development opportunity as it relates to the retention, expansion, establishment, or attraction of certain public or private institutions through the use of the Economic Development Opportunities Program Account; and generally relating to the Economic Development Opportunities Program Account and the definition of an extraordinary economic development opportunity.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 7–314(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 7–314(b), (h)(1), and (i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 278 – Senator McFadden

AN ACT concerning

**Baltimore City – Housing Authority – Continued Occupancy by Family Member on
Death of Tenant**

FOR the purpose of altering the circumstances under which an individual who is the surviving spouse or other immediate family member of a deceased tenant of housing assisted under a program administered by the Housing Authority of Baltimore City and who occupied the premises at the time of the tenant’s death may be considered eligible to enter into a lease for continued occupancy; and generally relating to the Housing Authority of Baltimore City.

BY repealing and reenacting, with amendments,
The Public Local Laws of Baltimore City
Section 9–8
Article 4 – Public Local Laws of Maryland
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

Senate Bill 279 – Senator Middleton

AN ACT concerning

**Motor Homes and Travel Trailers – Vehicle Excise Tax – Definitions – Repeal of
Sunset**

FOR the purpose of repealing the termination of certain provisions that alter the definitions of “fair market value” and “total purchase price” for purposes of the vehicle excise tax imposed on a motor home or a travel trailer to exclude from the

computation of the tax, subject to a certain limitation, the value of a motor home or travel trailer traded as part of the consideration for the sale; repealing the termination of certain provisions that provide that certain definitions do not apply to the calculation of the vehicle excise tax imposed on a motor home or a travel trailer until certain bonds are no longer outstanding and unpaid; and generally relating to travel trailers and motor homes.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–809(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Chapter 361 of the Acts of the General Assembly of 2001, as amended by Chapter
545 of the Acts of the General Assembly of 2004
Section 3

BY repealing and reenacting, with amendments,
Chapter 361 of the Acts of the General Assembly of 2001, as amended by Chapter
545 of the Acts of the General Assembly of 2004
Section 5

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

Senate Bill 280 – Senator Middleton

AN ACT concerning

Creation of a State Debt – Charles County – Mattawoman Creek Art Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$15,000, the proceeds to be used as a grant to the Board of Directors of the Mattawoman Creek Art Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 281 – Senators Middleton, Dyson, and Pugh

AN ACT concerning

**Department of Health and Mental Hygiene – Family Health Administration –
Maryland Medbank Program**

FOR the purpose of transferring the Maryland Medbank Program to the Family Health Administration within the Department of Health and Mental Hygiene; and generally relating to the Maryland Medbank Program.

BY renumbering

Article – Health – General

Section 15–124.2

to be Section 13–2501

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–2501 to be under the new subtitle “Subtitle 25. Maryland Medbank Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Section 1 of this Act)

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

Senate Bill 282 – Senators Middleton and Dyson

AN ACT concerning

Potomac River Fisheries Commission – Commissioner Compensation

FOR the purpose of authorizing the members of the Potomac River Fisheries Commission to receive up to a certain amount of compensation for each day or portion of a day spent in the performance of their duties; providing that members of the Potomac River Fisheries Commission may not receive more than a certain amount of compensation in any year; providing that this Act does not apply to the compensation of the incumbent members of the Potomac River Fisheries Commission from Maryland; making this Act subject to a certain contingency; and generally relating to compensation of the members of the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–306 Article I Section 5
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 283 – Senators Middleton and Dyson

AN ACT concerning

Southern Maryland Prostate Cancer Pilot Program

FOR the purpose of establishing the Southern Maryland Prostate Cancer Pilot Program; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to provide certain services and activities; requiring the Program to be funded as provided in the State budget; requiring the Department of Health and Mental Hygiene to distribute grants to certain local health departments to administer the Program; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to the Southern Maryland Prostate Cancer Pilot Program.

BY adding to

Article – Health – General

Section 13–2501 through 13–2507 to be under the new subtitle “Subtitle 25.
Southern Maryland Prostate Cancer Pilot Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 284 – Senators Middleton and Dyson

AN ACT concerning

Potomac River Fisheries Commission – Employees and Retirees – Participation in State Health and Welfare Benefits Program

FOR the purpose of altering the Potomac River Compact of 1958 to require that retirees of the Potomac River Fisheries Commission be eligible for certain health and related insurance benefits; allowing employees and retirees of the commission to enroll and participate in the health insurance benefit options established under the State Employee and Retiree Health and Welfare Benefits Program under certain

circumstances; requiring the commission to pay certain costs to the State and make a certain determination; making this Act subject to a certain contingency; and generally relating to the participation in health insurance benefit options under the State Employee and Retiree Health and Welfare Benefits Program by employees and retirees of the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–306 Article I Section 7
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 2–515.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 285 – Senators Kelley and Hooper

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Reserve Study

FOR the purpose of requiring the bylaws of a condominium to provide for the frequency with which a reserve study will be conducted; requiring a certain developer to cause to be conducted a certain reserve study before a certain event; requiring a certain council of unit owners to cause to be conducted a reserve study within a certain time; requiring a certain developer to pay a certain installment of a certain assessment; requiring a certain declarant to cause to be conducted a certain reserve study before the occurrence of a certain event; requiring the governing body of a homeowners association to cause to be conducted a reserve study within a certain time; requiring the bylaws or other governing documents of a homeowners association to include the frequency with which a reserve study must be conducted; requiring a certain budget to provide for reserves; requiring a certain declarant to pay a certain installment of a certain assessment; defining a certain term; requiring certain bylaws or other governing documents to comply with certain requirements on or before a certain date; providing for the application of certain provisions of this Act; and generally relating to a reserve study for a condominium or homeowners association.

BY repealing and reenacting, with amendments,

Article – Real Property
Section 11–104 and 11–110(b)(1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–109.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 11–139.3 and 11B–112.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 286 – Senator Kelley

AN ACT concerning

Maryland Dent–Care Program – Participants and Award Amounts

FOR the purpose of repealing a certain limitation on the number of participants per year in the Maryland Dent–Care Program; repealing a certain limitation on the number of total participants in the Program; repealing a certain limitation on the maximum award amount under the Program; requiring the Office of Student Financial Assistance, in collaboration with the Department of Health and Mental Hygiene, to adopt regulations to determine certain maximum participants and certain award amounts; and generally relating to the Maryland Dent–Care Program.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–2401
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–2405
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 287 – Senator Kelley

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Receivership

FOR the purpose of authorizing certain unit owners to petition a certain circuit court to appoint a receiver under the Maryland Condominium Act under certain circumstances; requiring certain petitioners to mail a copy of a certain petition and a certain notice to all unit owners; requiring certain petitioners to post a certain notice in a certain manner; providing that a certain circuit court may appoint a certain receiver after a hearing; providing that a certain receiver shall have certain powers and duties; providing for the term of service of a receiver; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are common expenses; authorizing certain lot owners to petition a certain circuit court to appoint a receiver under the Maryland Homeowners Association Act under certain circumstances; requiring certain petitioners to mail a copy of a certain petition and a certain notice to all lot owners; requiring certain petitioners to post a certain notice in a certain manner; providing that a certain circuit court may appoint a certain receiver after a hearing; providing that a certain receiver shall have certain powers and duties; providing for the term of service of a receiver; providing that the salary of a certain receiver, certain court costs, and certain attorney's fees are expenses of a homeowners association; and generally relating to the appointment of a receiver for a condominium or a homeowners association.

BY adding to

Article – Real Property

Section 11–109.3 and 11B–111.5

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 288 – Senators Kelley and Currie

AN ACT concerning

Real Property – Common Ownership Community Ombudsman

FOR the purpose of establishing the office of Common Ownership Community

Ombudsman in the Department of Labor, Licensing, and Regulation; providing for the appointment, service, qualifications, and salary of the Ombudsman; authorizing the Ombudsman to employ a staff; requiring the Ombudsman to perform certain duties; authorizing the Ombudsman to adopt and enforce certain regulations; requiring a common ownership community to register by a certain date with the Ombudsman; requiring the registration form to include certain information; providing that a common ownership community is exempt from registration if it is required to register under a certain local common ownership community registration system; requiring the Ombudsman to charge a fee for registration; providing that the fee may not exceed a certain amount; establishing a Common Ownership Community Ombudsman Fund; providing for the purpose of the Fund; providing that the Fund is a special, nonlapsing fund that is not subject to a certain provision; requiring the Treasurer to hold the fund separately and the Comptroller to account for the Fund; providing for the contents of the Fund; providing for the use of the Fund; requiring the Treasurer to invest the Fund in a certain manner; providing that expenditures from the Fund may be made in a certain manner; requiring the Office of Legislative Audits to audit the accounts and transactions of the Fund; defining certain terms; and generally relating to establishing the office of Common Ownership Communities Ombudsman.

BY adding to

Article – Real Property

Section 11C–101 through 11C–402 to be under the new title “Title 11C. Common Ownership Community Ombudsman”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 289 – Senator Kelley

AN ACT concerning

Ground Rents – Ejectment Actions – Posting Notice on Property

FOR the purpose of altering notice requirements before bringing an ejectment action for failure to pay ground rent by requiring notice to be posted on the property in all cases; and generally relating to notice in ejectment actions.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–402.2(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 290 – Senators Madaleno, Forehand, Frosh, Garagiola, Hogan, Kramer, Lenett, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Wheaton Multi-Service Youth Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$975,000, the proceeds to be used as a grant to the Board of Directors of Victory Youth Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 291 – Senators Madaleno, Forehand, Frosh, Garagiola, Hogan, Kramer, Lenett, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Circle Manor

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Kensington for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 292 – Senators Madaleno and Pugh

AN ACT concerning

State Budget – Modifications – Reporting

FOR the purpose of requiring the State budget books to include a separate section listing, for certain fiscal years, certain changes in policy or administration that will reduce the level of funding, level of services, or scope of services provided in any program or program area; requiring the section to include, for a certain fiscal year, a summary of certain changes reducing funding or services below certain levels; requiring the section to include, for a certain fiscal year, a summary of certain proposed actions that will reduce funding or services below certain levels; requiring the section to quantify certain reductions in funding or services; and generally relating to modifications to the State budget.

BY adding to

Article – State Finance and Procurement
Section 7–123
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 293 – Senators Lenett, Frosh, Madaleno, Muse, Pugh, Raskin, Robey, Rosapepe, and Zirkin

AN ACT concerning

**Renewable Energy Portfolio Standard and Procurement of Renewable Energy –
Solar Energy**

FOR the purpose of altering a certain renewable energy portfolio standard by requiring that certain portions of electricity in the standard be derived from solar energy in certain years; repealing a certain provision that provides that an electricity supplier receive double credit toward meeting a certain renewable energy portfolio standard for energy derived by solar energy sources under certain circumstances; altering the amount of a certain compliance fee; requiring the Department of General Services to adopt certain regulations requiring a certain percentage of the electricity supply procured by each unit on and after a certain date to be from renewable energy sources; authorizing certain units to enter into certain contracts not to exceed a certain term of years for the provision of electricity from renewable energy sources; defining a certain term; and generally relating to the use of renewable energy in the State of Maryland.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies
Section 7–703 and 7–705

Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing

Article – Public Utility Companies
Section 7–704(c)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to

Article – State Finance and Procurement
Section 4–805
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY renumbering

Article – Public Utility Companies
Section 7–704(d) through (g), respectively
to be Section 7–704(c) through (f), respectively
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 294 – Senators Kittleman, Brinkley, Edwards, Greenip, Haines, Harris, Hooper, Jacobs, Mooney, Munson, Pipkin, Simonaire, and Stoltzfus

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Property Protection Act of 2007

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property under certain circumstances; defining a certain term; generally relating to the laws authorizing private property to be taken for public use after payment of just compensation; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department
Section 40, 40A, and 61

BY proposing an amendment to the Maryland Constitution

Article XI-B – City of Baltimore – Land Development and Redevelopment
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI-C – Off-Street Parking
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI-D – Port Development
Section 1

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

Senate Bill 295 – Senators Mooney, Brochin, Colburn, Della, Garagiola, Greenip, Haines, Harris, Jacobs, Kelley, Kittleman, Klausmeier, Munson, Peters, Pipkin, and Stone

AN ACT concerning

Tax Credit – Electric and Hybrid Vehicles

FOR the purpose of establishing a period of eligibility for a credit against the motor vehicle excise tax for certain qualified electric vehicles and certain hybrid vehicles having an onboard rechargeable energy storage system; and generally relating to a credit against the motor vehicle excise tax for qualified electric and hybrid vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13-815
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 296 – Senator Kasemeyer

AN ACT concerning

Baltimore County – Property Tax Credit – Leadership Through Athletics, Inc.

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county tax imposed on personal property that is owned by Leadership Through Athletics, Inc.; providing for the application of

this Act; and generally relating to a property tax credit in Baltimore County for Leadership Through Athletics, Inc.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 297 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Howard County – Norbel School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the Norbel School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 298 – Senators Frosh, Brochin, Conway, Dyson, Garagiola, Lenett, Madaleno, Peters, and Zirkin

AN ACT concerning

Income Tax Credits for Green Buildings – Additional Credits Authorized

FOR the purpose of altering certain requirements for certain buildings to be eligible for certain tax credits; allowing an individual or business entity to transfer certain tax credits to another individual or business entity under certain circumstances; authorizing an individual or business entity to whom a certain credit is transferred to claim a credit against the Maryland income tax under certain circumstances; altering the maximum annual and aggregate amount of initial credit certificates that the Maryland Energy Administration may issue; requiring certain regulations to be adopted that establish a certain process for the reallocation of certain credits; defining a certain term; providing for the application of this Act; and generally relating to credits against the Maryland income tax for certain buildings and

building components that meet certain energy efficiency and environmental standards.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–722(a), (b), and (k)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 299 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Expungement – Civil Offenses or Infractions

FOR the purpose of providing for expungement of court, police, and other governmental records concerning certain civil offenses or infractions under certain circumstances; providing for the application of this Act; and generally relating to expungement of court, police, and other governmental records concerning certain civil offenses or infractions under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–101(c)(1) and (h) and 10–105(a)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

Senate Bill 300 – Senators Brochin, Frosh, Garagiola, Klausmeier, Lenett, Peters, Pugh, Raskin, and Rosapepe

AN ACT concerning

Proposed Capital Projects – High Performance Buildings

FOR the purpose of requiring certain buildings to be high performance buildings unless a unit of State government obtains a waiver from the Department of Budget and Management; requiring the Department to establish a waiver process on or before a certain date; providing for the minimum requirements of the waiver process; and generally relating to the planning and design of high performance buildings in

proposed capital projects.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 301 – Senators Brochin, Frosh, Klausmeier, Lenett, Peters, Pugh, and Rosapepe

AN ACT concerning

Education – New School Construction – Price Preference for High Performance Buildings

FOR the purpose of providing a price preference as an incentive for the construction of new school buildings as high performance buildings; requiring the Board of Public Works to adopt certain regulations; prohibiting the State or a county board of education from authorizing an appropriation for the preliminary planning of a proposed capital project for new school construction for a high performance building until a certain program is submitted to the Department of Budget and Management; defining a term; and generally relating to a price preference as an incentive for the construction of new school buildings as high performance buildings.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–112 and 5–301
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 302 – Senators Kelley, Astle, Conway, Currie, Della, Forehand, Garagiola, Hogan, Klausmeier, Middleton, Pinsky, and Pugh

AN ACT concerning

State Residential Centers – Money Follows the Individual Act

FOR the purpose of prohibiting the Department of Health and Mental Hygiene from denying an individual home– and community–based waiver services when the individual resides in a State residential center and certain criteria are met; providing that nothing in this Act is intended to result in a certain reduction of federal funds; requiring the Department to notify certain residents of State residential centers about certain opportunities to participate in a certain waiver; requiring the Department to submit a certain annual report; defining a certain term; and generally relating to individuals living in State residential centers and access to home– and community–based waivers.

BY adding to

Article – Health – General

Section 15–135.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 303 – Senator Forehand

AN ACT concerning

Motor Carrier Transportation Contracts – Indemnity Agreements Void

FOR the purpose of providing that certain indemnity agreements, collateral to, or affecting certain motor carrier transportation contracts that purport to indemnify the promisee against certain liability resulting from certain conduct by the promisee are against public policy and are void and unenforceable; defining certain terms; and generally relating to certain indemnity agreements in certain motor carrier transportation contracts.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–134.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–401
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 304 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Military Service that Interrupts State Service – Calculation

FOR the purpose of providing that certain military service that members receive is applied toward their retirement allowance using a certain accrual rate; and generally relating to the calculation of military service that interrupts State service.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–103
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 305 – Senators Kramer, Forehand, Garagiola, Hogan, Lenett, and Madaleno

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Odd Fellows Hall

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Board of Trustees of the Grand United Order of Odd Fellows Sandy Spring Lodge # 6430, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (AQ)

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

Senate Bill 306 – Senator Stone

AN ACT concerning

Identity Fraud – Seizure and Forfeiture

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with violation of certain identity fraud laws; establishing that certain property is contraband and presumed to be forfeitable; placing the burden of rebutting a certain presumption on a certain property claimant; authorizing the seizure of certain property with or without a warrant under certain circumstances; authorizing a court to direct a certain defendant to forfeit certain property; establishing a certain forfeiture proceeding; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the identity fraud law.

BY adding to

Article – Criminal Procedure

Section 13–401 through 13–407 to be under the new subtitle “Subtitle 4.
Violations of Identity Fraud Laws”

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 307 – Senator Stone

AN ACT concerning

Liquefied Natural Gas Facilities – Impact Fee – County Services

FOR the purpose of requiring the Public Service Commission to collect an impact fee from a liquefied natural gas facility under certain circumstances; authorizing a county to determine the amount of an impact fee or to obtain a determination from an independent third party for certain purposes; requiring the impact fee to provide for certain services and to be paid to a county under certain circumstances; prohibiting an impact fee from being imposed on certain facilities; and generally

relating to liquefied natural gas facilities.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 11–101
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 308 – Senator Stone

AN ACT concerning

Crimes – Child Pornography – Mandatory Minimum Sentences

FOR the purpose of altering a certain penalty for a person who is convicted of the felony of causing, inducing, or knowingly allowing a minor to engage in certain child pornography, photographing or filming certain child pornography, using a computer to depict or describe certain child pornography, knowingly promoting, distributing, or possessing with intent to distribute certain child pornography, or using a computer to knowingly compile, enter, transmit, make, print, publish, reproduce, cause, allow, buy, sell, receive, exchange, or disseminate certain descriptive or identifying information for the purpose of engaging in, facilitating, encouraging, offering, or soliciting unlawful sadomasochistic abuse or sexual conduct of or with a minor; prohibiting a court from imposing less than a certain minimum sentence for a person convicted of a certain felony; prohibiting a court from imposing less than a certain minimum sentence for each subsequent conviction of a person for a certain felony; providing that a person convicted of a certain felony or a subsequent conviction of a certain felony is not eligible for parole for a certain period; and generally relating to penalties for child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–207
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 309 – Senator Stone

AN ACT concerning

Civil Actions – Dismissal or Termination – Limitations

FOR the purpose of authorizing the commencement of a new civil action if a prior action for the same cause was commenced within the applicable period of limitations, and dismissed or terminated in a manner other than by a final judgment on the merits; providing the time period within which a new civil action may be commenced in accordance with this Act; providing for the application of this Act; and generally relating to altering the periods of limitations on commencement of civil actions under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–118

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 310 – Senator Stone (By Request – Baltimore County Administration) and Senators Brochin and Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Athletic Lighting Renovations

FOR the purpose of authorizing the creation of a State Debt not to exceed \$825,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 311 – Senator Stone (By Request – Baltimore County Administration) and Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore County – Northeast Skate Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the

proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 312 – Senator Stone (By Request – Baltimore County Administration) and Senators Brochin and Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Athletic Turf Fields

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,800,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 313 – Senator Stone (By Request – Baltimore County Administration)

AN ACT concerning

Creation of a State Debt – Baltimore County – Eastern Boulevard

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 314 – Senator Stone (By Request – Baltimore County Administration)

AN ACT concerning

Creation of a State Debt – Baltimore County – Heritage Trail and Saint Helena Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 315 – Senator Stone (By Request – Baltimore County Administration) and Senator Haines

AN ACT concerning

Creation of a State Debt – Baltimore County – Agricultural Resource Center and Farm Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 316 – Senator Stone (By Request – Baltimore County Administration) and Senator Harris

AN ACT concerning

Creation of a State Debt – Baltimore County – Gough Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing

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

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

Senate Bill 317 – Senator Stone (By Request – Baltimore County Administration) and Senator Harris

AN ACT concerning

Creation of a State Debt – Baltimore County – Eastern Regional Greenway

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 318 – Senators Exum, Britt, Conway, Currie, Della, Garagiola, Gladden, Jones, Kelley, Klausmeier, McFadden, Middleton, Muse, and Pugh

AN ACT concerning

Maryland Small Business Development Financing Authority – Financing Limitations

FOR the purpose of altering certain limitations on lending, guarantees, and equity participation financing by the Maryland Small Business Development Financing Authority in certain transactions; altering the maximum amount of a loan that the Authority may make using the Contract Financing Fund; altering the maximum amount of a loan guarantee that the Authority may make using the Guaranty Fund; altering the scope of contracts for which the Authority may act as a surety and guarantee losses incurred by certain sureties under the Small Business Surety Bond Program; altering certain limitations on the amount of equity and investment that the Authority may own in certain businesses and franchises under the equity participation financing program; altering certain limitations on the qualifications of certain enterprises and principals seeking to acquire certain existing businesses in connection with equity participation financing provided by the Authority; and

generally relating to the Maryland Small Business Development Financing Authority.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–1022(a), 5–1024(a), 5–1029(a), 5–1035(a) and (d)(1), and 5–1046
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 319 – Senator Exum

AN ACT concerning

Property Tax – Homeowners’ Property Tax Credit

FOR the purpose of altering the computation of a certain homeowners’ property tax credit; altering a certain restriction on eligibility for the credit based on a homeowner’s net worth; providing for the application of this Act; and generally relating to a certain homeowners’ property tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–104(g) and (i)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 320 – Senator Stone

AN ACT concerning

**Law Enforcement Officers’ Pension System – Membership – Martin State Airport
Law Enforcement Officers**

FOR the purpose of providing membership in the Law Enforcement Officers’ Pension System to certain law enforcement officers at the Martin State Airport who are employed by the Military Department; and generally relating to membership in the Law Enforcement Officers’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions

Section 26–201 and 26–202
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 321 – Senators Kelley and Currie

AN ACT concerning

State Citizens Review Board for Children – Child Abuse or Neglect

FOR the purpose of requiring the State Citizens Review Board for Children, its designee, or staff to report certain suspected child abuse or neglect to certain authorities under certain circumstances; repealing a provision authorizing the Special Secretary for Children, Youth, and Families to impose a certain civil penalty for a violation of a certain provision prohibiting the disclosure of certain information and authorizing the Attorney General to impose the civil penalty; and generally relating to the State Citizens Review Board for Children.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–539.3
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 322 – Senator Astle

AN ACT concerning

Education – Retirees of a County Board of Education – Health Benefits

FOR the purpose of requiring certain county boards of education to provide certain health benefits to certain retired employees; requiring certain county boards to develop and implement certain plans in consultation with certain associations; authorizing a county board of education to establish different cost-sharing ratios for certain individuals; and generally relating to health benefits for retired principals, teachers, and other certificated and noncertificated employees of a county board of education.

BY adding to
Article – Education

Section 4–103.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 323 – Senator Astle

AN ACT concerning

Health Maintenance Organizations – Reimbursement Rates of Noncontracting Providers

FOR the purpose of altering the rate at which a health maintenance organization must reimburse certain health care providers not under written contract with the health maintenance organization for certain services rendered by the health care providers; repealing certain provisions of law requiring a health maintenance organization to disclose certain reimbursement notes on the request of a certain health care provider; and generally relating to reimbursement rates for health care providers not under written contract with health maintenance organizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–710.1(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 324 – Chair, Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Board of Education – Appointment Process

FOR the purpose of requiring the Governor to appoint a member of the Anne Arundel County Board of Education from a list of nominees submitted by the School Board Nominating Commission of Anne Arundel County; requiring the Commission to hold certain public hearings before recommending to the Governor nominees for appointment to the County Board; providing for the establishment, purpose, membership, terms of office, and chair of the Commission; requiring the Commission to submit to the Governor a certain list of nominees for each nomination to the County Board beginning on a certain date; authorizing members of the County Board to serve the remainder of a member's first term or a second

consecutive term subject to the results of a certain retention election at a certain time; specifying the process of reappointment of members serving on the County Board as of a certain date; specifying the terms of the initial members of the Commission; requiring the County Board to provide written notice to the State Board of Elections of the name of the member to be placed on a certain ballot at a certain time; providing that an incumbent member of the County Board is not required to file a certain certificate of candidacy for an election for continuance in office; making a stylistic change; and generally relating to the appointment process for members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108(a) and (c) and 3–110
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Election Law
Section 5–301(h)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 325 – Senators Conway, Hogan, Dyson, Brochin, Exum, Gladden, Kelley, Klausmeier, McFadden, Peters, Pugh, Raskin, and Stone

AN ACT concerning

Natural Resources – State Forests and Parks – Funding

FOR the purpose of requiring the Governor to appropriate certain funds for the operation of State forests and parks; and generally relating to funding for State forests and parks.

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

Senate Bill 326 – Cecil County Senators

AN ACT concerning

Cecil County – Bridge or Road Construction or Repair Contracts

FOR the purpose of altering the threshold amount of certain expenditures that are required to be made by competitively bid contracts in Cecil County; repealing a limitation on the amount of certain contracts that a contractor may be awarded during a certain period; and generally relating to bridge or road construction or repair contracts in Cecil County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 37A
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 327 – Cecil County Senators

AN ACT concerning

Toll Collection – Hatem Bridge and JFK Memorial Highway – Rush Hour – Exemption

FOR the purpose of prohibiting the Maryland Transportation Authority from collecting a certain charge during certain weekday hours at the toll stations for the Thomas J. Hatem Memorial Bridge and the John F. Kennedy Memorial Highway; requiring the Authority to take certain action to obtain a necessary modification of a certain trust agreement; making a technical correction; and generally relating to toll collection at the Thomas J. Hatem Memorial Bridge and the John F. Kennedy Memorial Highway.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–312
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 328 – Senator Jones

AN ACT concerning

Creation of a State Debt – Bon Secours Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Bon Secours Hospital, Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 329 – Senators Jacobs, Colburn, DeGrange, Forehand, Haines, Harris, Hooper, Kittleman, Mooney, Munson, Muse, and Stone

AN ACT concerning

Criminal Law – Possession of Child Pornography – Penalty

FOR the purpose of altering the terms of imprisonment and fines for possessing certain visual representations of individuals under a certain age; changing the offense of possessing certain visual representations of individuals under a certain age from a misdemeanor to a felony; and generally relating to the possession of child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–208
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 1 – Senators Middleton, Conway, Dyson, Hogan, and Pugh

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D and Pharmacy Assistance Programs

FOR the purpose of urging the Maryland Congressional Delegation to support federal

legislation that would clarify that pharmaceutical companies may assist certain Medicare Part D beneficiaries through pharmacy assistance programs; and generally relating to federal legislation regarding Medicare Part D and pharmacy assistance programs.

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

Senate Joint Resolution 2 – Senators Middleton, Astle, Currie, Dyson, Hogan, McFadden, and Pugh

A Senate Joint Resolution concerning

Federal Reauthorization of the State Children’s Health Insurance Program

FOR the purpose of urging the Maryland Congressional Delegation to ensure that Congress reauthorizes the State Children’s Health Insurance Program to ensure that federal funding of the Program will continue; urging the Governor to work with the Delegation to ensure that Congress reauthorizes the Program; and generally relating to federal reauthorization of the State Children’s Health Insurance Program.

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

MESSAGE TO THE SENATE

January 31, 2007

By the Majority Leader:
Ladies and Gentlemen of the Senate:

We propose with your concurrence a joint session of the General Assembly at 11:00 AM on February 1, 2007, for the election and qualifying of the Treasurer of the State of Maryland by joint ballot in accordance with Article 6 Section 1 and 5 of the Constitution.

We have appointed Delegates Kirk and Walkup to escort your Honorable Body to the House Chamber for this Joint Session.

We further propose a joint committee of four, two on the part of the House and two on the part of the Senate to escort the Treasurer-Elect. We have appointed on the part of the House, Delegates Branch and Goldwater.

We propose a Joint Committee of four, two on the part of the House and two on the part of the Senate to escort the Lieutenant Governor to the House Chamber. We have appointed on the part of the House, Delegates Elmore and Bobo.

We further propose the appointment of a Joint Committee of four, two on the part of the House and two on the part of the Senate to escort the Governor to the House Chamber. We have appointed Delegates McHale and McKee.

By Order, Mary Monahan, Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

January 31, 2007

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message proposing a joint session of the General Assembly in the House Chamber at 11:00 a.m. on Thursday, February 1, 2007, for the purpose of the election and qualifying of the Treasurer of the State of Maryland, by joint ballot in accordance with Article 6, Sections 1 and 5, of the Constitution.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Forehand and Kramer as members of the joint committee to escort the Treasurer-Elect.

We have also appointed as members of the joint committee, Senators Muse and Haines to escort the Lt. Governor to the House Chamber.

We have further appointed Senators Kasemeyer and Brinkley as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

By Order,

William B.C. Addison, Jr.
Secretary

Read and adopted.

QUORUM CALL

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

(See Roll Call No. 89)

RECESS

At 12:03 P.M. on motion of Senator Kasemeyer, seconded, the Senate recessed to the House Chamber for the State of the State Address on Wednesday, January 31, 2007.

**AFTER RECESS
Annapolis, Maryland
Wednesday, January 31, 2007
12:00 Noon Session**

At 12:12 P.M. the Senate resumed its session.

QUORUM CALL

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

(See Roll Call No. 89A)

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

STATE OF THE STATE ADDRESS

GOVERNOR MARTIN O'MALLEY

JANUARY 31, 2007

To my wife Katie and our children... To my mom Barbara O'Malley... and to Joe Curran, one of the great public servants in our state's history, thank you for all your support.

Mr. President, Mr. Speaker, Chief Judge, Mr. Attorney General, Mr. Comptroller, Madam Treasurer, my colleagues in government of the Maryland General Assembly, my colleagues in county and municipal government, my fellow citizens and friends.

Today, we assess our strengths and weaknesses and set out an agenda for making progress towards our shared goals.

Because of the values that we share as Marylanders, I think you will agree that there are certain timeless goals that together we choose to pursue as a State:

- To strengthen and grow our middle class, our family owned businesses and family farms.

- To improve public safety and public education in every part of our state.
- To expand opportunity – the opportunities for learning, for earning, and for enjoying the health of the people, the land, and the water we love – to more people rather than fewer.

A Strong State

Fourteen days into the four years the people have given us to do their business, I am glad to report that thanks to the hard work of citizens in decades past – and despite the drift of recent years – the state of our state, today, is strong.

Maryland is the 2nd wealthiest state in the union. Our institutions of scientific and healing discovery – known throughout the world – are among the largest recipients of research grants in the nation. And we are blessed with a variety of natural beauty of land and water unrivaled in any state our size.

But in many ways, for all our achievements and blessings, we are also a state of extremes:

- A strong state with a huge looming structural deficit.
- A strong state with a violent crime rate that is one of the highest in the nation.
- A strong state where the number of uninsured citizens has reached nearly 800,000, as increasing numbers of small businesses find it financially impossible to cover their employees healthcare costs.
- A strong state where more and more hard-working families are finding the dream of college education slipping out of reach.

Yes, we are a strong state, today. But not as strong as we should be – or as strong as our country needs us to be.

E.B. White once wrote that we are torn by two powerful drives: The desire to enjoy the world and the urge to set it straight. And so it is with Maryland. We know that to sustain those things which we so love about our state – our Bay, our neighborhoods, our places of higher thought, our quality of life – we must set things straight... or they will be irreparably harmed, perhaps forever lost.

We have consensus around the goals we share. Now, we must forge consensus around the obligations we must meet to sustain our progress toward those shared goals.

Strengthen and Grow Our Middle Class

To strengthen and grow our middle class – especially as we face our budget challenges – it is time to apply our strengths to solving the problems of our day. Time to apply our strengths to addressing our weaknesses.

Time to improve public education at all levels... to simultaneously improve public safety and homeland security... to extend health care coverage... to conserve, protect and improve the environmental health of the Chesapeake Bay watershed... to strengthen women and minority owned businesses in our state ... to advance and realize a statewide vision for transportation that includes mass transit, as well as roads... and time to stand up again to powerful wealthy special interests whenever they try to profiteer on the backs of the working people of our State.

Making Our Government Work Again

Since all of these endeavors will require a working government, let us first resolve to make our government work again.

Facing structural deficits amounting to more than \$4 billion in the years to come, I ask you to approve a rate of growth in this year's budget that is just 2.5% – lower than the rate of inflation, lower than last year's 12% growth in government spending, and lower than 9 of the last 10 state budgets.

I also ask for your support in confirming the best leaders we can find to run the very costly and complex departments of our government. Lieutenant Governor Brown and I are grateful for your patience, President Miller, as we assemble a professional cabinet with the ability, the expertise, and the professionalism to work with each member of this Assembly – regardless of party affiliation.

In order to make our government work with greater efficiency and effectiveness, we will be implementing StateStat – a system of open and transparent administration that sets goals and measures progress towards achieving those goals, with relentless follow-up.

In order to make our government work more effectively, I ask for your cooperation in creating a new sub-cabinet on Base Realignment and Closure (BRAC) chaired by the Lieutenant Governor. To help put the challenge we face in perspective, BRAC will result in our state absorbing a city the size of Bowie – more than 25,000 households – in just a few short years.

Maryland has been called upon to play a bigger, more important role in the defense of our nation. And so we must bring greater coordination and cooperation to this effort. Our State government must work more effectively with our county governments – to defend our quality of life in Harford, Anne Arundel, Frederick, Montgomery and other counties – while answering America's urgent security needs.

In order to make our government work, I will also be asking for your cooperation in elevating the importance of information technology in the management of state government. This will mean better coordinating IT functions and creating, for the first time, a cabinet level Department of Information Technology.

In order to make our government work for working families, we must also restore the regulatory framework of our state government. To protect consumers and restore stability and predictability for businesses, we now have an opportunity to put professional regulators back on the job at the Public Service Commission.

And by making our government work, we will also start making regular, measurable strides toward increasing the participation of minority and women-owned businesses in the economy of our State. With a government that works, we will build from our competitive economic strengths in science, technology, security and renewable energy to expand earning opportunities for our citizens.

Improving Public Education and Public Safety

But beyond the means of a working government are the goals of improved public education and improved public safety – the very foundations of strong neighborhoods, strong counties, and a stronger and growing middle class.

To improve public education in every part of our State:

- I ask for your support for the final year of Thornton school funding – the largest single year increase in Maryland history for education, with an additional \$580 million in funding for local school systems;
- I ask that you pass legislation codifying our State's commitment to phase in funding of the Geographic Cost of Education Index, beginning next year;
- I ask that, together, we start to get our children out of the temporary learning shacks that have been popping up behind every school in our state – and approve the record \$400 million in school construction dollars proposed in this year's budget; and
- I ask for your support, in this year's budget, to increase our investment in our institutions of higher learning by \$192 million – including an 18% increase for Community Colleges.

Along with those investments, I ask for your support of SB 108 and HB 134 to freeze any further increase in tuition this year for in-state students. This will give families some relief while Lieutenant Governor Brown works with the Hogan Commission on a long-

term solution to keep higher education affordable. Working families must be able to send their children to Maryland colleges.

When it comes to improving Public Safety and Homeland Security in our State, we have our work cut out for us.

Our Department of Corrections, Parole and Probation, and Juvenile Services are deeply troubled. All are in urgent need of reform and have been for some time – little wonder that Maryland is the 5th most violent state in the union.

Compounding our challenge is the fact that our nation’s capital is now – and for the foreseeable future will remain – a prime target in a new type of global warfare.

Among other things, I ask for your support for an additional \$7 million dollars in this year’s budget to fund 155 additional correctional officers. I ask for your support for \$2 million additional dollars to protect Maryland families from sexual predators, with advanced Global Positioning Systems that tracks offenders.

I ask for your support for an additional \$500,000 to allow the Maryland State Police to knock out the huge backlog of violent offenders from whom DNA “fingerprints” have yet to be taken. Finally, I ask for your support for an additional \$5 million to expand drug treatment through the increased use of recently approved buprenorphine therapies.

And I look forward to working with leaders of both houses as, together, we find new ways to attack our common enemies of gang violence and violent crime.

In order to make Maryland a leader in improving Homeland Security, we will:

- Constitute a new Maryland Security Council to bring all relevant agencies and departments into the prevention, preparedness and recovery regimen on a quarterly basis. And we will quickly secure a professional and expert assessment of Maryland’s true level of homeland security and emergency preparedness, so we can begin to produce the security deliverables that our people’s safety demands;
- We will pursue the cooperation of our neighbors in the District of Columbia and Virginia – and our respective congressional delegations – to secure an expanded federal definition of the National Capital Region for homeland security purposes; and
- I have directed our Transportation Secretary to formulate a plan of action that will lead to the Port of Baltimore becoming the best inspected and most secure port in the United States.

Expanding Opportunity

Today, we compete economically as never before on a global and faster track. In a very real way, our economic security and competitiveness as a State depends on our ability to expand greater opportunities to greater numbers of our citizens.

Having already touched on our agenda for greater learning and earning opportunities, let us turn to the agenda we share for progress on healthcare and our environment.

Health Care

In order to begin to turn around the alarming healthcare trend of rising costs and a rising number of uninsured Marylanders every year, I ask that you pass the Maryland Healthcare Act. Among other things the act will:

- Create a Health Insurance Exchange to help small businesses find more affordable coverage for their employees – on a pre-tax basis.
- It will require insurance companies to allow younger adults up to age 25 to be covered under their parents' policies.
- And it will also provide healthcare coverage to more children in our state.

I also ask for your support for several other initiatives in this year's proposed budget:

- \$25 million for Stem Cell research – a 66% increase over last year's appropriation.
- The restoration of Medicaid healthcare benefits to legal immigrant families, including 3,000 children.
- And over \$100 million to strengthen our provider systems by increasing reimbursement rates for doctors participating in our State's Medicaid Program.

When physicians and other providers do not receive adequate compensation for the services they provide, it threatens the quality and effectiveness of our healthcare system. Therefore, as part of our legislative agenda, I ask for your support of the task force on Health Care Access and Physician Reimbursement.

I also ask for your support to create a Life Science Advisory Board – as a potential precursor to a true Life Sciences Authority – so that we can more effectively grow an industry that already employs 57,000 people in and around places like NIH, Johns Hopkins, the University of Maryland and the Food and Drug Administration, to name just a few.

And finally on healthcare, I ask for your support of a Universal Vaccine Purchasing Task Force, so we can better understand how to protect Marylanders against the flu and other foreseeable diseases.

Because healthcare is a battle of a thousand partial victories, I look forward to working with Chairman Hammen, Chairman Middleton and others in the weeks ahead, as we roll up our sleeves to craft ways to improve healthcare coverage and our healthcare outcomes.

Our Environment

When it comes to the urgent work of protecting and improving the health of our Chesapeake Bay watershed for the benefit of generations to come, there is no time to waste. Nor is there a better time to begin looking toward the next generation of technologies – to protect our environment and build our economy.

Because smart sustainable growth is absolutely central to preserving our quality of life in this sensitive Bay watershed, I have directed our Secretary of Planning to reestablish the Office of Smart Growth within his agency – to help coordinate growth across agencies lines.

As we move forward with the development of BayStat – to apply performance measured management to all of our Bay restoration efforts – please know that the following items are all contained in the proposed budget before you:

- Every dollar of Open Space funding this year – an estimated \$289 million – will be spent on open space.
- An additional \$138 million, with your support, will go to improve local water and wastewater systems for the benefit of the health of the Bay.
- And with your support, this budget will also provide record funding for cover crops and will triple Maryland's investment in the development of agriculture and resource-based industries through MARBIDCO.

By making sustainable farming in Maryland more profitable, we preserve open space and improve the health of the Bay.

Speaker Busch has been a tremendous champion of another bill I am asking you to support. The Oyster Restoration Act will, for the first time, allow our Department of Natural Resources to lease parcels of land on the floor of the Bay for oyster restoration projects. We need to restore this natural aquatic filter to the Chesapeake if we hope to turn it around.

As we accept our responsibility in the fight against global warming, I ask you to support the Clean Cars Act, adopting stricter pollution emission standards for cars sold in Maryland. By taking action, we can help children suffering with asthma. We can remove pollutants from the air and the Bay. And we can join 11 other states in getting this done, this year.

We will also be revamping the Maryland Energy Administration to spearhead our state's effort advancing the development of clean and renewable energy, including the next generation of biofuels – like cellulosic ethanol – which our academic institutions and private companies are already pursuing. And government should lead the way by increasing the percentage of clean fuels we purchase each year and by investing in green building technologies. Maryland can and should lead on energy independence.

Transportation

Because the decisions we make about transportation determine – in a very real way – the future character of our State, this year's budget also fully protects the integrity of the Transportation Trust Fund. I ask for your support for the over \$1 billion dollars in highway and roads projects across our state, and the \$300 million in mass transit projects.

And I look forward to working with all of you in the months ahead as we bring greater balance to our efforts in transportation – solutions that foster smarter and more sustainable patterns of growth for our future. But all of us must recognize that however efficiently and effectively we stretch our State's current investment in transportation solutions, we will never be able to multiply “bread and fishes” to cover the multitude of needs without new dollars.

Conclusion

My friends there are many other initiatives that will strengthen and grow our middle class – the agency fee legislation that allows state workers the right to organize and have their collective voice heard; and an end to the cruel and antiquated practice of using ground rents to evict families from their homes.

In the days of this first session, I hope that we will be able to spend the vast majority of our time solving problems and coming together around the solutions about which there is so much consensus – and for which, I might add, there is considerable pent-up demand. The people of our State desperately want us to get things done again.

If we must have potentially polarizing debates this session – on issues like taxes, slots and the future of Maryland's 18,000 racing jobs, and Maryland's ineffective death penalty law – let us do so recognizing that there are good and decent people on both sides of these debates.

We cannot resolve every unsettled issue in just 90 days; nor can we heal in 90 days divisions that were four years in the making. But we must do all that we can to maximize the effectiveness of this session – and these four years – for the people of our State. For success breeds success. Mutual respect builds mutual trust. And important things done well make even greater things possible.

This year, together, we are choosing to make progress on the priorities of the people who elected us. Implicit, however, in the choices we make this year is the faith that we have the courage to face up to the fiscal reality before us in the year ahead.

If not, we risk going back to a time that we were not particularly proud of – making life less affordable for middle class families... Cutting funds to local government... Stealing from our children's future by taking money away from open space, and shifting transportation dollars away from reducing traffic. I don't believe that is the sort of future we would choose.

With all humility, I promise you I will not squander the year ahead. To the contrary, I will do everything in my power to bring spending under control with professional management. I will do everything in my power to squeeze savings out of your government with performance measurement and accountability. And I know you will do your tough jobs, as well.

So, let's get to work... for a better and stronger future... for the people of our One Maryland. So, let's get to work.

ADJOURNMENT

At 12:53 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:45 A.M. on Thursday, February 1, 2007.

Annapolis, Maryland
Thursday, February 1, 2007
10:45 A.M. Session

The Senate met at 10:52 A.M.

Prayer by Pastor Carter, Ark Church, guest of Senator McFadden.

(For Prayer see Exhibit A of Appendix III)

The Journal of January 31, 2007 was read and approved.

QUORUM CALL

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

(See Roll Call No. 92)

INTRODUCTION OF BILLS

Senate Bill 330 – Senators Kelley, Britt, Conway, Currie, Hogan, Jones, and McFadden

AN ACT concerning

Task Force to Study System Variables that Impact Student Achievement in Underperforming Public Schools

FOR the purpose of establishing the Task Force to Study System Variables that Impact Student Achievement in Underperforming Public Schools; providing for the membership, purposes, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to certain reimbursement for certain expenses under certain regulations in the State budget; requiring the Task Force to study education system variables that impact student achievement in underperforming public schools; requiring the Task Force to submit a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study System Variables that Impact Student Achievement in Underperforming Public Schools.

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

Senate Bill 331 – Senator Frosh

AN ACT concerning

State Government – Commemorative Days – Rachel Carson Day

FOR the purpose of requiring the Governor to proclaim annually a certain date as Rachel Carson Day; and generally relating to establishing Rachel Carson Day.

BY adding to

Article – State Government
Section 13–406
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 332 – Senators Frosh and Brochin

AN ACT concerning

High Performance Buildings Act

FOR the purpose of requiring certain buildings to be high performance buildings; requiring certain buildings that are renovated to be high performance buildings under certain circumstances; exempting certain building types from certain high performance building standards; requiring certain buildings rented by the State to be high performance buildings; providing for the applicability of this Act; defining a term; and generally relating to high performance buildings.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 3–602(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Finance and Procurement
Section 3–602.1
Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 333 – Senators Frosh and Forehand

AN ACT concerning

Commission on Maryland's Energy Future

FOR the purpose of establishing a Commission on Maryland's Energy Future; providing for the membership, leadership, and duties of the Commission; requiring the Commission to meet within a certain time after enactment of this Act; requiring the Commission to report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to alternative energy use in the State.

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

Senate Bill 334 – Senator Gladden

AN ACT concerning

Employees' Pension System – Purchase of Service Credit

FOR the purpose of providing that certain members of the Employees' Pension System may purchase certain service credit in a certain manner; requiring the Board of Trustees to hold certain contributions made by certain members of the Employees' Pension System in trust earning regular interest; and generally relating to the purchase of service credit in the Employees' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 23–307
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 335 – Senator Middleton

AN ACT concerning

Qualified State Long-Term Care Insurance Partnership – Revisions

FOR the purpose of altering certain provisions of law to conform with the requirements of a certain section of the federal Social Security Act; altering certain reporting dates for reports requiring the Department of Health and Mental Hygiene and the Insurance Commissioner to report to the General Assembly on the implementation of the Qualified State Long-Term Care Insurance Partnership; and generally relating to long-term care and the Qualified State Long-Term Care Insurance Partnership.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15-401 through 15-405 and 15-407 to be under the amended subtitle
“Subtitle 4. Qualified State Long-Term Care Insurance Partnership”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 15-406

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 18-106 and 18-107

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 513 of the Acts of the General Assembly of 1993)

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

Senate Bill 336 – Senators Brinkley, DeGrange, Edwards, Munson, and Stoltzfus

AN ACT concerning

Correctional Officers’ Retirement System – Membership – Correctional Laundry Officers

FOR the purpose of altering the membership of the Correctional Officers’ Retirement System; providing that certain members of the Correctional Officers’ Retirement System may receive a normal service retirement or a deferred vested retirement

allowance under certain circumstances; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers' Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Correctional Officers' Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 337 – Senator Brinkley

AN ACT concerning

Registered Offenders Working at Fairs and Carnivals – Prohibition

FOR the purpose of prohibiting a certain registrant from working at a fair or carnival; prohibiting an owner or operator of a fair or carnival, or a subcontractor hired by an owner or operator of a fair or carnival, from knowingly permitting an individual to work at a fair or carnival if the individual is a certain registrant; establishing a certain penalty; and generally relating to registered offenders.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704(a)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–727
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

Senate Bill 338 – Senator Pinsky

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hyattsville City Arts Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Hyattsville Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 339 – Senators Pugh, Britt, Brochin, Colburn, Conway, Currie, Della, Exum, Forehand, Frosh, Garagiola, Hogan, Hooper, Jones, Kelley, Lenett, McFadden, Middleton, Muse, Raskin, and Robey

AN ACT concerning

Drug Treatment – Study of the State’s Approach to Drug Treatment and the Feasibility of Communal–Setting Treatment

FOR the purpose of requiring the Director of the Alcohol and Drug Abuse Administration in the Department of Health and Mental Hygiene to report to the Governor and to certain committees regarding the State’s approach to drug treatment and the feasibility of communal–setting treatment; and generally relating to the State’s approach to drug treatment.

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

Senate Bill 340 – Senators Conway, Britt, Dyson, Lenett, Pinsky, and Rosapepe

AN ACT concerning

Maryland Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists Act – Revision

FOR the purpose of specifying that certain provisions of law apply to certain individuals who practice audiology, hearing aid dispensing, or speech–language pathology, or assist in the practice of speech–language pathology; specifying that certain provisions of law do not authorize certain licensees to practice medicine, perform surgery, or prescribe pharmaceutical agents; requiring certain members of the

State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists to currently practice in the State; requiring a Board member to be a consumer of services provided by an individual licensed by the Board; repealing the requirement that certain notice and a certain balloting process be given by mail; altering certain qualifications for certain members of the Board; providing that a majority of members currently serving on the Board is a quorum; requiring the Board to appoint an executive director; authorizing the Board to regulate the practice of telehealth communications by audiologists, hearing aid dispensers, and speech–language pathologists; repealing the authority of the Board to inspect facilities used by licensed hearing aid dispensers; requiring the Board to adopt and publish a code of ethics for the assistance of the practice of speech–language pathology; authorizing the Board to require that certain licensed speech–language pathology assistants submit to an examination by a certain health care provider during certain investigations; requiring an individual to be licensed by the Board before assisting in the practice of speech–language pathology; requiring that on or before a certain date, certain individuals hired to practice speech–language pathology or assist in the practice of speech–language pathology by certain schools and educational institutions be licensed; exempting certain individuals employed by certain schools or educational institutions continuously since on or before a certain date from certain licensing requirements; repealing a certain licensure exemption for individuals who fit hearing aids; altering and adding speech–language pathology assistants to the requirements for the authorization to practice without a license for certain audiologists, hearing aid dispensers, and speech–language pathologists who are licensed in another state; requiring that certain applicants demonstrate oral competency; requiring that applicants for a license to practice audiology have certain degrees before or after a certain date; altering certain requirements to qualify for a license to practice hearing aid dispensing after a certain date; repealing the option of an applicant to have the equivalent of a master’s degree to qualify for a license to practice speech–language pathology; requiring certain applicants to meet certain requirements to qualify for a license to assist in the practice of speech–language pathology; establishing the requirements for a license to assist in the practice of speech–language pathology; altering certain requirements for certain licensure examinations; altering the Board’s authority to waive certain requirements for applicants for licenses to practice audiology and speech–language pathology and establishing that the Board may waive certain requirements for applicants for licenses to assist in the practice of speech–language pathology; repealing a certain continuing education requirement for certain individuals who are licensed to practice hearing aid dispensing in a state that does not have certain continuing education requirements; authorizing the Board to grant a waiver for an examination if an applicant holds certain national certification and meets certain practice requirements; repealing a provision that prohibits the Board from imposing a licensing requirement for the practice of hearing aid dispensing that is not required of any other applicant on an individual applying for a waiver of

examination; requiring certain licensees to identify themselves by a certain profession and degree earned; repealing the requirement that the Board not require applicants to practice hearing aid dispensing who hold a certain license from another state to satisfy any licensing requirement that is not required for other applicants for the practice of hearing aid dispensing; altering the period of time that the Board has before a license expires to contact a licensee; requiring that the Board contact certain licensees at the last known address provided by a licensee and advise the licensee of certain renewal requirements; altering certain renewal requirements for certain licensees; requiring certain licensees who fail to renew a license within a certain period of time to pay certain fees; authorizing the Board to reinstate a license to assist in the practice of speech–language pathology under certain circumstances; prohibiting the Board from reinstating a speech–language pathology license if the licensee does not apply within a certain period of time unless certain requirements are met; altering certain requirements for issuing a limited license to practice audiology; establishing the terms and renewal requirements for limited licenses to practice audiology, hearing aid dispensing, and speech–language pathology; establishing a limited license to assist in the practice of speech–language pathology; establishing the requirements for a limited license to assist in the practice of speech–language pathology; establishing the term and renewal requirements for a limited license to assist in the practice of speech–language pathology; altering the requirement that the Board keep a record of certain business addresses prohibiting a speech–language pathology assistant from surrendering a license under certain circumstances; authorizing the Board to set conditions on certain agreements with a speech–language pathology assistant who is under investigation or while charges are pending; authorizing the Board to impose certain penalties on speech–language pathology assistants under certain circumstances; altering certain grounds for penalties; repealing a certain exemption that allows a person to sell hearing aids by door–to–door solicitation under certain circumstances; requiring audiologists and hearing aid dispensers who sell hearing aids to provide certain refund information; altering certain monetary penalties; authorizing the Board to issue subpoenas and administer oaths under certain circumstances with the signature of an officer or administrator of the Board; requiring licensees found in violation of certain provisions to pay certain costs; establishing that a certain order of the Board may not be stayed pending review; establishing one rehabilitation committee for audiologists, hearing aid dispensers, speech–language pathologists, and speech–language pathology assistants; requiring the Board to adopt regulations establishing qualifications, scope of practice, and supervision requirements for speech–language pathology assistants; altering terms and practices that certain unlicensed individuals may not use to represent to the public that they are authorized to practice audiology or speech–language pathology, or assists in the practice of speech–language pathology; prohibiting unlicensed individuals from representing to the public that they are authorized to assist in the practice of speech–language pathology; altering the definitions of certain terms; defining certain terms; and generally relating to

revisions of the Maryland Audiologist, Hearing Aid Dispensers, and Speech–Language Pathologist Act.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 2–101, 2–102, 2–202, 2–204 through 2–205.1, 2–207, 2–301 through 2–302.2, 2–304, 2–305, 2–307.1, 2–308 through 2–310.2, 2–311, 2–313 through 2–318, 2–319 through 2–402.2, 2–408, and 2–501

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 2–201, 2–203, 2–206, 2–303, 2–306, 2–307, 2–307.2, 2–312, 2–403 through 2–406, and 2–502

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 2–302.3, 2–307.3, 2–307.4, 2–310.3, and 2–402.3

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health Occupations

Section 2–318.1 and 2–318.2

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 341 – Senators Garagiola, Forehand, Frosh, Hogan, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Woodstock Equestrian Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Montgomery County Parks Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the

grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historic Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 342 – Senators Garagiola and Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Poolesville Town Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Commissioners of the Town of Poolesville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 343 – Senators Garagiola, Forehand, Frosh, Hogan, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Warren Historical Site – Loving Charity Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Heritage Tourism Alliance of Montgomery County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the proceeds of the loan or the matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 344 – Senators Garagiola, Britt, Brochin, Frosh, Lenett, Madaleno, and Raskin

AN ACT concerning

Divestment from the Republic of Sudan

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to identify and create a list of certain companies within a certain period of time who meet certain criteria; requiring the Board of Trustees to use certain resources to identify certain companies; requiring the Board of Trustees to provide written notice to certain companies; requiring the Board of Trustees to notify certain companies that they may be subject to divestment under certain circumstances; requiring the Board of Trustees to divest under certain circumstances from certain companies following a certain schedule; prohibiting the Board of Trustees from acquiring certain securities; exempting certain companies from the provisions of this Act; requiring the Board of Trustees to submit certain reports containing certain information to the Chairman of the Joint Committee on Pensions and the United States Presidential Special Envoy to Sudan, by a certain date; providing for the expiration of this Act under certain circumstances; defining certain terms; and generally relating to sanctions against the Republic of Sudan.

BY adding to

Article – State Personnel and Pensions

Section 21–1A–01 through 21–1A–08 to be under the new subtitle “Subtitle 1A.
Divestment from the Republic of Sudan”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 345 – Senator McFadden

AN ACT concerning

Correctional Officers’ Retirement System – DROP

FOR the purpose of establishing a Deferred Retirement Option Program (DROP) for certain members in the Correctional Officers’ Retirement System; requiring the State Retirement Agency to request certain documentation from the Internal Revenue Service; making this Act subject to a certain contingency; and generally relating to establishing a DROP for members of the Correctional Officers’ Retirement System.

BY renumbering

Article – State Personnel and Pensions
Section 25–401.1
to be Section 25–401.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 25–401.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 346 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Men’s Health Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Men’s Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 347 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Mary Harvin Transformation Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$600,000, the proceeds to be used as a grant to the Board of Directors of The Mary Harvin Transformation Center Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes;

establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 348 – Senator McFadden

AN ACT concerning

Child Fatality Review Teams – Access and Disclosure of Information

FOR the purpose of requiring that a certain local team be immediately provided access to certain information and records maintained by a health care provider regarding a child convicted of a crime that caused a certain death or fatality; prohibiting the identification of a child convicted of a crime that caused a certain death or fatality during certain public meetings; and generally relating to access and disclosure of information by child fatality review teams.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 5–707 and 5–708
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 349 – Senator McFadden

AN ACT concerning

Disease Prevention – Sexually Transmitted Diseases – Expedited Partner Therapy Pilot Program

FOR the purpose of establishing the Expedited Partner Therapy Pilot Program in the Baltimore City Health Department; providing for the purpose of the Program; authorizing certain health care providers to prescribe, dispense, or otherwise provide certain antibiotic therapy to certain partners of patients diagnosed with certain sexually transmitted diseases without making a certain physical assessment; requiring the Secretary of Health and Mental Hygiene and the Commissioner of the Baltimore City Health Department to adopt jointly certain regulations; establishing civil immunity for certain health care providers in certain circumstances; requiring the Baltimore City Health Department to report to the Governor and General Assembly regarding the operation and performance of the Program on or before a certain date each year; providing for the termination of this

Act; and generally relating to the prevention of sexually transmitted diseases and the Expedited Partner Therapy Pilot Program.

BY adding to

Article – Health – General

Section 18–214.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 350 – Senator McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – East Baltimore Housing Community

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Regional Initiative Developing Genuine Equality, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 351 – Senators Kelley, Astle, Currie, DeGrange, Exum, Gladden, Pinsky, Raskin, and Stone

AN ACT concerning

Forensic Laboratories – Standards and Oversight

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations that set certain standards and requirements; specifying the required contents of certain regulations; requiring an individual who examines or analyzes forensic specimens on behalf of a certain laboratory to demonstrate satisfactory performance in a certain proficiency testing program; requiring the Secretary to adopt certain regulations for a certain proficiency testing program; requiring a certain employee to review certain proficiency tests and proficiency test results at certain times; requiring the Secretary to conduct certain inspections for a certain

purpose; requiring the Secretary to make certain information available to the public within a certain time of a written request; requiring the Secretary to adopt regulations that set qualifications for certain personnel; requiring the Secretary to set certain fees; authorizing the Secretary to set a certain fee; requiring a person to hold a certain license before the person may offer or perform certain tests, examinations, or analyses in the State on or after a certain date; requiring an applicant to provide certain evidence to qualify for a certain license; requiring a certain applicant to submit an application to the Secretary on a certain form; specifying the required contents of an application for a certain license; requiring a certain applicant to pay a certain fee to the Department of Health and Mental Hygiene; requiring the Secretary to issue a certain license to a certain applicant; specifying the required contents of a certain license; requiring a certain license to designate the tests, examinations, or analyses that may be offered or performed by the laboratory; prohibiting a certain laboratory from operating in a manner not designated by its license; providing that a certain license is not transferable; providing that a certain license expires on a certain date, unless the license is renewed in accordance with this Act; authorizing a certain licensee to renew its license for an additional term under certain circumstances; requiring the Secretary to renew the license of each licensee who meets certain requirements; authorizing the Secretary to deny a certain license or suspend, revoke, or limit a certain license or the authority of a certain licensee to offer or perform tests that a certain license sets forth under certain circumstances; requiring the Secretary to take certain actions if the Secretary finds that a certain laboratory no longer meets certain standards and requirements and the Secretary does not suspend or revoke the laboratory's license; requiring the Secretary to undertake a certain due diligence review under certain circumstances; requiring the Secretary to order a certain laboratory to take certain actions if the Secretary finds that the laboratory provided erroneous or questionable reports, analyses, examinations, or test results; providing for certain penalties; requiring the Secretary to give a certain applicant or licensee notice and an opportunity for a hearing under certain circumstances; requiring a certain laboratory to post a certain notice in a certain place; specifying the required contents of a certain notice; requiring the Secretary to specify the form of a certain notice; prohibiting a certain laboratory from discriminating or retaliating against a certain employee for a certain reason; authorizing a certain employee to initiate judicial action under certain circumstances; providing that a certain employee who prevails in a certain judicial action is entitled to certain remedies; limiting the time in which a certain judicial action may be filed; establishing a Forensic Laboratory Advisory Committee; specifying the membership of the Advisory Committee; requiring the Secretary to designate a chair of the Advisory Committee and appoint members of the Advisory Committee at certain times; establishing the Maryland Forensic Laboratory Improvement Fund as a special fund; providing for the funding of a certain fund; requiring the Governor's Office of Crime Control and Prevention to administer a certain fund; specifying the purposes for which grants shall be made from a certain

fund; providing that certain proceedings, records, and files of a certain organization or agency are not discoverable and are not admissible in a certain criminal case; providing that certain reports, findings, recommendations, and corrective actions issued by a certain organization or agency are discoverable and admissible to a certain extent; requiring the Governor to include certain funds in the State budget for a certain purpose for certain years; requiring the Secretary to make certain appointments on or before a certain date; requiring the Secretary to adopt certain regulations on or before a certain date; defining certain terms; modifying a certain definition; providing that this Act does not apply to a certain type of testing; and generally relating to standards and oversight for forensic laboratories.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(c) and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 17–2A–01 through 17–2A–16 to be under the new subtitle “Subtitle 2A.
Forensic Laboratories”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–401
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 352 – Senators Conway, Britt, Kasemeyer, Lenett, Muse, and Pinsky

AN ACT concerning

Environment – Golf Course Redevelopment – Environmental Assessment

FOR the purpose of requiring a person who is proposing to redevelop property that was previously used as a commercial golf course to commission a certain comprehensive environmental characterization and assessment of the property before construction; providing for the requirements of the assessment; requiring a certain person to pay for, and ensure the accuracy of, the assessment; requiring the

assessment to be conducted by a certain environmental consultant; requiring the environmental consultant to establish a testing plan; requiring samples to be taken in a certain manner and in accordance with certain criteria; providing for certain minimum sampling standards for certain property proposed for redevelopment; requiring the Department of the Environment to establish a certain independent panel; requiring the independent panel to review and approve the testing plan and to evaluate certain sampling results; requiring the panel to use certain protocols, procedures, and standards in its review of certain sampling results; prohibiting a person who is proposing to redevelop certain property from beginning construction until the independent panel approves the testing plan and finds certain contaminant levels acceptable; requiring the Department to make a certain notice and to provide for a certain public hearing under certain circumstances; requiring remediation under certain circumstances; and generally relating to the redevelopment of golf courses.

BY adding to

Article – Environment

Section 4–105.1

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 353 – Senator Della

AN ACT concerning

Tax Sales – Notice Prior to Action to Foreclose Right of Redemption

FOR the purpose of providing that an action to foreclose the right of redemption for property sold at a tax sale may not be brought until at least a certain period after a certain notice is provided to certain persons in a certain manner; providing certain exceptions; providing for the application of this Act; and generally relating to a certain notice requirement relating to property purchased at a tax sale.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–833(a)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 354 – Senator Della

AN ACT concerning

Property Tax – Tax Sales – Attorney’s Fees

FOR the purpose of altering a certain provision of law authorizing a holder of a certificate of sale to be reimbursed for certain attorney’s fees; and generally relating to certain provisions of law authorizing a holder of a certificate of sale to be reimbursed for certain expenses.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–843(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 355 – Senators Della and McFadden

AN ACT concerning

Baltimore City – Car Dealers – Sunday Operation

FOR the purpose of authorizing, in Baltimore City, a new or used car dealer to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or certificate of title for a motor vehicle on Sunday; and generally relating to car dealers in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 18–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 356 – Senators Miller and Dyson

AN ACT concerning

Calvert County Board of Education – Compensation

FOR the purpose of altering the compensation received by certain members of the Calvert County Board of Education; providing that this Act does not apply to the salary or compensation of the incumbent members of the Board; and generally relating to the compensation received by members of the Calvert County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 357 – Senators Zirkin and Stone (By Request – Baltimore County Administration) and Senator Kelley

AN ACT concerning

Creation of a State Debt – Baltimore County – High School Stadium Seating

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 358 – Senator Zirkin

AN ACT concerning

Joint Oversight Committee on the Department of Juvenile Services

FOR the purpose of altering the duties of the Joint Oversight Committee on the Department of Juvenile Services; and repealing the termination date of the Joint Oversight Committee on the Department of Juvenile Services.

BY repealing and reenacting, without amendments,
Article – State Government

Section 2–10A–10(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–10A–10(h)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 11 of the Acts of the General Assembly of 2006
Section 4

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

Senate Bill 359 – Senator Zirkin

AN ACT concerning

Department of Juvenile Services – Reorganization and Regionalization

FOR the purpose of requiring the Department of Juvenile Services to serve children in the juvenile services system with certain programming; establishing a certain number of operational regions in the State; requiring each region to include at least a certain number of secure facilities used solely for certain purposes; requiring each region to include a sufficient number of committed facilities to provide certain services to certain children; requiring each region to include a nonpublic facility only under certain circumstances; authorizing the Department to place a child into a certain facility if a certain determination is made; requiring the Department to submit a certain plan to the Department of Budget and Management; and generally relating to juvenile services.

BY adding to
Article 83C – Juvenile Services
Section 2–101(c) and 2–101.5
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 360 – Senator Zirkin

AN ACT concerning

Juvenile Justice Monitoring Unit – Expansion of Jurisdiction

FOR the purpose of expanding the jurisdiction of the Juvenile Justice Monitoring Unit of the Office of the Attorney General to include the monitoring of any facility licensed by the Department of Juvenile Services; altering a certain definition; making certain stylistic changes; authorizing the Governor to transfer certain positions and funds in a certain manner; making certain provisions of this Act subject to a certain contingency; and generally relating to the Juvenile Justice Monitoring Unit of the Office of the Attorney General.

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–401 and 6–406
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 6–402
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 361 – Senators Lenett, Forehand, Britt, Colburn, Conway, Currie, Dyson, Edwards, Frosh, Haines, Hooper, Jones, Kelley, Madaleno, McFadden, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stone, and Zirkin

AN ACT concerning

Cigarette Fire Safety Performance Standard and Firefighter Protection Act

FOR the purpose of prohibiting the manufacture, sale, or offer for sale of cigarettes in the State unless the cigarettes have been tested in a certain manner and meet a certain performance standard and the manufacturer has filed a certain certification with the Comptroller; establishing a certain performance standard for cigarettes; requiring that testing of cigarettes be conducted in a certain manner; requiring laboratories that conduct testing to have certain current certification and implement a certain quality control and quality assurance program; providing for an alternative test method and performance standard under certain circumstances; providing that additional testing is not required under this Act of cigarettes that are

tested in a certain manner for other purposes; requiring manufacturers to retain all data from testing for a certain period of time and provide certain data to the Comptroller, State Fire Prevention Commission, or the Attorney General; providing for a civil penalty if certain data is not provided within a certain period of time; requiring that a certain subtitle be implemented in accordance with the implementation and substance of the fire safety standards of a certain state; requiring manufacturers to submit to the Comptroller a certain written certification that a cigarette has been tested and has met the performance standard; requiring recertification of cigarettes after a certain period of time; requiring manufacturers to retest certain altered cigarettes; requiring manufacturers to mark in a certain manner cigarettes that have been certified; requiring manufacturers to request approval of a proposed marking from the Comptroller; requiring manufacturers to provide certain wholesalers with copies of certifications and illustrations of certain markings; requiring wholesalers to provide certain retailers, subwholesalers, and vending machine operators with copies of certain illustrations; requiring retailers, subwholesalers, vending machine operators, and wholesalers to allow the Comptroller or designee to make certain inspections; providing that cigarettes sold or offered for sale in the State that do not comply with a certain standard are deemed contraband; authorizing the Comptroller to adopt certain regulations and establish certain fees; establishing certain civil penalties for certain violations of this Act; authorizing the Attorney General to enjoin acts in violation of this Act and to recover certain civil penalties; requiring that certain money collected from certain civil penalties be distributed to a certain fund; authorizing police officers and authorized personnel to seize certain cigarettes; altering the composition of a certain fund; providing that this Act does not prohibit retailers, subwholesalers, vending machine operators, and wholesalers from selling existing inventory if certain tax stamps were affixed to the cigarettes before a certain date under certain circumstances; providing for the construction of this Act; providing that this Act preempts certain local laws, ordinances, or regulations; prohibiting local governmental units from enacting and enforcing certain ordinances, local laws, or regulations; requiring the Comptroller to monitor certain federal actions and notify the Department of Legislative Services of the adoption of a certain federal standard; defining certain terms; providing for a delayed effective date; providing for the termination of this Act; and generally relating to fire safety standards for cigarettes.

BY adding to

Article – Business Regulation

Section 16–601 through 16–610 to be under the new subtitle “Subtitle 6. Fire Safety Performance Standard for Cigarettes” and the amended title “Title 16. Cigarettes”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 8–102(a) and (b)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 8–102(d)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 362 – Senators Dyson, Colburn, DeGrange, Greenip, Haines, Harris, Hooper, Middleton, Peters, Pugh, Stoltzfus, and Stone

AN ACT concerning

Human Cloning Prohibition Act of 2007

FOR the purpose of prohibiting a person from performing or attempting to perform human cloning, participating in an attempt to perform human cloning, transferring or receiving the product of human cloning, or transferring or receiving certain items for the purpose of human cloning; providing a description of certain items that may be produced resulting from scientific research using certain cloning techniques; establishing certain civil penalties; providing for the construction of certain provisions of this Act; defining certain terms; and generally relating to prohibiting human cloning.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–2B–01 and 5–2B–13
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 363 – Senator Dyson

AN ACT concerning

Election Law – Voter Registration – Change of Party Affiliation

FOR the purpose of altering the period during which a registered voter may change party affiliation; repealing the provision that prohibits a voter, subject to certain exceptions, from changing party affiliation during certain periods; requiring a local board to change, under certain circumstances, a voter's party affiliation at any time that registration is open; repealing the provision that permits a registered voter who has moved from one county to another to change party affiliation during a certain period under certain circumstances; repealing the provision that prohibits an individual whose registration has been canceled from reregistering in the same county under certain circumstances with a different party affiliation; and generally relating to a voter's change of party affiliation.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 3–302(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–303
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 364 – Senator Dyson

AN ACT concerning

Election Law – Miscellaneous Technical and Clarifying Corrections

FOR the purpose of repealing the requirement that the State Board of Elections conduct a certain meeting for certain election authorities and, instead, authorizing the State Administrator of Elections to determine whether a certain meeting for certain election authorities is necessary; authorizing the State Administrator to conduct a meeting for certain election authorities; altering a certain requirement for establishment of certain election precincts; requiring an election director to remove a voter from the statewide voter registration list under certain circumstances; requiring the State Administrator to make arrangements to receive reports of individuals convicted of certain crimes from certain other courts; clarifying certain requirements for retention and use of certain personal identification numbers; requiring the State Board to adopt regulations for local boards to provide notice of elections; repealing certain provisions requiring a local

board to provide notice of certain elections using certain methods; clarifying a certain deadline for ballot access for certain candidates; repealing the requirement that a local board shall determine certain qualifications of a board of education candidate; altering the agency responsible for examination and certification of voting systems; clarifying that certain provisions applicable to an absentee ballot also apply to a provisional ballot; altering the forms a voter may use to apply for an absentee ballot; clarifying how a local board may provide a voter with an absentee ballot; altering certain standards for determining when a second absentee ballot may be issued to a voter; clarifying certain procedures for marking and sending a certain absentee ballot; repealing certain requirements concerning the mailing of absentee ballots; requiring the State Board to adopt guidelines for the distribution and return of absentee ballots; altering the standards governing the number of election judges required at certain polling places; altering the number of election judges who may be members of certain political parties; altering the number of chief election judges in each precinct; altering the term of office of election judges; repealing certain provisions related to filling a vacant election judge position; clarifying that a vacancy in the polling place staff may not delay the opening of the polling place; clarifying the instructions that are to be followed by certain election judges; altering the procedures to be followed to determine whether an individual at a polling place may vote a ballot; altering certain procedures for validating absentee ballots; altering the quantum of fault required for violation of certain provisions relating to concealment, damage, or destruction of voting equipment; clarifying that a certain provision is applicable to the unauthorized possession of a computer password; clarifying certain prohibitions on removing certain equipment or supplies; clarifying that certain provisions are applicable to certain electronic hardware; clarifying which election authority may authorize an individual to access certain voting systems or possess certain voting system components; making certain technical changes; and generally relating to the election laws.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–104, 2–303(a), 3–501, 3–504(a), 3–505, 8–102, 8–502(d), 8–803, 9–102(c), 9–204(b), 9–305(a), 9–306(b) and (d), 9–307(b), 9–310, 9–406(b), 10–201, 10–203, 10–305, 10–310, 11–302(d), 16–801(a), 16–802(b), 16–803(a), and 16–804(a)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 365 – Senators Dyson, Astle, DeGrange, Exum, Hooper, Klausmeier, Pinsky, and Stone

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers –
Definition of Dealer**

FOR the purpose of altering the definition of dealer to mean an individual who arranges for the sale or delivery of a secondhand precious metal object on behalf of a person who does not hold a license to do business as a dealer; and generally relating to the regulation of secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 12–101(a), (e), and (i) and 12–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 366 – Senators Dyson, Conway, Frosh, and Gladden

AN ACT concerning

Mercury Switch Removal from Vehicles

FOR the purpose of requiring motor vehicle manufacturers to develop a mercury minimization plan that includes information on mercury switch removal from motor vehicles; requiring certain manufacturers to submit a certain plan to the Department of the Environment within a certain number of days after the enactment date of this Act; establishing certain requirements for a mercury minimization plan; requiring vehicle manufacturers to pay certain costs associated with mercury switch removal; requiring the Department to review the plan and make a determination about the status of the plan within a certain number of days; authorizing the Department to impose certain penalties for violators of a mercury minimization plan; authorizing a scrap recycling facility to accept end-of-life vehicles that contain mercury switches under certain circumstances; defining

certain terms; authorizing the Department to adopt rules and regulations to administer the program; requiring an annual report containing certain information to be submitted to the Department; and generally relating to mercury switch removal from motor vehicles.

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–904
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–905
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 6–905.4 through 6–905.6
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 367 – Senators Astle, Edwards, Garagiola, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management Services

FOR the purpose of authorizing a person that is not a nonprofit organization to provide debt management services in the State; requiring a person that is licensed to provide debt management services to provide a certain notice to a consumer and make certain determinations before providing debt management services for a consumer; altering a certain requirement for a debt management services license; altering certain definitions; repealing a certain defined term; making conforming changes; and generally relating to debt management services.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 12–901, 12–905(a), 12–907(a), 12–908(b)(11), and 12–916(a)(1)

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 12–908(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Financial Institutions
Section 12–916(a)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 368 – Senator Muse

AN ACT concerning

Torts – Release of Claim for Damages – Voidable

FOR the purpose of altering the period during which a release of a claim for certain damages signed by an injured individual is voidable; altering the period during which a certain power of attorney or employment contract signed by an injured individual is voidable; clarifying when a certain time period begins; providing for the application of this Act; and generally relating to certain documents signed by injured individuals.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–401.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 369 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George’s County – Forest Heights Municipal Building

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Forest Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 370 – Senator Muse

AN ACT concerning

Creation of a State Debt – Fort Washington Medical Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$560,000, the proceeds to be used as a grant to the Board of Directors of Fort Washington Medical Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 371 – Senators Muse, Frosh, Pugh, and Rosapepe

AN ACT concerning

Interstate Compact for Juveniles

FOR the purpose of repealing the Interstate Compact on Juveniles; enacting the Interstate Compact for Juveniles; establishing the purpose of the Interstate Compact; defining certain terms; establishing the Interstate Commission for Juveniles; specifying membership of the Interstate Commission; providing for the appointment of a state’s Compact Administrator; requiring the Interstate Commission to establish an Executive Committee; specifying the duties of the Executive Committee; establishing the rights of members of the Interstate Commission to vote; specifying certain meeting requirements for the Interstate Commission; requiring the Interstate Commission to establish certain rules concerning its official records and public hearings; authorizing the Interstate

Commission to close meetings for certain reasons; specifying the powers and duties of the Interstate Commission; requiring the adoption of certain bylaws by the Interstate Commission; providing for the election of certain officers of the Interstate Commission; providing for certain immunities from liability for certain officers and employees of the Interstate Commission; establishing a procedure for promulgating rules for the Interstate Commission; requiring the Interstate Commission to address certain subjects within a certain time period; requiring the Interstate Commission to take certain actions in regard to the interstate movement of juveniles subject to the Compact; providing a mechanism for resolving disputes among the compacting states; providing for enforcement of the provisions of the Compact; establishing a funding mechanism for the Interstate Commission; providing for the creation of a State Council for Interstate Juvenile Supervision; specifying membership of the Council; specifying the powers and duties of the State Council; providing for the effective date of the Compact; providing for a compacting state's withdrawal from the Compact; providing for a compacting state's default from the Compact; specifying certain procedures for the Interstate Commission to follow in regard to a compact state's default; specifying certain penalties the Interstate Commission may impose on a defaulting compact state; providing for the Interstate Commission's judicial enforcement of the Compact; providing for the dissolution of the Compact; providing for the severability of this Act; providing for the construction of the Compact; providing for enforcement of the Compact in the event of a conflict with other State laws; providing for the binding effect of the Compact; providing for a certain contingency; providing for the effective date of this Act; and generally relating to the Interstate Compact for Juveniles.

BY repealing

Article – Human Services

Section 9–301 through 9–310 and the subtitle “Subtitle 3. Interstate Compact on Juveniles”

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Human Services

Section 9–301 through 9–314 to be under the new subtitle “Subtitle 3. Interstate Compact for Juveniles”

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee Report #1 February 1, 2007

Budget and Management, Secretary of

1. T. Eloise Foster
9505 Black Oak Court
Silver Spring, Maryland 20910

Secretary of the Department of Budget and Management; appointed to serve a term at the pleasure of the Governor

Environment, Secretary of the

2. Shari T. Wilson
2760 Woodley Place
Washington, DC 20008

Secretary of the Department of the Environment; appointed to serve a term at the pleasure of the Governor

Health and Mental Hygiene, Secretary of

3. John Michael Colmers
3422 Guilford Terrace
Baltimore, Maryland 21218

Secretary of the Department of Health and Mental Hygiene; appointed to serve a term at the pleasure of the Governor

Labor, Licensing, and Regulation, Secretary of

4. Thomas E. Perez, Esquire
7230 Minter Place
Takoma Park, Maryland 20912

Secretary of the Department of Labor, Licensing, and Regulation; appointed to serve a term at the pleasure of the Governor

Natural Resources, Secretary of

5. John R. Griffin
307B Monterey Avenue
Annapolis, Maryland 21401

Secretary of the Department of Natural Resources; appointed to serve a term at the pleasure of the Governor

Planning, Secretary of

6. Richard Eberhart Hall
332 Paddington Road
Baltimore, Maryland 21212

Secretary of the Department of Planning; appointed to serve a term at the pleasure of the Governor

Transportation, Secretary of

7. John D. Porcari
6016 Kilmer Street
Cheverly, Maryland 20785

Secretary of the Department of Transportation; appointed to serve a term at the pleasure of the Governor

People's Counsel, Office of the

8. Paula M. Carmody, Esquire
2502 Ailsa Avenue
Baltimore, Maryland 21214

People's Counsel; appointed to serve a term of five years from July 1, 2006

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 2, 2007

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 93)

RECESS

At 11:07 A.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 11:10 A.M. on Thursday, February 1, 2007, for the purpose to reconvene in the House Chamber in Joint Session to elect the State Treasurer.

AFTER RECESS
Annapolis, Maryland
Thursday, February 1, 2007
11:10 A.M. Session

At 11:11 A.M. the Senate resumed its session.

President Miller called for the Senate roll.

SENATE QUORUM CALL

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

(See Senate Roll Call No. 93-A)

Speaker Busch called for the House roll.

HOUSE QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See House Roll Call No. 40)

JOINT SESSION

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

The House Reading Clerk read the Report of the Committee on the Selection of the Treasurer:

PETITIONS, MEMORIALS, AND OTHER PAPERS

REPORT OF
THE SPECIAL JOINT LEGISLATIVE COMMITTEE
TO SELECT THE STATE TREASURER

FEBRUARY 1, 2007

JOINT SESSION OF THE GENERAL ASSEMBLY

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY:

THE STATE CONSTITUTION REQUESTS THE GENERAL ASSEMBLY TO ELECT A STATE TREASURER AT THE BEGINNING OF EACH SESSION FOLLOWING A GUBERNATORIAL ELECTION. AT A HEARING OF THE SPECIAL COMMITTEE ON TUESDAY, JANUARY 30, 2007 TO CONSIDER THE CANDIDATES FOR STATE TREASURER, THE SPECIAL COMMITTEE INTERVIEWED SEVEN (7) OF ELEVEN (11) APPLICANTS. TWO (2) APPLICANTS WITHDREW BEFORE THE HEARING AND TWO (2) APPLICANTS DID NOT APPEAR. AT THE CONCLUSION OF THE HEARING, THE SPECIAL COMMITTEE VOTED BY SECRET BALLOT AS REQUIRED BY STATUTE TO NOMINATE A CANDIDATE TO THE GENERAL ASSEMBLY.

THE STATUTE ALSO REQUIRES THAT THE BALLOT CARRY THE NAME OF EACH PERSON WHO APPLIES AND INCLUDE A PLACE FOR A WRITE-IN CANDIDATE. THEREFORE, THE BALLOT YOU RECEIVE WILL CONTAIN SEVEN (7) NAMES.

WHILE A FEW OF THE CANDIDATES APPEARED TO BE QUALIFIED, NO OTHER CANDIDATE DEMONSTRATED KNOWLEDGE OF THE UNIQUE BLEND OF FINANCIAL AND POLITICAL SKILLS REQUIRED OF THE STATE TREASURER, ONE OF THREE MEMBERS OF THE BOARD OF PUBLIC WORKS AND THE REPRESENTATIVE OF THE INTERESTS THE GENERAL ASSEMBLY ON THE BOARD OF PUBLIC WORKS, THAN DID STATE TREASURER NANCY K. KOPP.

THE COMMITTEE MEMBERS FELT THAT NANCY K. KOPP, ESPECIALLY HAVING SPENT NEARLY FIVE (5) YEARS EXERCISING THE DUTIES OF STATE TREASURER, WAS THE MOST QUALIFIED CANDIDATE.

THAT CANDIDATE, THE CURRENT STATE TREASURER, NANCY K. KOPP, RECEIVED AN OVERWHELMING MAJORITY OF THE VOTES OF THE MEMBERS OF THE SPECIAL COMMITTEE.

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE GENERAL ASSEMBLY, ON BEHALF OF THE SPECIAL COMMITTEE, WE ARE PROUD TO

RECOMMEND STATE TREASURER NANCY KOPP TO THE MEMBERS OF THE GENERAL ASSEMBLY TO BE THE STATE TREASURER OF MARYLAND AND TO CONTINUE THE FINE WORK THAT SHE HAS ALREADY DEMONSTRATED.

THOMAS M. MIDDLETON
SENATE CHAIR

ADRIENNE A. JONES
HOUSE CHAIR

Read and ordered journalized.

Staff members of the Secretary of the Senate's Office and the Chief Clerk of the House of Delegates' Office distributed the following ballots to the Members of the Senate and House of Delegates present on the Floor and returned any extra ballots to the Desk.

MARK HERE	List of Candidates
	Michael Burton, Jr.
	Edward B. Clarkson
	Tahira Farooq
	Donald A. Gabriel
	Delshell Y. Hines
	Paul V. Konka
	Nancy K. Kopp
	Larry Lupinek
	William J. Wright
	Write-in

A total of 183 ballots were distributed.

Said ballots were then collected by the same staff members and placed in the Ballot Box on the Clerk's Desk at the Lower Rostrum.

The Majority and Minority Leaders of both Houses came to the Rostrum to observe the opening of the Ballots.

The Secretary of the Senate removed and opened each ballot individually and handed it to the Chief Clerk of the House of Delegates who announced openly the name selected.

The Assistant Chief Clerk of the House of Delegates and the Journal Clerk of the House of Delegates recorded a tally of each vote announced.

When the Clerk announced the 93rd vote cast for Nancy K. Kopp, a majority of members present, the Clerk declared a result had been established.

Note: After adjournment from the Joint Session the Secretary of the Senate and the Chief Clerk of the House of Delegates, with the Assistant Chief Clerk and House Journal Clerk, completed the opening and tallying of the remaining ballots. The Senate Journal Clerk observed the opening of the ballots.

The Results were as follows:

Candidates

Donald A. Gabriel - 1
Delshell Y. Hines - 1
Nancy K. Kopp - 165

Write-In Candidates

Rushern Baker - 4
Larry Barnes - 3
Joe Bryce - 3
Jon Cardin - 1
Paul Carlson - 1
Gary Gensler - 1
William Donald Schaefer - 2

No Vote - 1

FINAL TALLY 183

The Speaker announced the State Treasurer-Elect to be Nancy K. Kopp.

Senators Muse and Haines and Delegates Elmore and Bobo escorted the Lieutenant Governor Anthony G. Brown to the Speaker's Rostrum.

Senators Kasemeyer and Brinkley and Delegates McHale and McKee escorted the Chief Executive to the Speaker's Rostrum to witness the administering of the Oaths of Office to the Treasurer-Elect.

Senators Forehand and Kramer and Delegates Branch and Goldwater escorted the Treasurer-Elect Nancy K. Kopp to the Speaker's Rostrum.

Speaker Busch and President Miller administered both Oaths of Office to the Treasurer-Elect.

Treasurer Nancy K. Kopp addressed the General Assembly.

ADJOURNMENT

At 12:06 P.M. on motion of Senator Kasemeyer the Senate adjourned until 11:00 A.M. on Friday, February 2, 2007.

Annapolis, Maryland
Friday, February 2, 2007
11:00 A.M. Session

The Senate met at 11:24 A.M.

Prayer by The Reverend Mark C. Mooney, St. Paul's United Methodist Church, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 1, 2007 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 96)

INTRODUCTION OF BILLS

Senate Bill 372 – Senator Stoltzfus

AN ACT concerning

Somerset County – Sale of Property to City of Crisfield

FOR the purpose of authorizing the County Commissioners of Somerset County to sell certain property to the City of Crisfield under terms the County Commissioners consider appropriate; exempting the sale of certain property from certain general requirements for the sale of surplus property; and generally relating to the sale of county property in Somerset County.

BY repealing and reenacting, without amendments,
Article 25 – County Commissioners
Section 11A(a) and (b)(1) and (5)

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 373 – Senators Stoltzfus and Colburn

AN ACT concerning

Creation of a State Debt – Wicomico County – Salisbury Zoo Animal Health Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Salisbury Zoo Commission, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 374 – Senator Stoltzfus

AN ACT concerning

Worcester County – Sheriff’s Office – Personnel Policies

FOR the purpose of establishing a certain minimum annual salary for the Sheriff of Worcester County; authorizing the Sheriff to appoint certain employees; requiring the County Commissioners of Worcester County to pay certain expenses of the Sheriff’s Office; providing that the chief deputy sheriff serves at the pleasure of the Sheriff; requiring that a certain person who serves as chief deputy sheriff revert to a certain status upon removal; providing that certain personnel rules and regulations of Worcester County apply to certain employees of the Sheriff’s Office, authorizing the Sheriff to adopt certain rules for employees of the Sheriff’s Office; providing that certain employees of the Sheriff’s Office may be disciplined

or terminated for cause only in accordance with certain policies; requiring that certain employees of the Sheriff's Office be reappointed at certain times; authorizing the County Commissioners to provide certain support to the Sheriff relating to personnel matters; granting the Sheriff control over the employees of the Sheriff's Office, subject to certain limitations; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Worcester County; and generally relating to the personnel policies of the Sheriff's Office of Worcester County.

BY repealing

Article – Courts and Judicial Proceedings
Section 2–309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Courts and Judicial Proceedings
Section 2–309(y)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 375 – Senator Stoltzfus

AN ACT concerning

Creation of a State Debt – Atlantic General Hospital

FOR the purpose of authorizing the creation of a State Debt not to exceed \$700,000, the proceeds to be used as a grant to the Board of Directors of Atlantic General Hospital Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 376 – Senator Klausmeier

AN ACT concerning

Baltimore County – Election Law – Assistant Chief Election Judge

FOR the purpose of creating the position of assistant chief election judge in Baltimore County; specifying the amount of the compensation for assistant chief election judges; altering the compensation for chief election judges and other election judges in Baltimore County; and generally relating to election judges in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–203 and 10–205(b)(3)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 377 – Cecil County Senators

AN ACT concerning

Cecil County – Board of Parks and Recreation – Appointment of Members

FOR the purpose of altering the manner of appointment of the members of the Board of Parks and Recreation for Cecil County; and generally relating to the appointment of the members of the Board of Parks and Recreation for Cecil County.

BY repealing and reenacting, without amendments,
The Public Local Laws of Cecil County
Section 57–1
Article 8 – Public Local Laws of Maryland
(1989 Edition and January 2006 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Cecil County
Section 57–2 A.
Article 8 – Public Local Laws of Maryland
(1989 Edition and January 2006 Supplement, as amended)

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

Senate Bill 378 – Senators Dyson, Conway, and Middleton

AN ACT concerning

State Board of Nursing – Advanced Nurse Practitioners – Membership and Qualifications

FOR the purpose of requiring that the State Board of Nursing consist of a certain number of members certified in an advanced practice nursing specialty; requiring the Governor to appoint certain members from a list of nominees submitted by certain organizations; requiring that a certain number of nominees be on a certain list of nominations; requiring that certain organizations nominate certain nurses with a certain certification from a certain list of specialties for each vacancy for each term and that certain organizations rotate the specialty of nominations among certain specialties; requiring that certain members meet certain educational and professional requirements; and generally relating to the State Board of Nursing and membership.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 379 – Senators Dyson, Astle, and Haines

AN ACT concerning

Atlantic Coastal Bays – Dredging for Oysters and Clams – Prohibition

FOR the purpose of prohibiting the use of dredging to catch or attempt to catch oysters and clams in the Atlantic Coastal Bays area; prohibiting the use of a hydraulic clam dredge, power dredge or other mechanical means of clamming and oystering in the Atlantic Coastal Bays; providing for the application of certain provisions of this Act; and generally relating to oyster and clam dredging.

BY renumbering
Article – Natural Resources
Section 4–1021.1
to be Section 4–1021.2
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(h), 4–1012(a), 4–1037, 4–1038, and 4–1039
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 4–1002 and 4–1021.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 380 – Senators DeGrange, Astle, Brinkley, Currie, Dyson, Edwards, Garagiola, Klausmeier, Raskin, and Robey

AN ACT concerning

Procurement – Disabled Veteran Business Enterprise Participation

FOR the purpose of establishing a certain participation goal for certain certified disabled veteran business enterprises for certain procurement contracts; requiring a certain awarding unit to consider certain efforts by and award certain contracts to certain bidders or offerors that meet or make a good–faith effort to meet certain participation goals; establishing certain criteria by which a contractor is considered to have made a good–faith effort to meet certain participation goals; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to jointly adopt certain regulations; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to designate an advocate to coordinate and oversee certain activities relating to disabled veteran business enterprises; requiring an awarding unit to adopt certain regulations to meet the requirements of this Act; requiring an awarding unit to designate a disabled veteran business enterprise advocate to assist the awarding unit in meeting goals related to disabled veteran business enterprise participation; requiring certain awarding units to make certain reports on or before a certain date; requiring the Department of Veterans Affairs and the Governor’s Office of Business Advocacy and Small Business Assistance to make certain reports on or before a certain date; establishing certain prohibited acts and certain penalties for certain violations; defining certain terms; and generally relating to procurement participation by disabled veteran business enterprises.

BY adding to

Article – State Finance and Procurement
Section 14–601 through 14–607 to be under the new subtitle “Subtitle 6. Disabled
Veteran Business Enterprise Participation”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 16–203(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 381 – Senators DeGrange, Astle, Brinkley, Currie, Della, Dyson, Edwards,
Garagiola, Gladden, Greenip, Hogan, Hooper, Jacobs, Klausmeier, Madaleno,
McFadden, Middleton, Munson, Peters, Robey, Stoltzfus, and Stone

AN ACT concerning

Military Service Credit – Eligibility

FOR the purpose of repealing certain limitations and certain exceptions for members of
the State Retirement and Pension System receiving credit for certain military
service credit; and generally relating to members of the State Retirement and
Pension System receiving military service credit.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 38–104
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 382 – Senators Raskin, Forehand, Haines, Jacobs, and Muse

AN ACT concerning

Civil Liability – AMBER Alert Dissemination – Immunity for Media

FOR the purpose of exempting certain broadcasters and their agents from civil liability

for broadcasting or disseminating an AMBER alert after receiving a certain notification under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the dissemination of an AMBER alert.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–427

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 383 – Senator Haines

AN ACT concerning

Motor Vehicle Administration – Driver’s License Provisions – Safe Driving Credit System

FOR the purpose of requiring the Motor Vehicle Administration to maintain a safe driving credit system for all licensees; requiring the Administration to award a safe driving credit, up to a certain limit, to licensees who meet certain safe driving standards; requiring the Administration to apply safe driving credits in a certain manner to offset certain points assessed against a licensee; providing for the invalidation of a safe driving credit under certain circumstances; and generally relating to a safe driving credit system.

BY adding to

Article – Transportation

Section 16–402.2

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 384 – Senator Frosh

AN ACT concerning

General Assembly – Legislative Inquiries and Examinations

FOR the purpose of clarifying that the Legislative Policy Committee may delegate its authority to issue subpoenas, administer oaths, and take other related actions to

any committee created by the Legislative Policy Committee; providing certain venue and procedures for certain legislative committees that have the power to issue subpoenas whenever those committees seek to take legal action to obtain compliance with a subpoena or to compel testimony; providing that the provisions of law that establish a code of fair procedures for the operation of a legislative investigating committee do not limit the authority of a committee or subcommittee of the General Assembly to exercise the power to administer oaths or subpoena witnesses and records as otherwise authorized by law; repealing a prohibition on the filming, televising, or broadcasting, in whole or in part, of certain hearings; providing for procedures and venue with respect to the filing of a petition for an order directing compliance with a subpoena or compelling testimony; providing that the party whose conduct necessitated the filing of the petition has a certain number of days to respond to the petition; providing that a response by the party whose conduct necessitated the petition is the party's sole remedy for objecting to a subpoena and prohibiting that party from filing a motion to quash or a petition for an injunction with respect to the subpoena; requiring proceedings to enforce compliance with a subpoena issued by a legislative committee to be handled by the court in a certain manner; prohibiting the introduction of additional evidence in any hearing in a proceeding on a petition to comply with a subpoena or to compel testimony; requiring the court, under certain circumstances, to order the party whose conduct necessitated the petition to pay the petitioner reasonable expenses, including attorney's fees; providing for a certain exception; providing that a party to a proceeding to enforce compliance with a subpoena may appeal the decision of the court only in a certain manner; and generally relating to legislative inquiries and examinations.

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–407, 2–408, 2–507, 2–807, 2–1104, 2–1602, and 2–1609(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 2–1802

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 385 – Senator Frosh

AN ACT concerning

Powers of Attorney – Standing to Seek Judicial Relief

FOR the purpose of authorizing certain persons to petition a court to construe a power of attorney or review the agent's conduct and grant appropriate relief; requiring the court to dismiss a petition on motion of the principal, unless the court makes a certain finding; and generally relating to powers of attorney.

BY adding to

Article – Estates and Trusts

Section 13–604

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 386 – Senators Gladden, Conway, Dyson, and Exum

AN ACT concerning

Voter's Rights Protection Act of 2007

FOR the purpose of requiring the State Board of Elections to include certain standards in certain guidelines for the administration of provisional ballot voting by local boards of elections; altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring certain election officials to provide certain written information to an individual who casts a provisional ballot; requiring the State Board to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to file a petition with the circuit court of the county to extend the hours that a polling place shall be open under certain circumstances; requiring the State Board to produce certain information for posting at the polling place regarding the circumstances under which a voter may be requested or required to present photo identification to an election judge before being allowed to vote; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring a local board to document for further investigation any malfunction of the voting system during the course of an election; specifying that an item of campaign material may not contain certain fraudulent representations or implications; authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; and generally relating to voting procedures and requirements under the State election law.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 9-402
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9-403 through 9-405, 10-206, 10-301, 10-306, 10-310, 10-314, and
16-201
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 13-401.1
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 387 – Senator Gladden

AN ACT concerning

**Creation of a State Debt – Baltimore City – Girl Scout Urban Program and
Training Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$400,000,
the proceeds to be used as a grant to the Board of Directors of Girl Scouts of
Central Maryland, Inc. for certain development or improvement purposes;
providing for disbursement of the loan proceeds, subject to a requirement that the
grantee provide and expend a matching fund; establishing a deadline for the
encumbrance or expenditure of the loan proceeds; and providing generally for the
issuance and sale of bonds evidencing the loan.

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

Senate Bill 388 – Senator Stone

AN ACT concerning

Baltimore County – Todd’s Inheritance Loan of 2000

FOR the purpose of extending the deadline by which the County Council and County

Executive of Baltimore County must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, without amendments,
Chapter 409 of the Acts of the General Assembly of 2000
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 409 of the Acts of the General Assembly of 2000
Section 1(5)

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

Senate Bill 389 – Senator Stone

AN ACT concerning

Civil Actions – Liability of Insurer – Failure to Act in Good Faith

FOR the purpose of authorizing an insured, in a certain civil action between an insured and an insurer, to recover certain expenses and litigation costs, interest computed at a certain rate and from a certain date, and actual compensatory damages, if the court finds that the insurer failed to act in good faith; providing for the application and construction of this Act; and generally relating to the liability of an insurer for failure to act in good faith.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–1701 to be under the new subtitle “Subtitle 17. Liability of Insurer”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 390 – Senators Currie, Britt, Exum, Peters, and Rosapepe

AN ACT concerning

Prince George’s County – Special Taxing Districts

FOR the purpose of altering the definition of “cost” for purposes of certain authority for Prince George’s County to establish certain special taxing districts, issue certain bonds, and levy certain taxes; authorizing Prince George’s County to exercise certain authority to provide financing, refinancing, or reimbursement for the costs

of certain renovation, rehabilitation, and repair; and generally relating to certain authority for Prince George's County to establish certain special taxing districts, issue certain bonds, and levy certain taxes.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(a) and (c)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
The Public Local Laws of Prince George's County
Section 10–269(a)(3) and (b)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

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

Senate Bill 391 – Senator Muse

AN ACT concerning

Creation of a State Debt – Prince George's County – National Philippine Cultural Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the National Philippine Cultural Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 392 – Senators Kasemeyer, Astle, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Della, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Haines, Hogan, Hooper, Jones, Kelley, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Mooney, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Simonaire, Stoltzfus, Stone, and Zirkin

EMERGENCY BILL

AN ACT concerning

Election Law – Voting Systems – Voter–Verified Records

FOR the purpose of requiring that certain voting systems produce a paper record of a voter’s ballot choices and provide the voter with an opportunity to inspect the paper record before casting a final vote; requiring that the paper records be preserved at the polling place in a certain manner and for certain purposes; requiring that certain voting systems be accessible to certain individuals with disabilities; requiring certain comparisons and audits of certain ballots following an election; requiring public notice and demonstrations regarding certain voting systems and procedures; requiring the State Board of Elections to maintain certain information, to document certain occurrences, and to make certain information publicly available; requiring the Governor to allocate certain resources for certain purposes; defining certain terms; requiring the State Board to adopt certain regulations and certain guidelines; providing for the application of this Act; making this Act an emergency measure; and generally relating to voter–verified paper records for voting systems.

BY renumbering

Article – Election Law
Section 9–101 through 9–105, respectively
to be Section 9–102 through 9–106, respectively
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law
Section 1–101(xx)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to

Article – Election Law
Section 9–101 and 9–107 through 9–112
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 393 – Senator Pinsky

AN ACT concerning

Corporate Income Tax Reform – Combined Reporting

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; providing that, subject to regulations of the Comptroller, certain groups of corporations shall file a combined income tax return reflecting the aggregate income tax liability of all of the members of the group; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the income tax on corporations.

BY adding to

Article – Tax – General

Section 10–402.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–811

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 394 – Senator Pinsky

AN ACT concerning

Creation of a State Debt – Prince George’s County – Historic Greenbelt Theater

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Greenbelt for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 395 – Senators Pinsky and Madaleno

AN ACT concerning

Income Tax – Corporations – Denial of Deduction for Excessive Compensation of Officers and Directors

FOR the purpose of providing an addition modification for Maryland income tax for certain compensation by a corporation of its officers and directors; and providing for the application of this Act.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–305(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–305(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 396 – Senators Gladden, Della, Conway, Jones, McFadden, and Pugh

AN ACT concerning

Ground Rents – Remedy for Nonpayment of Ground Rent

FOR the purpose of repealing provisions of law authorizing a landlord under a ground lease to bring an action for ejectment for nonpayment of ground rent; repealing provisions of law entitling the holder of a ground rent to reimbursement for certain expenses incurred in collecting past due ground rent and filing an action for ejectment; providing that the establishment of a lien is the sole remedy for nonpayment of a ground rent; requiring a certain person seeking to impose a lien to give a certain notice in a certain manner; authorizing a person to whom notice is given to file a certain complaint and request a hearing in a certain circuit court; establishing procedures for imposing and releasing a lien; authorizing the court to award costs and reasonable attorney's fees to the prevailing party in a certain action; specifying the form for a statement of lien; providing for the enforcement and foreclosure of a lien; making certain conforming changes; defining certain terms; and generally relating to remedies for nonpayment of ground rent.

BY repealing
Article – Real Property
Section 8–402.2 and 8–402.3

Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property
Section 8–402.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property
Section 8–111.1 and 14–108.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 397 – Senators Gladden, Della, McFadden, and Pugh

AN ACT concerning

Ground Rents – Conversion of Irredeemable Ground Rents

FOR the purpose of providing for the conversion of an irredeemable ground rent to a redeemable ground rent unless a notice of intention to preserve irredeemability is recorded within a certain period of time; providing that a disability or lack of knowledge does not prevent the conversion of an irredeemable ground rent if a notice of intention to preserve irredeemability is not recorded within a certain period of time; authorizing certain persons to file a notice in the land records of the county where the land is located; requiring a notice to be executed in a certain manner and to contain certain information; requiring a notice that meets certain requirements to be accepted for recording on payment of certain fees; exempting a notice from certain taxes; providing for the indexing of notices; requiring notices to be filed on or before a certain date; providing that a ground rent becomes redeemable if a notice is not recorded on or before a certain date; establishing the period of effectiveness of a filed notice; providing for the filing of renewal notices and the extension of the period of effectiveness of a filed notice; establishing the sum for which a converted ground rent may be redeemed; defining certain terms; and generally relating to the conversion of irredeemable ground rents.

BY adding to

Article – Real Property
Section 8–110.1
Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 398 – Senators Gladden, Della, Conway, McFadden, and Pugh

AN ACT concerning

Ground Rents – Notices Regarding Ground Leases

FOR the purpose of requiring a tenant under a ground lease to notify the landlord of any change of address of the tenant within a certain time period; requiring a landlord under a ground lease to mail to the tenant a bill for the payment of ground rent due no later than a certain amount of time before the payment is due; requiring the bill sent by the landlord to include a certain notice regarding the ground lease and the rights and responsibilities of the tenant under the ground lease; altering the notice requirements contained in a contract for the sale of real property that is subject to a ground rent to include a certain notice regarding the ground lease and the rights and responsibilities of the tenant under the ground lease; defining certain terms; making stylistic changes; and generally relating to notices regarding ground leases.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–116 and 14–117(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 14–116.1

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 399 – Senators Pipkin, Astle, Della, and Middleton

AN ACT concerning

Business Regulation – State Amusement Ride Safety Advisory Board

FOR the purpose of requiring that the composition of the State Amusement Ride Safety Advisory Board as to the race and gender of its members reflects the composition

of the population of the State; prohibiting a member of the Board from serving more than a certain number of consecutive terms; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–304
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 400 – Senators Pipkin, Astle, Della, Exum, Garagiola, Kelley, Klausmeier, and Middleton

EMERGENCY BILL

AN ACT concerning

Electric Industry Restructuring – Proceedings – Review and Evaluation

FOR the purpose of requiring the Public Service Commission to initiate new proceedings to review and evaluate certain requirements under a certain Act beginning on a certain date; making this Act an emergency measure; and generally relating to the Public Service Commission.

BY repealing and reenacting, with amendments,
Chapter 5 of the Acts of the General Assembly of the First Special Session of
2006
Section 5 and 7

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

Senate Bill 401 – Senators Brochin, Kasemeyer, Klausmeier, Stone, and Zirkin

AN ACT concerning

Creation of a State Debt – Baltimore County – Forbush School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of Sheppard Pratt Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance

or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 402 – Senators Hogan, Currie, Forehand, Kramer, Peters, and Raskin

AN ACT concerning

Municipal Corporations – Hotel Rental Tax

FOR the purpose of authorizing a municipal corporation to impose a tax on certain charges for sleeping accommodations paid to hotels in the municipal corporation; authorizing a municipal corporation to set the rate of the tax, subject to a certain limitation; authorizing a municipal corporation to provide for the administration and collection of the tax and to impose penalties for failure to collect, report, or pay the tax; providing that certain room tax sharing arrangements between a municipal corporation and a county are null and void if the municipal corporation imposes a hotel rental tax; authorizing a county that has the authority to impose a hotel rental tax to impose a lower tax rate for hotels within a municipal corporation that imposes a hotel rental tax; and generally relating to authorization for a municipal corporation to impose a hotel rental tax.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–608

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 403 – Senators Hogan and Forehand

AN ACT concerning

Creation of a State Debt – Adventist HealthCare

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of Adventist HealthCare, Inc. d/b/a Shady Grove Adventist Hospital for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 404 – Senators Hogan, Brinkley, Currie, McFadden, Munson, Robey, and Stoltzfus

AN ACT concerning

Tobacco Tax – Moist Snuff

FOR the purpose of altering the tax rate for the tobacco tax on certain tobacco intended to be placed in the oral cavity; altering the information required to be stated in a tobacco tax return; defining a certain term; and generally relating to the tobacco tax on certain tobacco intended to be placed in the oral cavity.

BY adding to

Article – Tax – General
Section 12–101(b–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 12–105(b) and 12–202
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 405 – Senators Garagiola, Astle, Edwards, Exum, Gladden, Kelley, Kittleman, and Klausmeier

AN ACT concerning

Commercial Law – Abandoned Property – Money Orders

FOR the purpose of altering the time period after which there is a presumption that a money order is abandoned under certain circumstances; making stylistic and conforming changes; and generally relating to abandoned property in the State.

BY repealing and reenacting, with amendments,

Article – Commercial Law
Section 17–301(a)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 406 – Senator Harris

AN ACT concerning

Maryland Flag Day

FOR the purpose of establishing Maryland Flag Day on a certain date each year; and generally relating to the Maryland State Flag.

BY adding to

Article – State Government

Section 13–406

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 407 – Senator McFadden (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Hotel Room Tax – Convention Center Promotion

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated for certain purposes; requiring that the required appropriation be made to a certain association; repealing certain obsolete language; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,

The Charter of Baltimore City

Article II – General Powers

Section (40)(e)

(2006 Edition)

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

Senate Bill 408 – Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Chesapeake Bay Critical Area – Violations of Local Law

FOR the purpose of requiring that a prosecution for an offense that occurs in the Chesapeake Bay Critical Area and is a violation of a certain local law in Anne Arundel County that relates to environmental protection or natural resource conservation be instituted within a certain time after the commission of the offense.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–106(bb)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 409 – Senators Pinsky, Britt, Brochin, Conway, Currie, Della, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Madaleno, McFadden, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Global Warming Solutions – Reductions in Greenhouse Gas Emissions

FOR the purpose of establishing certain limits on emissions of greenhouse gases; requiring the Department of the Environment to determine the statewide greenhouse gas emissions level from a certain year and establish a statewide greenhouse gas emissions limit based on that level; requiring the Department to provide public notice and opportunity for public comment on certain determinations; requiring the Department to identify and evaluate certain technologies; requiring the Department to publish a list of certain available early action measures and adopt regulations in order to implement these measures; requiring the Department to prepare a certain plan that identifies and recommends certain measures after consulting with certain agencies; requiring certain public workshops to include certain communities to discuss the proposed plan; requiring the Department to adopt regulations, in accordance with certain requirements, on or before a certain date to implement the emissions limits and reduction measures; requiring the reduction measures to be verifiable and enforceable; authorizing the Department to develop a certain trading system for emissions limits; authorizing the Department to establish certain allowances that meet certain requirements; requiring the Department to adopt regulations for certain reporting and monitoring

requirements; establishing the Greenhouse Gas Emissions Reduction Fund; providing for the administration and funding sources of the Fund; requiring sources of greenhouse gas emissions to pay a certain fee and establishing that the revenue from a certain fee be deposited into a certain fund; providing for certain penalties for certain violations; creating the Office of Climate Change within the Department; requiring the Office to administer the provisions of this Act; authorizing the Department to create certain committees; authorizing the Governor to alter certain deadlines under certain circumstances; declaring the legislative intent and findings of the General Assembly as they relate to global warming solutions; defining certain terms; making the provisions of this Act severable; and generally relating to the reduction of greenhouse gas emissions.

BY adding to

Article – Environment

Section 2–1101 through 2–1113 to be under the new subtitle “Subtitle 11. Greenhouse Gas Emissions Reductions”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

SPECIAL ORDERS

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

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee Report #1 February 1, 2007

Budget and Management, Secretary of

1. T. Eloise Foster

9505 Black Oak Court
Silver Spring, Maryland 20910

Secretary of the Department of Budget and Management; appointed to serve a term at the pleasure of the Governor

Environment, Secretary of the

2. Shari T. Wilson
2760 Woodley Place
Washington, DC 20008

Secretary of the Department of the Environment; appointed to serve a term at the pleasure of the Governor

Health and Mental Hygiene, Secretary of

3. John Michael Colmers
3422 Guilford Terrace
Baltimore, Maryland 21218

Secretary of the Department of Health and Mental Hygiene; appointed to serve a term at the pleasure of the Governor

Labor, Licensing, and Regulation, Secretary of

4. Thomas E. Perez, Esquire
7230 Minter Place
Takoma Park, Maryland 20912

Secretary of the Department of Labor, Licensing and Regulation; appointed to serve a term at the pleasure of the Governor

Natural Resources, Secretary of

5. John R. Griffin
307B Monterey Avenue
Annapolis, Maryland 21401

Secretary of the Department of Natural Resources; appointed to serve a term at the pleasure of the Governor

Planning, Secretary of

6. Richard Eberhart Hall
332 Paddington Road
Baltimore, Maryland 21212

Secretary of the Department of Planning; appointed to serve a term at the pleasure of the Governor

Transportation, Secretary of

7. John D. Porcari
6016 Kilmer Street
Cheverly, Maryland 20785

Secretary of the Department of Transportation; appointed to serve a term at the pleasure of the Governor

People's Counsel, Office of the

8. Paula M. Carmody, Esquire
2502 Ailsa Avenue
Baltimore, Maryland 21214

People's Counsel; appointed to serve a term of five years from July 1, 2006

STATUS: QUESTION IS: WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 97)

MESSAGE FROM THE EXECUTIVE

February 1, 2007

Dear Mr. President:

It is a pleasure to submit to the Maryland State Senate, the following nominations for appointment as Department Secretaries:

Department of Agriculture

Roger L. Richardson

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Disabilities

Catherine Raggio

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Housing and Community Development

Raymond A. Skinner

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Human Resources

Brenda Donald Walker

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Public Safety and Correctional Services

Gary D. Maynard

Appointment as Secretary

To serve at the pleasure of the Governor

Thank you for your consideration. I look forward to your favorable approval of these nominations.

Sincerely,

/s/

Martin O'Malley

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

QUORUM CALL

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

(See Roll Call No. 98)

RECESS

At 11:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate took a recess until 8:00 P.M. on Monday, February 5, 2007.

AFTER RECESS
Annapolis, Maryland
Legislative Day: February 2, 2007
Calendar Day: Monday, February 5, 2007
8:00 P.M. Session

At 8:20 P.M. the Senate resumed its session.

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

Prayer by Rabbi Fred Raskind, Congregation B'Nai Abraham, guest of Senator Munson.

(For Prayer see Exhibit A of Appendix III)

QUORUM CALL

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

(See Roll Call No. 100)

INTRODUCTION OF BILLS

Senate Bill 410 – Senator Rosapepe

AN ACT concerning

**Creation of a State Debt – Prince George's County – College Park Aviation
Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 411 – Senator Rosapepe

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Armory Anderson
Murphy Community Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$350,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 412 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Compliance with the Federal Pension
Protection Act of 2006**

FOR the purpose of altering the criteria certain employers must meet to participate in the State Retirement and Pension System’s employer pickup program; permitting certain surviving spouses and designated beneficiaries of the State Retirement and Pension System to rollover certain distributions; permitting certain participants of the State Retirement and Pension System to make direct rollovers of certain distributions from the State Retirement and Pension System to a Roth Individual Retirement Account; providing for the application of this Act; providing for a delayed effective date of certain provisions of this Act; and generally relating to conforming the State Retirement and Pension System to federal tax legislation.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–313, 21–601(b), (c), and (d), and 21–602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions
Section 21–601(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 413 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Greenip, Haines, Harris, Hogan, Hooper, Kasemeyer, Kittleman, Klausmeier, Mooney, Munson, Muse, Peters, Pipkin, Robey, Simonaire, Stoltzfus, Stone, and Zirkin

AN ACT concerning

Jessica’s Law – Sexual Offenses – Parole Eligibility and Mandatory Minimum Sentences

FOR the purpose of providing that persons who are convicted of certain sexual offenses are not eligible for parole during certain mandatory minimum sentences; prohibiting a certain person from engaging in certain sexual contact with a child who is under a certain age; establishing a certain penalty; prohibiting a court from suspending any part of a sentence for a certain sexual offense committed against a child under a certain age; requiring the State to provide a certain notification if the State intends to seek a certain sentence under certain circumstances; creating a certain exception; and generally relating to sexual offenses involving children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–303 through 3–307
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 414 – Senators Stoltzfus, Colburn, Dyson, Middleton, Pipkin, and Stone

AN ACT concerning

Working Waterfront Commission

FOR the purpose of establishing the Working Waterfront Commission; providing for the composition of the Commission; providing for the appointment of the chair of the Commission; requiring the Commission to study and make recommendations regarding protecting and preserving Maryland’s commercial seafood industry’s access to public trust waters; requiring the Commission to submit a certain report

to the Governor and General Assembly on or before a certain date; providing for the staffing of the Commission; providing for the termination of this Act; and generally relating to the establishment of the Working Waterfront Commission.

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

Senate Bill 415 – Senators Jones, Currie, Kasemeyer, Madaleno, Munson, Peters, and Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – The Walters Art Museum

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

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

Senate Bill 416 – Senators Jones, Britt, Conway, Currie, Exum, Gladden, McFadden, Muse, and Pugh

AN ACT concerning

Higher Education – Institutions of Higher Education – Plans for Programs of Cultural Diversity

FOR the purpose of requiring certain institutions of higher education to develop and implement certain plans for a program of cultural diversity; requiring certain plans to include certain improvements to certain programs under certain circumstances; requiring certain plans to include certain implementation strategies and timelines for meeting certain goals; requiring certain plans to enhance certain programming and certain sensitivity through certain instruction and training; requiring certain institutions of higher education to submit certain plans to the Maryland Higher Education Commission; requiring the Commission to monitor certain plans to track implementation and compliance with the plans; and generally relating to plans for programs of cultural diversity.

BY adding to

Article – Education
Section 11–406
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 417 – Senators Miller and Kasemeyer

AN ACT concerning

Candidate and Other Outdoor Signs – Removal and Enforcement

FOR the purpose of requiring a candidate or a designee of a candidate, immediately on the closing of the polls, to remove from a polling place and an area within a certain distance of a polling place, any sign that advertises the candidate; providing for certain penalties for failure to remove certain signs from certain polling places within a certain amount of time; requiring a local board of elections to report to the State Administrator of Elections a failure to remove certain signs from certain polling places; requiring the State Administrator of Elections to submit a certain report on or before a certain date; prohibiting a person from erecting or maintaining an outdoor sign on a State highway right-of-way or on a highway median except under certain circumstances; providing that certain provisions of law relating to the erection or maintenance of certain politically related signs do not apply to signs erected or maintained on private property; providing for certain penalties for failure to comply with certain provisions of law relating to the posting and removal of certain candidate signs on certain highways; requiring the State Highway Administrator to submit a certain report on or before a certain date; and generally relating to outdoor signs and other signs advertising candidates.

BY adding to

Article – Election Law
Section 10–316
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to

Article – Transportation
Section 8–706 and 8–714(c) and (d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–714(a) and (b)(5)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–714(b)(4)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 418 – The President (By Request – Department of Legislative Services)

AN ACT concerning

**State Government – Submission of Publications to the General Assembly
– Procedures**

FOR the purpose of altering certain procedures to be followed by an official or unit of the State government intending to submit or distribute certain publications to the General Assembly or to a committee, staff agency, or employee of the General Assembly; requiring an official or unit to submit one copy of certain publications to the President of the Senate and the Speaker of the House of Delegates in a certain format under certain circumstances; requiring an official or unit intending to distribute a publication to a standing committee of the General Assembly to obtain the approval of the chair of the committee, except under certain circumstances, and to comply with certain procedures; requiring an official or unit to provide certain copies of a publication to the library of the Department of Legislative Services as requested by the library on behalf of a member of the General Assembly; requiring certain publications submitted in fulfillment of a duty imposed by law to contain certain information; requiring the library of the Department to collect, catalogue, and preserve certain publications; defining a certain term; making certain technical and clarifying changes; and generally relating to the procedures for the submission and distribution of publications to the General Assembly.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1246
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 419 – Senator Madaleno

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income for
Commissioned Officers**

FOR the purpose of altering a certain subtraction modification under the State income tax for certain military retirement income to include certain individuals; defining certain terms; providing for the application of this Act; and generally relating to the State income tax of certain retirement income.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 420 – Senator Madaleno

AN ACT concerning

Task Force to Study the Needs and Expenditures of State Programs

FOR the purpose of establishing the Task Force to Study the Needs and Expenditures of State Programs; establishing the membership and staff of the Task Force; requiring the President of the Senate and the Speaker of the House to designate the chair of the Task Force; requiring the Task Force to examine and make findings and recommendations on certain issues related to the needs and expenditures of State programs; requiring the Task Force to submit certain reports by certain dates; providing for the termination of this Act; and generally relating to the Task Force

to Study the Needs and Expenditures of State Programs.

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

Senate Bill 421 – Senator Madaleno

AN ACT concerning

Notaries Public – Qualifications

FOR the purpose of requiring that a notary public complete certain continuing education requirements; establishing that after a certain date a notary must have completed certain records checks and taken certain courses; and generally relating to notary public qualifications.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–102
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 422 – Senators Madaleno, Britt, Jones, and Pinsky

AN ACT concerning

Alcoholic Beverage Tax – Special Fund for Addiction and Treatment Services

FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland; altering the distribution of the alcoholic beverage tax revenues; requiring the Comptroller to distribute a portion of the alcoholic beverage tax revenues to a special fund to be used only for certain purposes; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenues for certain purposes for certain fiscal years.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–301 and 5–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 423 – Senators Madaleno, Britt, Colburn, Edwards, Forehand, Frosh, Jacobs, Kelley, Lenett, Munson, Peters, Pinsky, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Local Government – Street Lighting Equipment

FOR the purpose of authorizing a local government to purchase certain street lighting equipment from an electric company; requiring a local government to pay fair market value for the purchase of certain street lighting equipment; providing that a local government that purchases certain street lighting equipment is responsible for the maintenance of the street lighting equipment and may contract with an outside entity for the maintenance of the street lighting equipment; requiring a person that controls the right to use space on certain poles, lampposts, or other mounting surfaces to allow a certain local government to assume the rights and obligations of an electric company under certain circumstances; prohibiting a local government from restricting or prohibiting universal access for electricity or any other service under certain circumstances; providing that certain provisions of law regarding high voltage lines do not apply to the maintenance of street lighting equipment under certain circumstances; defining a certain term; and generally relating to street lighting equipment.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 5–101 to be under the new title “Title 5. Street Lighting Equipment”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 6–102
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 424 – Senators Madaleno, Gladden, Muse, and Raskin

AN ACT concerning

**Department of Housing and Community Development – Rental Allowance Program
Fund**

FOR the purpose of repealing a certain provision of law limiting the time period in which the Secretary of Housing and Community Development may provide rental allowances to recipients under the Rental Allowance Program; expanding eligibility for participation in the Rental Allowance Program to households in which a member of the household has a disability; establishing the Rental Allowance Program Fund as a special, nonlapsing fund in the Department of Housing and Community Development; requiring the Secretary of Housing and Community Development to administer the Fund; requiring that the Fund be used for certain purposes; requiring the Treasurer to hold the Fund separately and invest the money of the Fund in a certain manner; requiring that certain revenue, money, and earnings be paid into the Fund; requiring the Comptroller to account for the Fund; establishing a certain special transfer tax payable for certain instruments of writing; requiring that the revenue from the special transfer tax be distributed to the Rental Allowance Program Fund; defining certain terms; making certain conforming changes; and generally relating to the Rental Allowance Program Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–1405 and 4–1406
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–1409
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 13–201, 13–202, 13–203(a), and 13–209(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 425 – Senators Middleton and Munson

AN ACT concerning

Wineries – Special Event Permits – Farmers’ Markets

FOR the purpose of altering the number of winery special event permits that the Comptroller may issue to Class 4 Maryland limited wineries in a calendar year and in the same political subdivision; altering the number of certain bottles of wine that a permit holder may sell to a consumer at a certain event or festival for consumption off the premises; authorizing the Comptroller to issue an unlimited number of permits for use at certain farmers' markets; prohibiting a permit holder to sell wine by the glass at a farmer's market; and generally relating to winery special event permits.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1) and (3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 426 – Senators Middleton, Astle, and Forehand

AN ACT concerning

Maryland Tourism Development Board – Membership

FOR the purpose of expanding the membership of the Maryland Tourism Development Board by adding two appointments of the President of the Senate and the Speaker of the House of Delegates and three appointments of the Governor who are from certain destination marketing organizations; providing that certain members appointed by the Governor meet certain qualifications; making certain stylistic changes; and generally relating to the membership of the Maryland Tourism Development Board.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 4–203
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 4–206 and 4–207
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 427 – Senators Middleton and Astle

AN ACT concerning

**Health Insurance – Authorization of Additional Products and Small Group
Administrative Discounts**

FOR the purpose of making certain provisions of this Act applicable to health maintenance organizations; providing that certain insurance policies may provide for payment of services rendered by certain providers; requiring an insurer to establish payment in a certain manner under certain circumstances; requiring a certain policy to allow direct access to specialists; requiring certain insurers to offer an option to include preferred and nonpreferred providers as an additional benefit under certain circumstances; requiring certain insurers to provide certain disclosures under certain circumstances; authorizing certain entities to require a certain individual to pay a certain premium under certain circumstances; providing that certain provisions of law do not apply to a small employer under certain circumstances; requiring a small employer to provide a certain certification under certain circumstances; authorizing a health insurance carrier to offer a certain plan under certain circumstances; authorizing a carrier to offer a certain administrative discount to a small employer under certain circumstances; providing for the intent of the General Assembly; authorizing a carrier to offer a certain policy to certain employees; specifying what a certain policy may exclude; requiring a carrier to make a certain disclosure under certain circumstances; defining certain terms; and generally relating to the authorization of additional health insurance products and discounts.

BY adding to
Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–201 through 14–204

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–205, 15–1202, 15–1204, and 15–1205
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 14–205.1; and 15–1701 through 15–1703 to be under the new subtitle
“Subtitle 17. Health Insurance Coverage for Part–Time, Seasonal, and
Temporary Employees”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 428 – Senator McFadden

AN ACT concerning

**Corporate Income Tax – Tax Credit for Location in a Higher
Education–Affiliated Research Park**

FOR the purpose of providing a tax credit against the State income tax for certain eligible expenses of corporations that locate to a higher education–affiliated research park; requiring the Department of Business and Economic Development to administer the tax credit; requiring a business entity to submit a certain application within a certain time period and to locate to a higher education–affiliated research park and provide certain notice to the Department within a certain time period; requiring the Department to adopt certain regulations jointly with the Comptroller; requiring the Department to approve certain applications within a certain time period and in a certain manner; providing that if certain notice is not provided within a certain time period, the Department is required to rescind certain tax credit certificates; providing limits on the amount of certain tax credits and the aggregate amount of tax credits that may be approved by the Department in a calendar year; providing for a carryforward of certain tax credits and providing that certain tax credits may be transferred under certain circumstances; allowing certain transferred tax credits to be claimed against the State income tax and authorizing certain business entities to rely on certain information; requiring the Department to submit a certain report by a certain date each year; defining certain terms; providing for the application of this Act; and generally relating to a State income tax credit for certain eligible

expenses of corporations that locate to a higher education–affiliated research park.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 429 – Senators Haines and Munson

AN ACT concerning

Income Tax – Credit for Long–Term Care Premium

FOR the purpose of repealing a certain limitation on a certain credit against the State income tax for certain long–term care premiums paid by an individual; altering the amount a taxpayer may claim as credit; providing for the application of this Act; and generally relating to a certain income tax credit for eligible long–term care premiums.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–718

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 430 – Senators Kittleman, Brinkley, and Haines

AN ACT concerning

Carroll County – Prevailing Wage – Exemption

FOR the purpose of altering certain definitions to provide a certain limitation on the applicability of the Prevailing Wage Law to the construction, modernization, or systemic renovation of, or an addition to, an elementary or secondary school in Carroll County; and generally relating to the application of the Prevailing Wage Law to Carroll County.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 17–201
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 431 – Senator Kelley

AN ACT concerning

Children – Out-of-Home Placement Review Boards – Case Reviews

FOR the purpose of requiring the State Citizens Review Board for Children to conduct certain case reviews to assist certain State and local agencies in determining whether certain child protection responsibilities are being effectively carried out; requiring certain case reviews to include certain questions designed to meet certain quality assessment goals for certain casework services; requiring the State Board to tabulate certain case review results and to submit certain results for review as part of a certain self-assessment process; requiring the State Board or its designee to hold certain community forums for certain purposes; requiring the State Board to coordinate its activities with the State Child Fatality Review Team and certain local child fatality review teams to avoid duplication of certain efforts; requiring the State Board to submit a certain report or reports containing certain information to the General Assembly on or before a certain date each year; requiring the Secretary of Human Resources to send a certain response to the State Board within a certain number of days after receiving a certain report; providing for the election and term of a vice chair of the State Board; altering the powers and duties of the State Board; requiring certain memoranda of understanding to be executed by certain governing bodies of certain counties; altering the membership of a local citizens review panel; providing for the term of a member of a local citizens review panel; requiring certain local panels to carry out certain case reviews; establishing the goals of a local board of review for minor children in out-of-home care; requiring certain local boards to review certain children in out-of-home care in accordance with certain regulations adopted by the State Board and the Secretary; requiring certain case review reports to include certain information; making certain stylistic changes; defining a certain term; and generally relating to the case reviews and Out-of-Home Placement Review Boards.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–501, 5–537, 5–538, 5–539, 5–539.1, 5–539.2, 5–540, 5–541, 5–542,
5–543, 5–544, 5–545, and 5–547

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–535, 5–536, 5–539.3, and 5–546
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 432 – Senator Kasemeyer

AN ACT concerning

Baltimore County – Arbutus Community Center Loan of 2000

FOR the purpose of extending the deadline by which the County Executive and County Council of Baltimore County must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, without amendments,
Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter 168 of the Acts of the General Assembly of 2002 and Chapter 149 of the Acts of the General Assembly of 2004
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 317 of the Acts of the General Assembly of 2000, as amended by Chapter 168 of the Acts of the General Assembly of 2002 and Chapter 149 of the Acts of the General Assembly of 2004
Section 1(5)

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

Senate Bill 433 – Senator Klausmeier

AN ACT concerning

Banking Institutions – Deceptive Use of Names, Trade Names, Logos, or Taglines – Penalties

FOR the purpose of providing that under certain circumstances, a person may not use the name, trade name, logo, or tagline of a certain bank that is similar to that which is used by the bank in certain material; providing for an exception; providing for a

penalty for a violation of the Act; defining a certain term; and generally relating to the deceptive use of the name, trade name, logo, or tagline of a bank.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 5–806
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 434 – Senator Frosh

AN ACT concerning

Estates and Trusts – Disclaimers

FOR the purpose of establishing that creditors of a disclaimant have no interest in property disclaimed under the Maryland Uniform Disclaimer of Property Interests Act; altering a provision providing for the validity of a disclaimer that is not filed, recorded, or registered; and generally relating to the Maryland Uniform Disclaimer of Property Interests Act.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 9–202(f) and 9–212(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 435 – Senator Frosh

AN ACT concerning

Estates and Trusts – Personal Representatives and Fiduciaries – Powers

FOR the purpose of authorizing a personal representative to become a limited partner in any partnership or a member in any limited liability company, including a single member limited liability company; authorizing a fiduciary to continue as or become a member in any limited liability company, including a single member limited liability company; and generally relating to the powers of personal representatives and fiduciaries.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(u) and 15–102(q)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 436 – Senators Harris, Colburn, DeGrange, Dyson, Greenip, Hooper, and Stone

AN ACT concerning

Retrieval of Oocytes – Prohibition

FOR the purpose of authorizing certain persons to donate oocytes subject to certain limitations; prohibiting certain persons from performing oocyte retrieval in order to collect oocytes to be used or donated for certain purposes; providing for certain penalties for offering, soliciting, retrieving, or otherwise encouraging certain persons to donate oocytes; providing that certain violations shall be grounds for the denial of any license, permit, certification, or any other form of permission required to practice certain occupations in the State; defining a certain term; and generally relating to a prohibition against the retrieval of oocytes for research purposes.

BY adding to
Article – Health – General
Section 20–1301 to be under the new subtitle “Subtitle 13. Donation of Oocytes”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 437 – Senator Harris

AN ACT concerning

Creation of a State Debt – Harford County – Walter and Betty Ward YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,500,000 the proceeds to be used as a grant to the Board of Directors of the Young Men’s Christian Association of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject

to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 438 – Senator Pugh (By Request) and Senators Conway, Della, Jones, Kasemeyer, and McFadden

AN ACT concerning

Maryland Transit Administration – Continuation of Passenger Railroad Service on Amtrak and CSX Lines

FOR the purpose of requiring the Maryland Transit Administration to continue to operate passenger railroad service on certain lines at levels equivalent to the levels established as of certain dates; prohibiting the Administration from closing a station before a certain date, subject to an exception; requiring the Administration to hold a certain public hearing under certain circumstances; requiring the Administration to give a certain notice of the hearing; prohibiting the Administration from taking certain actions if inadequate notice is given; prohibiting the Administration from making certain policy changes during a certain time period; and generally relating to passenger railroad service on certain railroad lines.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–902
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 439 – Senator Pugh (By Request) and Senators Della, Jones, Kasemeyer, McFadden, and Stone

AN ACT concerning

Maryland Transit Administration – Baltimore Metropolitan Transit District Advisory Council

FOR the purpose of establishing the Baltimore Metropolitan Transit District Advisory Council; requiring the Advisory Council to study, investigate, monitor, and make

recommendations to the Maryland Transit Administration with respect to bus and rail transit in the Baltimore Metropolitan Transit District; providing for the membership, terms, chair, and staff of the Advisory Council; requiring State and local agencies to comply with certain requests of the Advisory Council; providing for reimbursement for the expenses of a member of the Advisory Council; defining a certain term; and generally relating to the establishment of the Baltimore Metropolitan Transit District Advisory Council.

BY adding to

Article – Transportation

Section 7–309

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 440 – Senators Colburn and Pipkin

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

FOR the purpose of altering the number of voting members of the Mid–Shore Regional Council appointed by the governing bodies of Caroline, Dorchester, and Talbot counties; authorizing the bylaws of the Mid–Shore Regional Council to provide for additional public membership on the Council; and providing that the Mid–Shore Regional Council is immune from being sued.

BY repealing and reenacting, with amendments,

Article 20C – Mid–Shore Regional Council

Section 2–101

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–506.1

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 441 – Senators Colburn and Stoltzfus

AN ACT concerning

**Tri-County Council for the Lower Eastern Shore of Maryland – Membership –
Immunity**

FOR the purpose of altering the membership of the Tri-County Council for the Lower Eastern Shore of Maryland; and providing that the Tri-County Council for the Lower Eastern Shore of Maryland is immune from being sued.

BY repealing and reenacting, with amendments,
Article 20B – Tri-County Council for the Lower Eastern Shore of Maryland
Section 2-101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 20B – Tri-County Council for the Lower Eastern Shore of Maryland
Section 2-102
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5-506.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 442 – Senator Colburn

AN ACT concerning

Property Tax – Agricultural Use Assessment – Migrant Labor Camps

FOR the purpose of altering the valuation and assessment for property tax purposes of certain property that is used as a migrant labor camp under certain circumstances; providing for the application of this Act; and generally relating to the valuation and assessment of certain property used as a migrant labor camp.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 8-209(a) through (d)
Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property

Section 8–209(j)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 443 – Senators Colburn, Middleton, and Stoltzfus

AN ACT concerning

Natural Resources – Hunting Licenses and Stamps – Exemptions

FOR the purpose of altering the list of individuals eligible for exemptions from a certain requirement for a hunting license and stamp; repealing a provision that establishes certain eligibility criteria for a certain exemption; and generally relating to exemptions from the hunting license and stamp requirement.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 10–301(a) and (b)

Annotated Code of Maryland

(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 10–301(c)

Annotated Code of Maryland

(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 444 – Senator Colburn

AN ACT concerning

Motor Vehicles – Special Registration Plates for Veterans – Use After Vehicle Transfer

FOR the purpose of providing that, under certain circumstances, a spouse may continue

using on a certain vehicle certain special registration plates for armed forces veterans and recipients of certain armed forces medals after a transfer of title or ownership interest in the vehicle; and generally relating to the use of special registration plates for veterans.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–619.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 445 – Senator Colburn

AN ACT concerning

Income Tax – Subtraction Modification for Military Retirement – Expansion

FOR the purpose of expanding the applicability of a certain subtraction modification under the Maryland income tax for military retirement income by removing a certain limitation applicable to certain service with the commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey; increasing the maximum amount of a certain subtraction modification under the Maryland income tax for military retirement income; providing for the application of this Act; and generally relating to expanding applicability of and increasing the amount of a certain subtraction modification under the Maryland income tax for military retirement income.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 446 – Senators Colburn and Pipkin

AN ACT concerning

Creation of a State Debt – Caroline County – Caroline Hospice

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of Caroline Hospice Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 447 – Senators Colburn and Pipkin

AN ACT concerning

Creation of a State Debt – Caroline County – Old Caroline High School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Denton Development Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 448 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Historical Society Museums

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Dorchester County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 449 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Shore Health System

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Shore Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 450 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Galestown Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Commissioners of Galestown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 451 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Family YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of the Dorchester County Family YMCA, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 452 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Class D License

FOR the purpose of authorizing the Board of License Commissioners of Dorchester County to issue a Class D (on-sale) beer, wine and liquor license; specifying a license fee; specifying that the license is for a certain period; requiring that alcoholic beverages sold under the license be consumed only on the licensed premises; prohibiting an individual under a certain age from being on the licensed premises; providing that only the Board may decide the number of Class D licenses to be issued; requiring the Board to determine whether the premises for which a Class D license is issued meets certain requirements; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–210
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 453 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Issuance of Additional Class A Beer Licenses

FOR the purpose of adding in Dorchester County a certain type of alcoholic beverages license to the types of licenses that entitle premises to be issued additional Class A beer licenses; authorizing the Board of License Commissioners of Dorchester County to limit the number of additional Class A beer licenses that it issues; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(b–6)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 454 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Talbot County – Talbot Agricultural Service Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Supervisors of the Talbot Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 455 – Senator Colburn

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Talbot County – Frederick Douglass Memorial

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the deadline by which the Frederick Douglass Memorial Action Coalition may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (BN)

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

Senate Bill 456 – Senator Colburn

AN ACT concerning

Interest Rate for Overdue Property Tax – Mardela Springs

FOR the purpose of providing that the rate of interest for overdue property tax for a certain municipal corporation is the rate set by law by the governing body of the municipal corporation, subject to a certain limitation; and generally relating to the interest rate for overdue property tax for a certain municipal corporation.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 14–603(b)(5)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 457 – Senator Colburn

AN ACT concerning

Wicomico County – Board of License Commissioners – Attorney’s Salary

FOR the purpose of increasing the annual salary of the attorney for the Board of License Commissioners of Wicomico County; and generally relating to the Board of License Commissioners of Wicomico County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 15–112(x)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–112(x)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 458 – Senator Colburn

AN ACT concerning

Wicomico County – Alcoholic Beverages – Minimum Seating Capacity for Licensed Restaurants

FOR the purpose of lowering the minimum seating capacity requirement for restaurants in Wicomico County for which a Class B beer, wine and liquor license is issued; and generally relating to alcoholic beverages licenses in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and (x)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(x)(2)(iv)1.C.
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 459 – Senators Colburn, Pipkin, and Stoltzfus

AN ACT concerning

Alcoholic Beverages – Places of Public Entertainment and Unlicensed Establishments

FOR the purpose of prohibiting a person in Caroline County, Dorchester County, Kent County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, or Worcester County from serving or dispensing certain items or serving, dispensing, keeping, or allowing to be consumed alcoholic beverages or other component parts of mixed alcoholic drinks in certain places of public entertainment; prohibiting a person who operates a certain business establishment for profit in certain counties from knowingly allowing customers to bring alcoholic beverages for consumption into the establishment; defining certain terms; establishing certain penalties; and generally relating to alcoholic beverages in places of public entertainment and unlicensed establishments in Caroline County, Dorchester County, Kent County, Queen Anne's County, Somerset County, Talbot County, Wicomico County, and Worcester County.

BY adding to

Article 2B – Alcoholic Beverages

Section 20–103.1, 20–107.1, 20–108.2, 20–110, 20–111, 20–112, and 20–113

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 20–105.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 460 – Senators Stoltzfus and Colburn

AN ACT concerning

Creation of a State Debt – Wicomico County – Epilepsy Association Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed \$325,000, the proceeds to be used as a grant to the Board of Directors of the Epilepsy Association of the Eastern Shore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 461 – Senators Pugh, Britt, Brochin, Jones, Kelley, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Raskin, and Robey

AN ACT concerning

Labor and Employment – Maryland Workforce Investment Act – Transit Service for Low-Income Individuals

FOR the purpose of requiring the State Department of Transportation to provide certain transit service to certain individuals who are engaged in an employment and training program under the Maryland Workforce Investment Act; requiring the State Human Resource Investment Council to reimburse the Department of Transportation for the cost of certain transit service to certain individuals; and generally relating to transit service for low-income individuals participating in a certain employment and training program.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–502 and 11–504
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 11–503(c) and (m)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(d) and (m)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 462 – Senators Pugh and McFadden

AN ACT concerning

Education – Prekindergarten Programs – Alternative Providers

FOR the purpose of requiring county boards of education to determine in a certain comprehensive master plan their current capacity to provide prekindergarten programs; requiring a county board to include a description of the county board's process to contract with certain alternative early learning and child care providers to provide certain additional capacity under certain circumstances; requiring a county board to contract with certain alternative early learning and child care providers under certain circumstances; requiring a county board to address the capacity that is available from alternative providers under certain circumstances; and generally relating to requiring county boards of education to determine their capacity to provide prekindergarten programs.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–101.1(d)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 463 – Senator Pugh (By Request) and Senators Della, Dyson, Jones, Kasemeyer, McFadden, Raskin, and Stone

AN ACT concerning

Maryland Transit Administration – Public Hearings

FOR the purpose of requiring, except under certain circumstances, the Maryland Transit Administration to hold a public hearing before changing a bus or rail route alignment or bus stop location; requiring the Administration to hold a public hearing before establishing or abandoning a rail transit station; limiting the time period during which the Administration may implement a policy change on certain matters; establishing notice requirements that must be met for a public hearing on certain matters before the Administration may implement policy changes on those matters; requiring a public hearing to be at a certain location and time; requiring the People's Counsel to the Public Service Commission to appear at certain hearings called by the Administration; making a stylistic change; and generally relating to public hearings held by the Maryland Transit Administration.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–506

Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 464 – Senators Pugh, Britt, Colburn, Exum, Gladden, Harris, Jones, McFadden, Middleton, and Muse

AN ACT concerning

Correctional Services – Inmates – Mandatory Health Testing

FOR the purpose of requiring the Department of Public Safety and Correctional Services to test or provide for the testing of certain inmates for the human immunodeficiency virus (HIV) and the hepatitis C virus within a certain time period after the inmate is admitted to a State correctional facility and before the inmate is released from the facility; providing that certain agents and employees of the Department are immune from liability under this Act under certain circumstances; requiring the Secretary of the Department to adopt regulations to carry out this Act; defining a certain term; and generally relating to the health testing of inmates in State correctional facilities.

BY adding to

Article – Correctional Services

Section 2–119

Annotated Code of Maryland

(1999 Volume and 2006 Supplement)

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

Senate Bill 465 – Senators Pugh, Colburn, Exum, Forehand, Middleton, Munson, Pinsky, Raskin, and Robey

AN ACT concerning

Vehicle Laws – Motorized Wheelchairs and Scooters – Guidelines

FOR the purpose of requiring the Motor Vehicle Administration to develop and update, on or before a certain date and in consultation with certain community organizations for individuals with disabilities, guidelines for the appropriate use on streets of motor-driven wheelchairs, scooters, and other devices designed to provide mobility assistance for individuals with disabilities; requiring the Administration to provide for the distribution of the guidelines, including distribution through certain community organizations; and generally relating to the

development, updating, and distribution of guidelines relating to the appropriate use of certain wheelchairs, scooters, and other devices on streets.

BY adding to

Article – Transportation

Section 21–107

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 466 – Senators Pugh, Colburn, Gladden, Klausmeier, McFadden, and Middleton

AN ACT concerning

Public Schools – Summer Learning Pilot Program

FOR the purpose of establishing the Summer Learning Pilot Program; providing for the purpose of the Program; requiring the State Board of Education to select a certain number of schools to host the Program; prohibiting the State Board from selecting a school for the Program without the approval of the county board of education; requiring certain county boards to develop a model summer learning program with a certain curriculum; requiring a county board, in consultation with the State Board, to determine the cost of the Program in that county; requiring a county board to identify funds to pay for a certain percentage of the Program from certain sources; requiring the State to pay certain funds for the Program under certain circumstances; requiring the State Board to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Summer Learning Pilot Program.

BY adding to

Article – Education

Section 7–208

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 467 – Senators Gladden, Britt, Conway, Forehand, Frosh, Jones, Lenett, Madaleno, Muse, Pinsky, Pugh, Raskin, and Robey

AN ACT concerning

Consumer Protection – Protection and Disclosure of Information About Consumers Collected and Maintained by Merchants

FOR the purpose of requiring certain merchants that collect and maintain certain personal information to implement and maintain certain security procedures and practices; requiring a merchant to disclose to a consumer certain personal information in a certain manner; establishing procedures for requesting certain personal information; requiring a merchant to provide certain personal information requested within a certain period of time; authorizing a merchant to charge a certain fee for the disclosure of certain personal information; prohibiting a merchant from sharing or selling certain personal information about certain consumers; providing certain exceptions; authorizing a merchant to share or sell certain marketing information under certain circumstances; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to the protection and disclosure of information about consumers collected and maintained by merchants.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3505 to be under the new subtitle “Subtitle 35. Protection and Disclosure of Information About Consumers Collected and Maintained by Merchants”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 468 – Senator Gladden

AN ACT concerning

Task Force to Study Free College Tuition for Low–Income Students

FOR the purpose of establishing the Task Force to Study Free College Tuition for Low–Income Students; providing for the membership, chair, and staffing of the Task Force; prohibiting a member of the Task Force from being compensated; authorizing a member to be reimbursed for expenses under certain circumstances; requiring the Task Force to examine and develop data on certain matters and to issue a report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task

Force to Study Free College Tuition for Low–Income Students.

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

Senate Bill 469 – Senator Gladden

AN ACT concerning

Baltimore City – Motor Vehicles – Tickets and Fees

FOR the purpose of prohibiting the imposition of additional fees for satisfaction of certain traffic citations that are issued in Baltimore City under the Maryland Vehicle Law and are not paid by a certain date; and generally relating to the imposition of additional fees for traffic citations issued in Baltimore City.

BY adding to

The Public Local Laws of Baltimore City

Section 15–1 to be under the new subtitle “Subtitle 15. Traffic Regulation”

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

Senate Bill 470 – Senator Gladden

AN ACT concerning

Maryland Transit Authority Pension Plan – Transfer of Service Credit

FOR the purpose of providing that certain individuals who were members of the Employees’ Retirement System and the State Contributory Employees’ Pension System may transfer certain service credit to the Maryland Transit Authority Pension Plan in a certain manner; providing for a refund of certain member contributions under certain circumstances; requiring the transfer of certain employer contributions to the accumulation fund of the Maryland Transit Authority Pension Plan; providing that certain transfers of credit between the Employees’ Retirement and Pension Systems and the Maryland Transit Authority Pension Plan are not governed by certain provisions of law; defining a certain term; providing for the termination of this Act; and generally relating to the transfer of service credit to the Maryland Transit Authority Pension Plan.

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

Senate Bill 471 – Senators Munson, Edwards, and Mooney

AN ACT concerning

Creation of a State Debt – Washington County – Barbara Ingram School for the Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Hagerstown for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 472 – Senator Munson

AN ACT concerning

Mental Hygiene Law – Petition for Emergency Evaluation – Confidentiality

FOR the purpose of requiring that a certain petition for emergency evaluation be confidential; prohibiting a certain petition for emergency evaluation from being divulged, except by a certain order of the court; providing that a certain section does not prohibit a certain law enforcement agency, the Department of Health and Mental Hygiene, or a local health department from having access to and confidential use of a certain petition for a certain purpose; providing that the Department or a local health department shall be liable for the unauthorized release of a certain petition; requiring the Department or a local health department that has accessed a certain petition to submit a certain report to a certain court within a certain period of time; and generally relating to the confidentiality of a petition for emergency evaluation.

BY adding to

Article – Health – General

Section 10–630

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 473 – Senators Munson and Middleton

AN ACT concerning

Alcoholic Beverages – Class A Light Wine Licenses – Residency Requirement

FOR the purpose of requiring an application for a Class A light wine license to contain a statement that the applicant has been a resident of the State for a certain number of years immediately before the filing of the application; making certain stylistic changes; and generally relating to applications for alcoholic beverages licenses.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 10–103(b)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 474 – Senators Pinsky, Britt, Frosh, Gladden, and McFadden

AN ACT concerning

Maryland Universal Health Care Plan

FOR the purpose of establishing the Maryland Universal Health Care Plan; specifying the purposes of the Plan; establishing the State Board of Governors of the Maryland Universal Health Care Plan; specifying the membership of the Board of Governors and the terms, duties, and powers of the members of the Board of Governors; authorizing the Board of Governors to adopt certain regulations; requiring the Board of Governors to appoint an executive director; specifying eligibility requirements for membership in the Plan; requiring the Board of Governors to establish the comprehensive package of benefits to be provided under the Plan; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate benefits covered under the Plan; requiring the Plan to reimburse hospitals and certain health care providers in accordance with certain rates and fee schedules; prohibiting certain health care providers from charging a rate for a covered service that exceeds the rate established by the Board of Governors; providing that this Act does not affect existing or future obligations of employers to provide certain benefits to retirees who no longer reside in the State; establishing the Maryland Universal Health Care Trust Fund; specifying the purposes, contents, and uses of the Fund; defining certain terms; specifying the initial terms of the appointed members of the Board of Governors; requiring the Department of Health and Mental Hygiene to apply to

the Secretary of Health and Human Services for certain waivers from certain federal requirements on or before a certain date; requiring the Board of Governors to seek certain waivers and the extension of a certain waiver on or before a certain date; requiring the Board of Governors to submit a certain report to the Governor and the General Assembly on or before a certain date; providing that negotiated health insurance contributions made by employers on behalf of employees who are working in the State temporarily but who reside outside the State may not be abridged by this Act; providing for the effective dates of this Act; and generally relating to the Maryland Universal Health Care Plan.

BY adding to

Article – Health – General

Section 25–101 through 25–701 to be under the new title “Title 25. Maryland Universal Health Care Plan”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 475 – Senators Pinsky, Britt, Conway, Currie, DeGrange, Della, Dyson, Forehand, Garagiola, Gladden, Hogan, Jones, Kasemeyer, Kelley, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Raskin, and Robey

AN ACT concerning

Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation

FOR the purpose of establishing the Task Force on the Policy and Funding Implications of Requiring Passage of the High School Assessment for Graduation; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to certain reimbursement; authorizing the Task Force to invite certain experts and other witnesses to submit testimony, hold certain hearings, and in consultation with the Department of Budget and Management, contract with certain experts and consultants; requiring the Task Force to review and evaluate the use of the high school assessment as a Maryland diploma requirement, develop certain strategies and interventions, develop certain cost projections, and make certain findings and recommendations; requiring the Task Force to report certain findings and recommendations to the State Department of Education, the Governor, and the General Assembly on or before a certain date; requiring the Governor to ensure regional, ethnic, economic, and gender diversity in making certain appointments; providing for the termination of

this Act; and generally relating to the policy and funding implications of requiring passage of the high school assessment for graduation.

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

Senate Bill 476 – Senator Zirkin

AN ACT concerning

Juveniles – Group Home Education Program

FOR the purpose of requiring the Department of Juvenile Services, in cooperation with the State Department of Education, to establish a Group Home Education Program in certain group homes in the State on or before a certain date; providing for the purpose of the Program; making certain provisions relating to education applicable to the Program; authorizing the Program to be conducted at certain locations; requiring teachers in the Program to take certain actions; requiring the curriculum of the Program to be developed under the jurisdiction of the State Department of Education; providing for certain funding; authorizing the Department of Juvenile Services and the State Department of Education to adopt certain regulations; and generally relating to the Group Home Education Program.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 9–231

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B.6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Human Services

Section 9–231.1

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B.6) of the Acts of the General Assembly of 2007)

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

Senate Bill 477 – Senator Zirkin

AN ACT concerning

Juvenile Law – Purposes and Hearings

FOR the purpose of altering the express purposes of certain laws pertaining to children who commit delinquent acts and children in need of supervision; repealing certain provisions requiring the juvenile court to conduct certain proceedings in open court and announce certain adjudications and dispositions in open court except under certain circumstances; making certain stylistic changes; and generally relating to juvenile causes.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–02 and 3–8A–13(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 478 – Senator Zirkin

AN ACT concerning

Education – Reporting Requirement – Class Size

FOR the purpose of requiring the State Department of Education to develop a uniform data collection method to track a certain number of certain students in a certain teacher's class; requiring a certain data collection method to reflect a certain number of certain students in a certain class as of a certain date; requiring each county board of education to implement a certain data collection method and report the results of this data collection to the Department on or before a certain date; requiring the Department to report to the General Assembly regarding certain data on or before a certain date; defining a certain term; and generally relating to a uniform data collection method to determine the number of students who participate in a classroom teacher's class.

BY adding to
Article – Education
Section 7–116
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 479 – Senator Zirkin

AN ACT concerning

**Department of Human Resources – Commingling Children Committed to the
Department of Juvenile Services – Prohibition**

FOR the purpose of prohibiting the Department of Human Resources from placing a certain child in a group home or residential facility that also accepts children committed to the custody or guardianship of the Department of Juvenile Services after a certain date; and generally relating to the placement of children committed to the Department of Human Resources.

BY adding to

Article – Family Law

Section 5–505

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 480 – Senator Zirkin

AN ACT concerning

Group Homes – Juvenile Justice Monitoring Unit – Expansion of Jurisdiction

FOR the purpose of expanding the jurisdiction of the Juvenile Justice Monitoring Unit of the Office of the Attorney General to include the monitoring of any residential facility licensed by the Department of Juvenile Services and certain group homes licensed by the Department of Human Resources; making certain conforming changes; requiring the Unit to make certain reports to the Secretary of Human Resources; authorizing the Governor to transfer certain positions and funds in a certain manner; altering a certain definition; defining a certain term; making certain provisions of this Act subject to a certain contingency; and generally relating to the Juvenile Justice Monitoring Unit of the Office of the Attorney General.

BY repealing and reenacting, with amendments,

Article – State Government

Section 6–401, 6–402, 6–404, 6–405, and 6–406

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 481 – Senator Zirkin

AN ACT concerning

Office of Group Home Licensing and Monitoring – Group Home Standards Registry – Reporting Requirements

FOR the purpose of requiring the Office of Group Home Licensing and Monitoring in the Department of Human Resources to establish and maintain, by a certain date, a Group Home Standards Registry; requiring a certain group home that is licensed by or accepts a child from the Department of Juvenile Services to make a quarterly report to the Registry and the Department of Juvenile Services; specifying the information to be included in the report; requiring the Office to make the Registry available to the public, including publication on the Internet; requiring the Registry to provide contact information for the public; defining a certain term; and generally relating to group homes and reporting requirements.

BY repealing and reenacting, without amendments,
Article 83C – Juvenile Services
Section 1–101(a) and (b) and 2–120
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–101(a) and (e)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–526
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 482 – Senator Forehand

AN ACT concerning

Motor Vehicles – All-Terrain Vehicles – Protective Headgear

FOR the purpose of prohibiting an individual under a certain age from operating or riding

on an all-terrain vehicle unless the individual is wearing protective headgear that meets certain standards; defining a certain term; and generally relating to required equipment for individuals operating or riding on all-terrain vehicles.

BY adding to

Article – Transportation

Section 21–1207.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 483 – Senator Forehand

AN ACT concerning

Professional Corporations – Physical Therapists

FOR the purpose of including as a professional service that may be rendered through a professional corporation the services of a physical therapist; altering a certain definition; and generally relating to professional corporations.

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 5–101(a) and (f)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 5–101(g)

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 484 – Senator Forehand

AN ACT concerning

Creation of a State Debt – Montgomery County – Pedestrian Improvements

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Council of the City of

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

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

Senate Bill 485 – Senators Middleton and Hogan

AN ACT concerning

**Task Force on the Structural Under–Funding of Community Services for
Individuals with Developmental Disabilities**

FOR the purpose of establishing the Task Force on the Structural Under–Funding of Community Services for Individuals with Disabilities; providing for the membership of the Task Force; requiring the Task Force to elect a chair; requiring the Department of Health and Mental Hygiene to provide staff for the Task Force; providing for the duties of the Task Force; prohibiting members of the Task Force from receiving certain compensation; authorizing members of the Task Force to receive certain assistance upon approval of the Secretary of Health and Mental Hygiene; requiring the Task Force to report to the Governor, the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Health and Government Operations Committee, and the House Appropriations Committee; providing for the termination of this Act; and generally relating to the Task Force on the Structural Under–Funding of Community Services for Individuals with Disabilities.

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

Senate Bill 486 – Senator Hogan

AN ACT concerning

**Property Tax Credit – Replacement Home Purchased After Acquisition of Dwelling
for Public Use**

FOR the purpose of providing for a tax credit against the State, county, and municipal corporation property taxes for certain property purchased by certain owners of certain property that is acquired for public use; providing for the computation and duration of the credit; requiring the State Department of Assessments and Taxation to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for certain

property purchased by certain owners of certain property acquired for public use.

BY adding to

Article – Tax – Property

Section 9–110

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 487 – Senators Harris and Kittleman

CONSTITUTIONAL AMENDMENT

AN ACT concerning

The Initiative

FOR the purpose of amending the Maryland Constitution to provide for the Initiative; recognizing the power of the people to petition to a vote a proposal to add to, amend, and repeal the Public General Laws or Maryland Constitution under certain circumstances; prescribing requirements for the petition and for voting on the petitioned proposal; providing that initiated proposals which are adopted may not be amended or repealed for a certain number of years except under certain circumstances; generally relating to the Initiative process; providing that the Secretary of State shall have certain powers and duties; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

New Article XVI–A – The Initiative

Section 1 through 4

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

Senate Bill 488 – Senators Britt, Conway, Currie, Gladden, Kelley, Pugh, and Rosapepe

AN ACT concerning

Voter Registration Protection Act

FOR the purpose of altering certain qualifications for voter registration; providing that an individual is not qualified to register to vote if the individual has been convicted of

a felony and is actually serving a court-ordered sentence imposed for the conviction; repealing certain conditions relating to the eligibility of certain felons convicted of certain crimes to register to vote; modifying the criteria under which a certain criminal penalty may be imposed; and generally relating to voter registration eligibility requirements for individuals convicted of certain crimes.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–102 and 16–202

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 489 – Senators Britt, Lenett, Raskin, and Rosapepe

AN ACT concerning

**Health Insurance – Eligibility for the Maryland Health Insurance
Plan – Disabled Individuals**

FOR the purpose of requiring that certain disabled individuals who meet certain requirements be eligible for the Maryland Health Insurance Plan; requiring that certain disabled individuals eligible for the Plan be charged a certain monthly premium equal to or less than a certain amount; authorizing certain disabled individuals eligible for the Plan to be charged certain deductibles and coinsurance equal to or less than a certain amount; requiring that an individual enrolled in the Plan under certain eligibility guidelines be automatically disenrolled from the Plan under certain circumstances; requiring the Maryland Insurance Commissioner, in cooperation with the Board of Directors for the Plan, to adopt certain regulations; and generally relating to health insurance coverage for disabled individuals.

BY adding to

Article – Insurance

Section 14–509

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 490 – Senator Britt

AN ACT concerning

Direct Billing of Anatomic Pathology Services

FOR the purpose of requiring certain clinical laboratories, health care practitioners, and group practices that provide anatomic pathology services to certain patients to present or cause to be presented claims, bills, or demands for payment to certain individuals and entities; prohibiting certain health care practitioners from directly or indirectly charging, billing, or otherwise soliciting payment for certain anatomic pathology services unless the services are performed by or under the direct supervision of the health care provider and in accordance with certain provisions; prohibiting certain health care practitioners from directly receiving certain fees, profits, or revenue for certain anatomic pathology services under certain circumstances; providing that a certain subsection does not apply to certain group practices, referring laboratories, or multi-specialty groups; establishing that certain individuals and entities are not required to provide reimbursement under certain circumstances; establishing that a certain section does not prohibit a referring laboratory from billing for certain anatomic pathology services under certain circumstances; and generally relating to direct billing of anatomic pathology services.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1–301(a), (d), (f), (h), and (l)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations

Section 1–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1–306

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 491 – Senator Britt

EMERGENCY BILL

AN ACT concerning

**Public Utility Companies – Electricity Rates for Residential Tenants of
Nonresidential Customers**

FOR the purpose of requiring the Public Service Commission to initiate a certain proceeding to investigate options available to implement a rate mitigation plan or rate stabilization plan to phase in the costs of electricity rate increases for certain residential tenants of a nonresidential customer of an electric company in a certain service territory, where a certain percentage of the residential tenants are low- and moderate-income individuals; requiring the rate mitigation plan or rate stabilization plan to apply to increases in electricity rates that will take effect on or after a certain date; making this Act an emergency measure; defining a certain term; and generally relating to electricity rates for residential tenants of nonresidential customers.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7-501(n) through (q)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to
Article – Public Utility Companies
Section 7-501(n)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 492 – Senator Britt

AN ACT concerning

Commission on Civic Literacy

FOR the purpose of establishing a Commission on Civic Literacy; establishing the membership of the Commission; requiring the Commission to elect certain officers from among its members; requiring the State Department of Education to provide staff and certain other support to the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing a member of the Commission to receive certain reimbursements; requiring the Commission to

hold certain meetings; authorizing the Commission to hold additional meetings under certain circumstances; requiring certain officials to jointly call the first meeting of the Commission; requiring the Commission to develop, support, and coordinate certain programs; requiring the Commission to develop a clearinghouse on the Internet including certain information; requiring the Commission to submit a certain report to the Governor and General Assembly annually by a certain date; authorizing the Commission to seek and use certain funds and services from certain sources; providing for the termination of this Act; and generally relating to the Commission on Civic Literacy.

BY adding to

Article – Education
Section 24–601
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 493 – Senators Kasemeyer, DeGrange, Madaleno, and McFadden

AN ACT concerning

Correctional Officers’ Retirement System – Membership – Parole and Probation

FOR the purpose of providing certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services with membership in the Correctional Officers’ Retirement System; requiring the Board of Trustees of the State Retirement and Pension System to transfer certain contributions to certain funds of the Correctional Officers’ Retirement System; requiring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services to have a certain number of years of eligibility service to receive a normal service retirement allowance from the Correctional Officers’ Retirement System; providing that certain provisions of law do not apply to certain transfers between the employees’ systems and the Correctional Officers’ Retirement System; and generally relating to transferring certain individuals who are employed by the Division of Parole and Probation of the Department of Public Safety and Correctional Services into the Correctional Officers’ Retirement System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 25–201, 25–202, 25–401, and 37–201
Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 25–207

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 29–410

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 494 – Senator Stone

AN ACT concerning

Homeowner’s Insurance – Coverage Beyond Coastal Areas

FOR the purpose of requiring certain insurers to provide coverage beyond a coastal area; defining a certain term; providing for the application of this Act; and generally relating to homeowner’s insurance and coverage beyond a coastal area.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–201

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 19–208

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 495 – Senators Stone, Astle, Brochin, DeGrange, Della, Dyson, Forehand, Gladden, Haines, Harris, Hogan, Jacobs, Klausmeier, Madaleno, Middleton, Muse, Raskin, and Simonaire

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

FOR the purpose of expanding the disclosure requirement, under certain circumstances, of a police record and juvenile court record concerning a student to include the principal of a nonpublic school in which the student is enrolled, or the principal's designee and certain superintendents of schools; requiring the confidentiality of the records obtained by the nonpublic school principal; defining a certain term; making a certain stylistic change; and generally relating to police and juvenile court records of a nonpublic school student.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 496 – Senator Raskin

AN ACT concerning

Procurement – Public Schools and Facilities – Preference for Locally Grown Foods

FOR the purpose of providing a certain price preference for locally grown foods under certain circumstances; requiring each county board of education to adopt certain regulations concerning the establishment of a certain percentage price preference; requiring county boards to review certain procurement specifications and, to the extent practicable, require the use of a percentage price preference in their purchase of food; defining certain terms; and generally relating to a percentage price preference for the procurement of locally grown food for public schools and facilities.

BY adding to
Article – Education
Section 5–112.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 497 – Senators Haines, Brinkley, Hooper, Jacobs, and Mooney

AN ACT concerning

Public Safety – Disposal of Handguns Owned by a Law Enforcement Agency

FOR the purpose of authorizing a law enforcement agency to dispose of a handgun owned by the agency by selling, exchanging, or transferring the handgun to a manufacturer; defining a certain term; and generally relating to the disposal of handguns owned by a law enforcement agency.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–501
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 498 – Senator Brinkley

AN ACT concerning

Smart Growth – Priority Funding Areas – Rural Counties

FOR the purpose of authorizing the governing body of a rural county to designate certain areas within the county as priority funding areas if the areas meet certain criteria; defining a certain term; and generally relating to priority funding areas in rural counties.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 5–7B–01(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Finance and Procurement
Section 5–7B–01(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 5–7B–01(f) and (g) and 5–7B–03
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 499 – Senators Brinkley, Haines, and Munson

AN ACT concerning

Environment – Water Appropriation Permits – Groundwater Recharge Area

FOR the purpose of requiring the Department of the Environment to include certain lands, under certain circumstances, within the lands considered to be under the control of a municipal corporation for purposes of the calculation of a groundwater recharge area in an application for water appropriation permit submitted by the municipal corporation; providing for the application of this Act; and generally relating to water appropriation permits.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–502
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 5–502.1
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 500 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Bayhead Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of

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

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

Senate Bill 501 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hope House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of Addiction Recovery, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 502 – Senator Astle

AN ACT concerning

Commercial Law – Consumer Protection – Vehicle Protection Products Act

FOR the purpose of prohibiting a vehicle protection product from being sold or offered for sale in the State unless the seller and the warrantor of the vehicle protection product, and the warrantor's administrator, comply with the provisions of this Act; providing that a seller, warrantor, or administrator that complies with this Act is not required to comply with certain provisions of law; requiring a warrantor of a vehicle protection product that is sold or offered for sale in the State to register with the Division of Consumer Protection of the Office of the Attorney General; requiring a registration form to include certain information; requiring a warrantor that registers with the Division to pay a certain registration fee and renewal fee; providing that certain information shall be made available to the public under certain circumstances; requiring a certain warrantor to maintain certain accounts, books, and records for a certain period of time and to make the accounts, books, and records available for inspection by the Division; requiring a certain warrantor to be insured under a certain warranty reimbursement insurance policy or to

maintain a certain amount of net worth or stockholders' equity; requiring a warranty reimbursement insurance policy to contain certain provisions; specifying certain contents of a vehicle protection product warranty; authorizing a vehicle protection product warranty to provide for the reimbursement of certain incidental costs; requiring a seller or warrantor of a vehicle protection product to provide a written copy of a vehicle protection product warranty to a purchaser at a certain time; providing that a certain warrantor may negotiate the purchase price of a vehicle protection product warranty; prohibiting a vehicle protection product warrantor from using certain terms in its name, contracts, or literature; authorizing a vehicle protection product warrantor to use a certain term in its name; prohibiting a vehicle protection product seller or warrantor from requiring, as a condition of the sale or financing of a vehicle, that the purchaser of the vehicle buy a vehicle protection product; providing for the resolution of disputes between a vehicle protection product warrantor and a warranty holder; providing that a violation of this Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; establishing a certain short title; defining certain terms; providing for the application of this Act; prohibiting this Act from being interpreted in a certain manner; providing for a delayed effective date; and generally relating to the Vehicle Protection Products Act.

BY adding to

Article – Commercial Law

Section 14–4A–01 through 14–4A–14 to be under the new subtitle “Subtitle 4A.
Vehicle Protection Products Act”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 503 – Senators Forehand, Britt, Conway, Jones, and Stone

AN ACT concerning

Family Law – Child Support – Health Insurance

FOR the purpose of requiring that, in determining a child support obligation, any actual cost of providing health insurance coverage for a child for whom the parents are jointly and severally responsible be added to the basic child support obligation and divided by the parents in proportion to their adjusted actual incomes; adding health insurance expenses to the list of items that must be added together in determining each parent's child support obligation, under certain circumstances; making certain conforming changes; altering a certain definition; and generally relating to child support.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 12–201(a), (b), (d), (e), and (f) and 12–204(a) and (g)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 12–201(c) and 12–204(h), (l), and (m)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 504 – Senators Forehand, Pugh, and Raskin

AN ACT concerning

Food Service Facilities – Use of Artificial Trans Fat – Prohibition

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting a food service facility from using food containing artificial trans fat for certain purposes; providing for a certain exception to the use of trans fat in a food service facility; requiring a food service facility to maintain on-site the original label for certain food under certain circumstances; authorizing a food service facility to provide certain documentation indicating the contents of a food instead of providing the original label; requiring a food service facility to provide certain documentation under certain circumstances; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health of Mental Hygiene to maintain on the Department's website a list of certain food service facilities under certain circumstances; requiring the Department to consult with local health departments to provide an Internet link on the local health departments' websites to certain information; requiring the Department to coordinate with local health departments to provide education and outreach on trans fat for consumers; providing for the applicability of this Act to certain penalties; defining a certain term; providing for a delayed effective date; and generally relating to the prohibition of the use of artificial trans fat in a food service facility.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–301(e), (f), and (h) and 21–304(a)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 21–353 through 21–356 to be under the new part “Part VIII. Artificial
Trans Fat”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–1214

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 505 – Senators Forehand, Britt, Conway, Jones, and Pugh

AN ACT concerning

Family Law – Protective Orders – Burden of Persuasion

FOR the purpose of altering the standard of proof by which a judge in a protective order hearing must find that abuse has occurred before the judge may grant a final protective order; and generally relating to the standard of proof in a protective order hearing.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 4–506(c)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 506 – Senators Forehand, Frosh, Garagiola, Hogan, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Nonprofit Village Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the

proceeds to be used as a grant to the Board of Directors of the Nonprofit Village Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 507 – Senator Zirkin

AN ACT concerning

Baltimore County – Alcoholic Beverages – Wine Tasting

FOR the purpose of repealing in Baltimore County the maximum number of Class BWT beer and wine (on-premises) tasting licenses that are available each year to a holder of a Class A beer and light wine license or a Class A beer, wine and liquor license; and generally relating to alcoholic beverages licenses in Baltimore County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–404.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 508 – Senator Zirkin

AN ACT concerning

Circuit Courts – Medical Liability Division

FOR the purpose of stating the intent of the General Assembly that medical liability matters be treated in a certain manner in the judicial system, that a medical liability division be established in certain circuit courts, and that medical liability division judges have certain experience or training; authorizing the Chief Judge of the Court of Appeals to establish a medical liability division in certain circuit courts; requiring the Chief Judge to consult with the county administrative judge before establishing a medical liability division in a circuit court; requiring a medical liability division judge to devote full time and attention to certain matters;

requiring the Chief Judge or the Chief Judge's designee to assess the effectiveness of the divisions and report findings to the Governor and General Assembly; and generally relating to the establishment of medical liability divisions in the circuit courts.

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

Senate Bill 509 – Senator Della

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (55)
(2006 Edition)

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

Senate Bill 510 – Senators Frosh, Forehand, Garagiola, Hogan, Kramer, Lenett, Madaleno, and Raskin

AN ACT concerning

Creation of a State Debt – Montgomery County – Imagination Stage

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,250,000, the proceeds to be used as a grant to the Board of Trustees of Imagination Stage for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds

evidencing the loan.

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

Senate Bill 511 – Senator Dyson

AN ACT concerning

Real Property – Conservation Easements – Notification of Buyers

FOR the purpose of requiring a seller of real property to provide copies of any conservation easements encumbering the property to the buyer within a certain time; requiring a contract for the sale of real property encumbered by a conservation easement to contain a certain notice; requiring the buyer of certain real property to provide certain notice to the owner of a conservation easement; providing that the seller and buyer are entitled to rely on a conservation easement recorded in the land records in satisfying certain requirements; providing for certain exceptions; defining certain terms; and generally relating to the sale of real property encumbered by a conservation easement.

BY adding to

Article – Real Property

Section 10–705

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 512 – Senators Dyson, Madaleno, and Stoltzfus

AN ACT concerning

Maryland Estate Tax – Exclusion for Qualified Conservation Easements

FOR the purpose of altering for purposes of the Maryland estate tax the determination of the amount of a certain exclusion allowed under the federal estate tax for qualified conservation easements; providing for the application of this Act; and generally relating to the determination of the Maryland estate tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–309(b)(1) and (2)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 7–309(b)(8)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 513 – Senators Della, Frosh, Lenett, Pugh, and Raskin

AN ACT concerning

Maryland Tax Preparers Act

FOR the purpose of creating the State Board of Tax Preparers in the Department of Labor, Licensing, and Regulation; providing for the composition, appointment, terms, and expenses of the Board members; specifying the terms of the initial members of the Board; establishing certain powers and duties of the Board; requiring certain persons to be licensed by the Board as tax preparers before performing certain work; establishing certain education and experience requirements for tax preparers; establishing certain licensing and license renewal requirements for tax preparers; establishing certain examination requirements for tax preparers; authorizing the Board to deny a license to an applicant, refuse to renew a license, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; providing for certain criminal penalties; requiring certain fees and penalties collected by the Board to be paid into the General Fund of the State; requiring that an evaluation of the State Board of Tax Preparers and the statutes and regulations that relate to the State Board be performed on or before a certain date; defining certain terms; and generally relating to the State Board of Tax Preparers.

BY renumbering

Article – Business Regulation

Section 2–108(a)(23) through (33), respectively

to be Section 2–108(a)(24) through (34), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(66) through (69), respectively

to be Section 8–403(b)(67) through (70), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Occupations and Professions
Section 19.5–101 through 19.5–502 to be under the new title “Title 19.5. Tax
Preparers”
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation
Section 2–108(a)(23)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government
Section 8–403(b)(66)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 514 – Senator Forehand

AN ACT concerning

Consumer Protection – Protection of Personal Information from Security Breaches

FOR the purpose of requiring certain businesses and State entities that own, license, or maintain certain records that include certain personal information of an individual residing in the State to notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; requiring certain businesses and State entities to notify certain consumer reporting agencies of a breach of the security of a system under certain circumstances; requiring a certain notice to contain certain information; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain business or State entity from a duty to comply with certain other requirements of federal, State, or local law; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; establishing a private right of action for an individual affected by a violation of certain

provisions of this Act; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the protection of personal information included in records owned, licensed, or maintained by businesses and State entities.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3503 to be under the new subtitle “Subtitle 35.
Protection of Personal Information from Security Breaches”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 515 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Administration – Simplification

FOR the purpose of allowing certain members of the State Retirement and Pension System to purchase certain service credit within a certain period of time; eliminating pro-rated payments of certain optional retirement allowances to certain retirees; providing that certain appointed and elected officials are not required to join the Employees’ Pension System; clarifying that certain members of the Correctional Officers’ Retirement System are eligible to receive a normal service retirement allowance and a deferred vested retirement allowance; requiring certain participating governmental units to offset certain workers’ compensation benefits in a certain manner; repealing obsolete language regarding a local retirement plan in Dorchester County; requiring certain members of the Teachers’ Retirement System or the Teachers’ Pension System to elect membership in the Optional Retirement Program within a certain period of time; exempting from a certain offset of a retirement allowance certain members in the Judges’ Retirement System; making certain technical and conforming changes; and generally relating to simplifying the administration of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–307, 21–403(e) and (f), 22–303.1, 23–201, 23–206, 23–304.1, 23–306,
24–304.1, 25–304.1, 25–401, 26–306, 26–306.1, 27–406, 28–306,
28–306.1, 29–118(a), and 29–302(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Personnel and Pensions
Section 22–212.1 and 23–207
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 516 – Senators Gladden and Madaleno

AN ACT concerning

**Human Relations – Sexual Orientation and Gender Identity and Expression
– Antidiscrimination**

FOR the purpose of prohibiting discrimination based on gender identity and expression with regard to public accommodations, housing, and employment; prohibiting discrimination based on sexual orientation or gender identity and expression with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity and expression; requiring certain State personnel actions to be made without regard to gender identity and expression or sexual orientation; defining the term “gender identity and expression”; and generally relating to discrimination based on sexual orientation and gender identity and expression.

BY repealing and reenacting, with amendments,

Article 49B – Human Relations Commission
Section 5(a), (b), and (c), 8(a), 8A, 14, 16, 19(a), 20(t), 21(a), 22(a), 23, and 37(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article 49B – Human Relations Commission
Section 15(k) and 20(k–1)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 2–302
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 517 – Senators Jacobs, Haines, Hogan, Kittleman, and Stone

AN ACT concerning

Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act

FOR the purpose of requiring drivers approaching emergency or police vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency or police vehicle under certain circumstances; establishing a certain penalty for a violation of this Act; and generally relating to requiring drivers to take certain actions when approaching emergency or police vehicles on a highway.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–405

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 518 – Senators Jacobs, Colburn, DeGrange, Edwards, Greenip, Haines, Harris, Hooper, Kittleman, Mooney, Munson, Pipkin, Simonaire, and Stoltzfus

AN ACT concerning

Protection of Persons and Property – Immunity

FOR the purpose of providing that a person is justified in using force, except deadly force, against another under certain circumstances; providing that a person is justified in using deadly force under certain circumstances; providing that a certain person has no duty to retreat under certain circumstances; providing that a person is presumed to have reasonably believed that the use of deadly force was necessary under certain circumstances; providing that a certain person is presumed to be acting with a certain intent under certain circumstances; providing that a certain person is immune from criminal prosecution and civil action under certain circumstances; requiring the court to award certain fees, costs, compensation, and expenses to a certain person under certain circumstances; defining certain terms; creating certain exceptions; and generally relating to immunity for those who act

in protection of persons and property.

BY adding to

Article – Criminal Law

Section 2–210

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

Senate Bill 519 – Senators Peters, Brochin, Jacobs, McFadden, Muse, Pugh, Raskin, Robey, Simonaire, and Stone

AN ACT concerning

**Juveniles – School Attendance and Crimes Committed During School Hours –
Penalties and Issuance of a License to Drive**

FOR the purpose of requiring the circuit court sitting as a juvenile court, when making a certain disposition, to consider whether a certain offense committed by a child was committed during certain hours; providing that a person who is under a certain age and is convicted as an adult of a certain crime is subject to a certain increase in the person's term of imprisonment or fine if the trier of fact finds beyond a reasonable doubt that the person committed the crime during certain hours; requiring the principal or head teacher of a school to report to the county superintendent, the supervisor of pupil personnel, or another designated official each time a certain child has accumulated a certain number of unexcused absences from a school in which the child is enrolled; requiring a certain representative of the school system, on receiving a certain report, to notify the Motor Vehicle Administration to suspend a certain child's license to drive and to notify the child that the child's license to drive will be suspended; requiring a local law enforcement agency to notify the Motor Vehicle Administration to suspend a certain child's license to drive and to notify the child that the child's license to drive will be suspended if the child receives a certain number of local truancy violation notices; prohibiting the Motor Vehicle Administration from issuing a learner's permit to an applicant under a certain age unless the applicant presents certain information regarding school attendance; requiring the Motor Vehicle Administration to suspend the license to drive of a child, subject to certain hearing requirements, for a certain period of time or to delay the issuance of a license to a child for a certain period of time after receiving a certain notice; requiring the Motor Vehicle Administration to impose a certain fine on a certain child; defining certain terms; and generally relating to offenses committed by juveniles and absences from school.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–8A–19(c–1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Criminal Law
Section 14–104
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–301(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–302
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–128 and 12–203
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–105(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–206.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 520 – Senators Peters, Britt, Brochin, and Raskin

AN ACT concerning

Every Vote Counts Act

FOR the purpose of requiring the State Board of Elections to ensure that required training manuals and related materials are distributed to local boards of elections by a certain date prior to an election; requiring a local board to create an additional precinct with a separate polling place under certain circumstances; altering the period before an election when voter registration is closed; altering the deadline for the filing of a certificate of candidacy by a write-in candidate; requiring each local board to provide a certain number of voting units at each polling place for certain elections; requiring certain voting units to be accessible to individuals with disabilities; prohibiting the State Board from altering a voting system within a certain time period before an election, subject to conditions; requiring a local board to begin sending absentee ballots to qualified voters on a certain date before an election; requiring certain law enforcement officers to monitor and inspect activities, in accordance with certain regulations and guidelines, at certain polling places on election day; making the provisions of this Act severable; and generally relating to election administration in Maryland.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–102, 2–303, 3–302, 5–303, 9–101, 9–306, and 16–903

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 521 – Senator Rosapepe

AN ACT concerning

Admissions and Amusement Tax – Food and Beverages

FOR the purpose of authorizing a municipal corporation to impose an admissions and amusement tax on the gross receipts derived from the sale of certain food and beverages; altering certain limits and providing certain limits on a county's or municipal corporation's authority to impose an admissions and amusement tax; establishing a maximum tax rate on certain gross receipts that are subject to the admissions and amusement tax; excluding that tax rate from calculation of the maximum total tax rate for gross receipts that are subject to the admissions and amusement tax and the sales and use tax; and generally relating to authorizing a

municipal corporation to impose an admissions and amusement tax on the sale of certain food and beverages.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 4–101(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 4–102(b), 4–103(b), and 4–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 522 – Senator Rosapepe

AN ACT concerning

Homestead Tax Credit – Eligibility Verification – Application

FOR the purpose of requiring homeowners to file certain applications to the State Department of Assessments and Taxation to qualify for the homestead property tax credit; providing that the homestead property tax credit may not be granted unless an application is filed as required within certain time periods under certain circumstances; requiring the Comptroller to cooperate with the Department in adopting a certain procedure, provide certain information to the Department, and assist the Department in a postaudit of each application; and generally relating to the homestead property tax credit.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(d)(1)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(d)(6) and (l)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 523 – Senator Brochin

AN ACT concerning

Telephone Solicitation – Prohibitions on Automated Calls

FOR the purpose of prohibiting a person from using an automated dialing system with a prerecorded message to call a residential telephone number in the State under certain circumstances; prohibiting a person from using an automated dialing system with a prerecorded message for political campaigns or political messages; and generally relating to prohibitions on automated telephone calls.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–3201
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 8–204
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 524 – Senator Brochin

AN ACT concerning

**Motor Vehicle Administration – Driver Improvement Program/Point System
Conferences (DIP/PSC) Pilot Program or Program**

FOR the purpose of prohibiting the Motor Vehicle Administration, unless specifically authorized by law, from offering or authorizing the Driver Improvement Program/Point System Conferences (DIP/PSC) Pilot Program or Program provided over the Internet; and providing for the termination of this Act.

BY adding to
Article – Transportation
Section 12–121
Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 525 – Senators Madaleno, Lenett, and Raskin

AN ACT concerning

Higher Education – Dual Enrollment Grant Program

FOR the purpose of repealing certain provisions of law relating to the inclusion of dually enrolled students in a certain part-time grant program; requiring the Maryland Higher Education Commission to establish and administer a grant program for dually enrolled students; requiring a recipient of a dual enrollment grant to be a resident of the State and a dually enrolled student; requiring the Commission to administer funds for the Dual Enrollment Grant Program and to distribute funds to an institution of higher education on behalf of a dual enrollment grant recipient; requiring funds for the Dual Enrollment Grant Program to be as provided in the annual budget of the Commission by the Governor; requiring the Commission to establish guidelines for the awarding of dual enrollment grants to dually enrolled students; requiring the Commission to adopt certain regulations; requiring the Governor to include certain funds in the State budget for certain fiscal years for the Dual Enrollment Grant Program; defining a certain term; and generally relating to the Dual Enrollment Grant Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–1401

Annotated Code of Maryland

(2006 Replacement Volume)

BY adding to

Article – Education

Section 18–14A–01 through 18–14A–03 to be under the new subtitle “Subtitle 14A. Dual Enrollment Grant Program”

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 526 – Senators Madaleno, Britt, Colburn, Exum, Frosh, Garagiola, Lenett, McFadden, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Stone

AN ACT concerning

Income Tax – Earned Income Credit – Refundable Amount

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that certain individuals may claim as a refundable credit under the Maryland earned income credit under certain circumstances; altering the calculation of a refundable county earned income credit if a county provides a refundable county earned income credit; repealing certain obsolete provisions of law; providing for the application of this Act; and generally relating to the earned income credit allowed under the State income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 527 – Senators Madaleno, Frosh, Hogan, Kramer, Lenett, and Raskin

AN ACT concerning

Creation of State Debt – Montgomery County – MacDonald Knolls Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Directors of CHI Centers, Inc., for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 528 – Senator Madaleno

AN ACT concerning

Marriage License Applications – Disclosure of a Social Security Number

FOR the purpose of establishing a certain criminal penalty for an intentional disclosure of a Social Security number as part of the records of a marriage license application;

and generally relating to the disclosure of Social Security numbers.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–402
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 529 – Senators Madaleno and Kramer

AN ACT concerning

Income Tax – Subtraction Modification for Health Insurance and Medical Expenses

FOR the purpose of providing a subtraction modification under the Maryland income tax for the costs of health insurance and other medical expenses incurred by an individual on behalf of another adult individual under certain circumstances; providing that the subtraction may not exceed a certain amount; providing for the application of this Act; and generally relating to an income tax subtraction modification for the costs of health insurance and other medical expenses incurred on behalf of another adult individual.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 10–208(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 530 – Senator Middleton

AN ACT concerning

Motor Vehicle Insurance – Accident Prevention Courses – Discount for Seniors

FOR the purpose of requiring an insurer to provide a reduction in rates for motor vehicle personal injury and property damage coverage to an insured who is at least 55 years old and who, within a certain period of time, has completed a certain course in accident prevention; providing that this Act does not apply to an insured who attends a course in accident prevention under a court order or as required by the Motor Vehicle Administration for a certain violation; authorizing a certain part of the required course in accident prevention to be an on-line course; requiring the Maryland Insurance Commissioner to adopt certain regulations; and generally relating to reductions in motor vehicle insurance rates.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–215(g) and 11–318(g)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 531 – Senator Dyson

AN ACT concerning

Dental Hygiene – Administration of Local Anesthesia

FOR the purpose of altering the definition of dental hygiene to include the administration of certain anesthesia under certain circumstances; authorizing the State Board of Dental Examiners to adopt certain regulations; altering the authority of the Board to adopt certain rules and regulations concerning the administration of certain anesthesia by certain dental hygienists; authorizing certain dental hygienists to administer certain anesthesia under certain circumstances; requiring certain dental hygienists to meet certain educational and examination requirements prior to administering certain anesthesia; authorizing a dentist to condition employment of a certain dental hygienist on the administration of a certain anesthesia without facing certain grounds for discipline; providing certain grounds for the discipline of certain dentists and certain dental hygienists; and generally relating to dental hygiene and the administration of local anesthesia.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–101(k), 4–205(a)(1), 4–206, and 4–315(a)(30) and (31) and (b)(16) and (17)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health Occupations
Section 4–206.1 and 4–315(a)(32) and (b)(18)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 532 – Senator Dyson

AN ACT concerning

Natural Resources – Diamondback Terrapin – Take and Possession

FOR the purpose of repealing the requirement that the Department of Natural Resources prepare a fishery management plan for the diamondback terrapin; prohibiting the take or possession of diamondback terrapin for commercial purposes; prohibiting the possession of a certain number of diamondback terrapin for noncommercial purposes; repealing the requirement that the Department adopt certain regulations for the catching of terrapin; requiring the Department to adopt certain regulations for the conservation of diamondback terrapin; repealing certain exemptions from certain excise and use taxes relating to the catching of terrapin for commercial purposes; and generally relating to the catch, take, or possession of diamondback terrapin.

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 4–215(b), 4–902, and 4–903
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources
Section 8–716(c)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources
Section 8–716(e) and (g) and 8–716.1(k)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

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

Senate Bill 533 – Senators Gladden, Britt, Brochin, Frosh, Garagiola, and Jacobs

AN ACT concerning

Divorce and Annulment – Removal of Religious Barriers to Remarriage

FOR the purpose of requiring a party who files a complaint or countercomplaint for an absolute divorce or annulment to file, under certain circumstances, an affidavit stating that the affiant has taken all steps solely within the affiant’s control to remove all religious barriers to remarriage by the other party to the marriage; prohibiting a court, under certain circumstances, from entering a decree for an absolute divorce or annulment until a certain affidavit is filed; providing for the construction and application of this Act; and generally relating to absolute divorce and annulment and the removal of religious barriers to remarriage.

BY adding to

Article – Family Law
Section 7–104.1
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 534 – Senators Klausmeier, Colburn, Jacobs, Munson, and Stone

AN ACT concerning

**Senior Citizen Activities Centers – Capital Improvement Grants Program
– Maximum Grant Amount**

FOR the purpose of increasing the maximum amount the State may grant for a capital improvement project through the Senior Citizen Activities Centers’ Capital Improvement Grants Program; and generally relating to the Senior Citizen Activities Centers’ Capital Improvement Grants Program.

BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–504
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 535 – Senators Klausmeier and Exum

AN ACT concerning

Public Safety – Carbon Monoxide Alarms

FOR the purpose of requiring the installation of certain carbon monoxide alarms within a certain distance from each sleeping area within certain dwellings or, under certain circumstances, within a certain distance from carbon monoxide-producing fixtures and equipment within certain dwellings; establishing certain standards for the required carbon monoxide alarm; establishing certain duties related to the replacement, repair, and maintenance of carbon monoxide alarms; prohibiting a person from rendering a carbon monoxide alarm inoperable with a certain exception; clarifying that this Act does not prevent a county or municipal corporation from enacting more stringent requirements relating to carbon monoxide alarms; defining certain terms; and generally relating to carbon monoxide alarms.

BY adding to

Article – Public Safety

Section 12-1101 through 12-1106 to be under the new subtitle “Subtitle 11.
Carbon Monoxide Alarms”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 536 – Senators Klausmeier, Colburn, Hooper, Kelley, and Stone

AN ACT concerning

State Lottery – Compulsive Gambling Grants

FOR the purpose of establishing a special fund to provide grants to address the problem of compulsive gambling in the State; requiring that the Secretary of Health and Mental Hygiene issue certain grants to address the problem of compulsive gambling in the State; establishing the purpose of a certain pilot project; specifying the use of certain funds for certain services; providing for the termination of this Act; and generally relating to the State lottery and compulsive gambling in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–120
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–803 and 19–804
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 537 – Senators Klausmeier, Colburn, Hooper, and Stone

AN ACT concerning

Commission on Gambling Addiction

FOR the purpose of establishing a Commission on Gambling Addiction in the Department of Health and Mental Hygiene; providing for the membership, terms, quorum, and meetings of the Commission; providing Commission members with reimbursement for expenses under certain circumstances; specifying that the purpose of the Commission is to study the effects of individuals who are addicted to gambling, to measure the cost of gambling addiction, and to propose certain solutions; authorizing the Commission to consult with certain units of State government and establish certain committees or task forces; requiring the Commission to develop certain plans and studies, promote collaboration and coordination with certain programs, and perform certain other tasks; requiring the Commission to submit a certain report to the Governor and the General Assembly by a certain date; providing for the staggering of the terms of certain members of the Commission; defining a certain term; and generally relating to the Commission on Gambling Addiction.

BY adding to
Article – Health – General
Section 19–805
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 538 – Senator Klausmeier

AN ACT concerning

Health Insurance – Clean Claims

FOR the purpose of requiring insurers, nonprofit health service plans, and health maintenance organizations to mail or transmit in a certain manner payment for certain claims for reimbursement, or to send certain notice of receipt and status of the claim, to the person that filed the claim; and generally relating to clean claims for reimbursement under health insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1005
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 539 – Senators Klausmeier, Astle, Britt, Dyson, and Exum

AN ACT concerning

Public Service Commission – Office of Retail Market Development

FOR the purpose of establishing an Office of Retail Market Development in the Public Service Commission; providing for the appointment and term of the Director of the Office; providing for the duties of the Office; requiring the Office to submit a certain report to certain persons annually; providing for the contents of a certain report; requiring the Office to submit a certain plan to certain persons by a certain date; requiring the Office to give certain interested parties the opportunity to review a certain plan and to provide written comments regarding the plan; requiring that certain written comments be posted on the Commission's website; providing that the plan contain certain summarized comments and be posted on the Commission's website; requiring the Commission to initiate certain actions called for in a certain plan on or before a certain time; requiring the Commission to complete certain actions on or before a certain time; authorizing the Commission to take certain actions before a certain plan is submitted; declaring the intent of the General Assembly; defining certain terms; and generally relating to the Office of Retail Market Development in the Public Service Commission.

BY adding to

Article – Public Utility Companies
Section 7–801 through 7–803 to be under the new subtitle “Subtitle 8. Office of
Retail Market Development”
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 540 – Senators Klausmeier and Middleton

AN ACT concerning

Electricity Suppliers – Customer Information

FOR the purpose of requiring an electric company, on written request of a certain electricity supplier, to give to the requesting electricity supplier certain information regarding certain customers; requiring a certain list to contain certain information; requiring a certain list to be provided in electronic form and to be updated quarterly; authorizing a certain electric company to request that the Public Service Commission set a certain fee; requiring a certain electric company to provide certain notice to certain customers at certain times; providing for the contents of a certain notice; providing that a certain customer may withhold or withdraw permission for certain information to be released to certain persons under certain circumstances; providing that a certain customer is deemed to have given a certain electric company permission to release certain information to certain persons under certain circumstances; providing that a certain electricity supplier may only use certain information for certain purposes; prohibiting a certain electricity supplier from selling or transferring certain information to any other person under certain circumstances; authorizing a certain electricity supplier to provide certain information to a certain authorized agent for certain circumstances; and generally relating to the release of customer information from an electric company to an electricity supplier.

BY adding to

Article – Public Utility Companies
Section 7–506.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 541 – Senators Klausmeier and Stone

AN ACT concerning

Maryland Vessel Gaming Act

FOR the purpose of authorizing video lottery gaming on certain vessels at dock or underway in State waterways under certain conditions; establishing a State Commission on Vessel Gaming; providing for the membership and chair of the Commission; specifying the terms of the initial members of the Commission; providing for appointment, compensation, powers, and duties of an Executive Director for the Commission; providing for the staff of the Commission; providing for the powers and duties of the Commission; providing for the licensing of gaming vessel operators, gaming vessel suppliers, and video terminal operators; authorizing the Commission to issue a certain number of certain licenses; authorizing the Commission to award a maximum number of video lottery terminals to licensed gaming vessel operators; imposing a certain tax on vessel gaming receipts; requiring the Commission to distribute certain revenues in a certain way; requiring that certain revenues be used for certain purposes; prohibiting certain acts in connection with vessel gaming; providing for certain civil and criminal penalties; requiring the Commission to conduct a certain study and make certain recommendations in connection with vessel gaming; defining certain terms; making certain conforming changes; declaring the intent of this Act; and generally relating to vessel gaming in the State.

BY adding to

Article – Business Regulation

Section 20–101 through 20–701 to be under the new title “Title 20. Maryland Vessel Gaming Act”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–102(a), 12–104(a), and 12–105(b) and (c)

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(g)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 542 – Senators Jones, Britt, Conway, Currie, Della, Forehand, Madaleno, Pugh, and Robey

AN ACT concerning

Health Insurance – Visits After Diagnostic or Surgical Procedure Using Anesthesia – Coverage

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for at least one follow-up visit, and any additional follow-up visits that are medically necessary, to certain health care providers after certain diagnostic or surgical procedures; defining a certain term; and generally relating to requiring health insurance coverage for follow-up visits after diagnostic or surgical procedures.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance
Section 15–842
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 543 – Senators Jones, Britt, Conway, Currie, Exum, Gladden, McFadden, Muse, Pugh, and Rosapepe

AN ACT concerning

2007 Darfur Protection Act – Divestiture from the Republic of Sudan

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to identify and create a list of certain companies within a certain period of time who meet certain criteria; requiring the Board of Trustees to use certain resources to identify certain companies; requiring the Board of Trustees to provide written notice to certain companies; requiring the Board of Trustees to notify certain companies that they may be subject to divestment under certain circumstances; requiring the Board of Trustees to divest under certain circumstances from certain companies following a certain schedule; prohibiting

the Board of Trustees from acquiring certain securities; exempting certain companies from the provisions of this Act; requiring the Board of Trustees to submit certain reports containing certain information to the Chairman of the Joint Committee on Pensions and the United States Presidential Special Envoy to Sudan, by a certain date; providing for the expiration of this Act under certain circumstances; defining certain terms; and generally relating to sanctions against the Republic of Sudan.

BY adding to

Article – State Personnel and Pensions

Section 21–1A–01 through 21–1A–08 to be under the new subtitle “Subtitle 1A.
Divestment from the Republic of Sudan”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 544 – Senator Pinsky

AN ACT concerning

Vehicle Laws – Railroad Crossings Cameras

FOR the purpose of providing for the use of automated railroad grade crossing enforcement systems at railroad grade crossings to determine compliance with certain vehicle laws; requiring a certain recording of a violation of certain laws regarding railroad crossings to contain certain information; authorizing certain law enforcement agencies to mail a citation within a certain period of time to the owner of a motor vehicle that is recorded by an automated railroad grade crossing enforcement system to be in violation of certain laws regarding railroad grade crossings; establishing the content of a citation; authorizing the sending of a warning in lieu of a citation; authorizing the establishment and imposition of civil penalties; requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation for certain purposes; requiring the Chief Judge of the District Court to adopt certain procedures; limiting the amount of the civil penalties; providing that the owner of the vehicle is responsible for paying the civil penalty under certain circumstances; providing that persons receiving citations may elect to stand trial in the District Court; establishing defenses that may be considered; imposing certain additional penalties and authorizing certain other actions when an owner fails to pay the civil penalty, contest liability, or appear for trial; prohibiting imposition of liability under this Act from being considered a moving violation for certain purposes, being recorded on the driving record of the owner, or being considered by an insurer for certain purposes; providing for the admissibility and use of certain evidence; expanding

the jurisdiction of the District Court; defining certain terms; and generally relating to imposition of liability on the owner of a motor vehicle recorded by an automated railroad grade crossing enforcement system violating certain laws regarding railroad grade crossings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(13)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167 and 11–168
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–704.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 545 – Senators Pinsky and Harris

AN ACT concerning

Election Law – Open Ballot Voting – Nomination by Multiple Political Parties

FOR the purpose of providing that an individual who is not a registered voter of a political party may hold office of that political party or be a nominee of that political party if the constitution and bylaws of that political party expressly so authorize; requiring that a candidate nominated by multiple political parties be listed on the ballot as a nominee of each of the political parties, subject to a certain condition; requiring that the votes received by a candidate who is the nominee of multiple political parties for election to an office be aggregated; and generally relating to open ballot voting and the nomination of a candidate by multiple political parties.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 4–102(f), 4–103, 5–701, 5–702, 5–703(a) and (b), 9–206, and 9–210(j)

Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–203, 9–205, 9–210(g), and 11–308
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 546 – Senators Pinsky, Britt, Conway, Currie, Frosh, Gladden, Jones, Klausmeier, Madaleno, Peters, Raskin, Robey, and Rosapepe

AN ACT concerning

Election Law – Public Campaign Financing Act for Candidates for the General Assembly

FOR the purpose of establishing a system of public financing of campaigns for certain candidates for the General Assembly; establishing an Election Financing Commission to administer the system of public financing of campaigns; providing for the membership of the Commission and specifying its powers and duties; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; defining certain terms; requiring the Comptroller to distribute certain proceeds from the sale of abandoned property to the Public Election Fund for certain purposes; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Fund; requiring that participating candidates adhere to certain campaign expenditure limits, subject to certain exceptions; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Fund; regulating contributions and expenditures made by political parties on behalf of participating candidates; regulating coordinated expenditures made by or on behalf of participating candidates; specifying certain additional campaign finance reporting requirements for certain candidates and political organizations; authorizing a citizen to bring civil action in court against certain candidates under certain circumstances; providing for judicial review of certain actions by the Commission; providing for certain penalties; specifying the terms of the initial members of the Commission; providing that certain catchlines are not law and may not be considered to have been enacted as part of this Act; making provisions of this Act severable; requiring the Election Financing Commission to report to the General Assembly on or before a certain date; and generally relating to the Public Campaign Financing Act for Candidates for the General Assembly.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 17–317
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–235(d)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 15.5–101 through 15.5–121 to be under the new title “Title 15.5. Public
Campaign Financing Act for Candidates for the General Assembly”
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 547 – Senators McFadden, Britt, Conway, Dyson, Forehand, Jones, Lenett,
Madaleno, Pinsky, Raskin, Robey, and Zirkin

AN ACT concerning

**Maryland Medical Assistance Program and Maryland Children’s Health Program –
Eligibility**

FOR the purpose of expanding eligibility under the Maryland Medical Assistance Program to certain parents having incomes at or below certain levels, subject to certain limitations; requiring the Department of Health and Mental Hygiene to provide guaranteed eligibility to certain enrollees in managed care organizations in the Maryland Children’s Health Program for a certain time period under certain circumstances; altering the time period in which the Department is authorized to provide guaranteed eligibility to certain enrollees in managed care organizations in the Maryland Medical Assistance Program and the Maryland Children’s Health Program under certain circumstances; and generally relating to eligibility in the Maryland Medical Assistance Program and the Maryland Children’s Health Program.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–101(h) and 15–103(b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–103(a) and (b)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 548 – Senators Raskin, Britt, Dyson, Lenett, Madaleno, McFadden, Peters, Pugh, Robey, and Stone

AN ACT concerning

Commercial Law – Consumer Protection – Restricted Mailing Registry

FOR the purpose of requiring the Division of Consumer Protection of the Office of the Attorney General to establish and provide for the operation of a restricted mailing registry; requiring a person that sends certain solicitations to certain consumers to purchase the registry and updates to the registry from the Division; prohibiting a person from sending certain solicitations to certain consumers after a certain period of time; providing certain remedies and penalties for a violation of this Act, including a private right of action; defining certain terms; requiring the Division to take certain actions to ensure that the restricted mailing registry is available on or before a certain date; requiring the Division to adopt certain regulations on or before a certain date; and generally relating to the establishment of a restricted mailing registry.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 549 – Senator Garagiola

AN ACT concerning

**Workers' Compensation – Jurisdiction of Commission Pending Appeal –
Temporary Total Disability**

FOR the purpose of altering the circumstances under which the Workers' Compensation Commission retains jurisdiction of requests for temporary total disability benefits pending an appeal; altering the circumstances under which the Commission is authorized to pass a supplemental order requiring an employer to provide temporary total disability benefits; and generally relating to jurisdiction of the Commission pending appeals.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–742
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 550 – Senator Garagiola

AN ACT concerning

Workers' Compensation – Appeals – Evidence

FOR the purpose of authorizing the introduction of certain health care records as evidence in an appeal from a decision of the Workers' Compensation Commission under certain circumstances; requiring a certain notice to be served to all parties within a certain time period; providing for the right to object for good cause under certain conditions and within a certain time period; providing for the content of an objection; providing for a response to an objection; clarifying that this Act does not otherwise limit the right to introduce new evidence; defining a certain term; providing for the application of this Act; and generally relating to evidence introduced in appeals from Workers' Compensation Commission decisions.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–104(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–745
Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 9–745.1

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 551 – Senator Garagiola

AN ACT concerning

Public Service Commission – For–Hire Driver’s License – Review of Driving Record of Applicant

FOR the purpose of requiring that the Public Service Commission require a review of the complete Maryland driving record of an applicant for a for–hire driver’s license and require a review of certain portions of the driving record of an applicant from each state in which the applicant held a driver’s license during a certain time period under certain circumstances; and generally relating to for–hire driver’s licenses.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 10–104(a)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

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

Senate Bill 552 – Senators Garagiola, Forehand, Hogan, Lenett, McFadden, Raskin, Rosapepe, and Simonaire

AN ACT concerning

Education – Relocatable Classrooms – Indoor Air Quality Standards

FOR the purpose of requiring the Board of Public Works, in consultation with the Department of General Services, to adopt regulations to establish certain standards and specifications to enhance the indoor air quality of relocatable classrooms; and generally relating to regulations governing the indoor air quality of relocatable classrooms.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–301(b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 553 – Senators Pipkin, Miller, Britt, and Brochin

AN ACT concerning

Environment – Landfills – Termination Date

FOR the purpose of expanding a certain prohibition against issuing a certain permit to construct or operate a landfill within a certain distance of certain areas; repealing the termination date of certain provisions of law relating to landfills in the State; and generally relating to landfills.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–204(m)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 228 of the Acts of the General Assembly of 2006
Section 2

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

Senate Bill 554 – Senators Pipkin and Stoltzfus

AN ACT concerning

Somerset and Queen Anne's Counties – Authorization to Harvest Seafood and Engage in the Seafood Industry

FOR the purpose of authorizing the governing bodies of Somerset County and Queen Anne's County to adopt an ordinance, resolution, or regulation or take other action to authorize a person to engage in certain activities related to the seafood industry and to harvest seafood; clarifying that the governing body of the county in which the ordinance, resolution, or regulation will apply is required to hold a public hearing and obtain the written consent of the Secretary of Natural Resources before adopting a certain ordinance, resolution, or regulation; providing that an ordinance, resolution, or regulation, adopted by a governing body under this Act without written consent of the Secretary, is void; providing that in the event of a certain conflict, federal law, State law, or a certain written program guidance preempts a certain ordinance, resolution, or regulation adopted by a governing body under this Act; making conforming changes; and generally relating to the authority of the governing bodies of certain counties to authorize a person to engage in certain activities related to the seafood industry and to harvest seafood.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 232
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 555 – Senators Pipkin, Britt, Hooper, and Miller

AN ACT concerning

Environment – Bonding Requirement – Local Authority

FOR the purpose of authorizing a county or municipal corporation to require an applicant for a permit to build a rubble landfill facility to file a surety bond, with certain requirements, with the local governing body in addition to any State bonding requirements; and generally relating to bond requirements for rubble landfill facilities.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–210(a)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to

Article – Environment

Section 9–211.2

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 556 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Providence Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Providence Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 557 – Senator Garagiola

AN ACT concerning

Health Insurance – Credentialing Intermediaries – Exemptions

FOR the purpose of providing that certain carriers are exempt from providing certain information within a certain time frame to a provider under certain circumstances; exempting certain credentialing intermediaries from certain requirements regarding the uniform credentialing form; defining a certain term; and generally relating to credentialing intermediaries for health insurance carriers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–112(a) and (d) and 15–112.1

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–112(o)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 558 – Senator Garagiola

AN ACT concerning

Local Governments – Impact Fees and Building Excise Taxes – Workforce Housing Exemption

FOR the purpose of authorizing a county that imposes a development impact fee or building excise tax to grant exemptions from or credits against the development impact fee or building excise tax for developments that include workforce housing, as defined by the governing body of the county; and generally relating to local government development impact fees and building excise taxes.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1501 to be under the new subtitle “Subtitle 15. Miscellaneous Provisions”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 559 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Poplar Hill on His Lordship’s Kindness

FOR the purpose of authorizing the creation of a State Debt not to exceed \$275,000, the proceeds to be used as a grant to the Board of Directors of the John M. and Sara R. Walton Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a

deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 560 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Henson Valley Montessori School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the Henson Valley Montessori School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 561 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Hard Bargain Farm Environmental Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Alice Ferguson Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 562 – Senator Frosh

AN ACT concerning

Electric Companies – Energy Efficiency and Conservation Measures and Services

FOR the purpose of requiring each electric company to develop and implement certain programs and services to encourage and promote the efficient use and conservation of energy by certain persons as part of a certain procurement process; requiring that, by a certain date and after a certain evidentiary hearing, the Public Service Commission shall adopt regulations or issue orders requiring each electric company to procure or provide to certain customers certain energy efficiency and conservation measures and services that are designed to achieve certain savings by a certain year; requiring the Commission, by regulation or order, to adopt certain standards, remove certain disincentives for an electric company to invest in certain measures, and create certain shareholder incentives; and generally relating to energy conservation efficiency measures and services.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–211 and 7–510(c)(4)(ii)2.C.
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 563 – Senators Haines, Brochin, Harris, Hooper, and Stone

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–204
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 564 – Senators Haines, Brinkley, Colburn, DeGrange, Dyson, Edwards, Greenip, Hooper, Jacobs, Mooney, Simonaire, Stoltzfus, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Valid Marriages

FOR the purpose of adding a new section to the Maryland Constitution to establish that only a marriage between a man and a woman is a valid marriage in this State; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article XV – Miscellaneous
Section 8

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

Senate Bill 565 – Senator Brinkley

AN ACT concerning

Frederick County – Collective Bargaining – Representatives for Correctional Officers

FOR the purpose of authorizing the representatives of certain full-time correctional officers in the Frederick County Sheriff's Office to collectively bargain with the Sheriff of Frederick County concerning wages and benefits; authorizing certain correctional officers to take certain actions or refrain from taking certain actions in connection with certain labor organizations and collective bargaining activities; requiring that any additional funding required as a result of a negotiated agreement be subject to the approval of the County Commissioners of Frederick County; providing for the procedures for certifying a labor organization as an exclusive representative and for collective bargaining negotiations; requiring a collective bargaining agreement to contain certain matters; and generally relating to collective bargaining with the Sheriff of Frederick County.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(1)(6)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 566 – Senators Miller, Astle, Garagiola, Kelley, Klausmeier, Middleton, and Pugh

AN ACT concerning

Public Utility Companies – Generating Stations – Wind

FOR the purpose of exempting a certain person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under certain circumstances; requiring a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under certain circumstances; and generally relating to electricity from wind and generating stations.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–207(b)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 567 – Senator Miller

AN ACT concerning

Creation of a State Debt – Calvert County – Project ECHO Homeless Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Commissioners of the Housing Authority of Calvert County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds and matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 568 – Senator Stoltzfus

AN ACT concerning

Health Occupations – Supervised Practice – Dental Hygienist

FOR the purpose of altering the requirements for certain dental facilities that employ certain dental hygienists who are authorized to practice dental hygiene under certain supervision; and generally relating to dental hygienists and general supervision practice requirements.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–308(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 569 – Senator Stoltzfus

AN ACT concerning

Creation of a State Debt – Worcester County – Delmarva Discovery Center on the Pocomoke River

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Pocomoke Marketing Partnership, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 570 – Senator Stoltzfus

AN ACT concerning

Lodging Establishments – Individuals with Disabilities – Reservation of Rooms to Facilitate Emergency Rescue

FOR the purpose of requiring lodging establishments with a certain number of rooms for guests to reserve a certain number of accessible rooms for individuals with disabilities until a certain time and on a certain floor of the lodging establishment in order to facilitate emergency rescue of individuals with disabilities; requiring certain staff of the lodging establishment to offer certain rooms to individuals with disabilities; requiring lodging establishments to establish a certain emergency rescue procedure and to provide certain training to personnel; defining certain terms; and generally relating to the accommodation of individuals with disabilities in lodging establishments.

BY adding to

Article – Business Regulation

Section 15–207

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 571 – Senator Della

AN ACT concerning

Baltimore City – 46th Alcoholic Beverages District – Licenses

FOR the purpose of altering certain district designations to reflect that a Class B beer, wine and liquor license may be issued for a restaurant in a certain alcoholic beverages district in Baltimore City; authorizing the issuance of a certain license for use by a restaurant in a certain location; altering the minimum amount of capital investment for restaurant facilities required for the issuance of a certain license for use by a restaurant; authorizing the Baltimore City Board of Liquor License Commissioners to issue a Class C beer, wine and liquor license for use on the premises of a nonprofit organization in a certain location in Baltimore City; clarifying the description of an area in which a certain restaurant license may be issued only under certain circumstances; altering a certain definition; providing for the termination of a certain provision of this Act; and generally relating to the issuance of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(d)(1)(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(d)(1)(iii),(iv),(v), (vii),(viii)1., and (ix) and 9–102(b–3A)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 572 – Senator Della

AN ACT concerning

State Personnel – Collective Bargaining – Use of Employee Information

FOR the purpose of requiring that certain information be delivered to certain exclusive representatives in electronic form; providing that a certain fee may not exceed a certain amount; requiring the University System of Maryland system institutions, Morgan State University, St. Mary’s College of Maryland, and Baltimore City Community College to provide certain information to certain exclusive representatives under certain circumstances; requiring certain employers to give certain notice to certain employees at a certain time; prohibiting certain exclusive representatives from requesting or receiving certain information under certain circumstances; prohibiting certain exclusive representatives from releasing certain information; providing a certain exception; prohibiting a certain exclusive representative from using certain information for a certain purpose; authorizing a certain exclusive representative to use certain information only for a certain purpose; and generally relating to the use of employee information and collective bargaining for State employees and employees of State institutions of higher education.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–208(a) and (f) and 3–2A–08
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 573 – Senator Peters

AN ACT concerning

Natural Resources – Forest Conservation – Net Tract Area

FOR the purpose of altering the definition of “net tract area” for forest conservation requirements and forest mitigation bank credits to include certain forested areas of 100-year floodplains or wetlands under certain circumstances; including in the definition of “net tract area” a nontidal wetland, stream buffer, and the forested area of a 100-year floodplain or wetland under certain circumstances; providing for the application of this Act; and generally relating to the forest conservation program.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1601(z) and (aa)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–1601(bb), (ff), and (jj) and 5–1607(c)(1) through (3) and (d)(1) through
(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 574 – Senators DeGrange, Jones, Madaleno, McFadden, and Munson

AN ACT concerning

Correctional Officers’ Retirement System – Membership

FOR the purpose of altering the membership of the Correctional Officers’ Retirement System; providing that certain members of the Correctional Officers’ Retirement System may receive a normal service retirement or a deferred vested retirement allowance under certain circumstances; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers’ Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees’ Retirement and Pension Systems and the Correctional Officers’ Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers’ Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 575 – Senator Brochin

AN ACT concerning

Civil Actions – Child Sexual Abuse – Statute of Limitations

FOR the purpose of providing that a certain statute of limitations does not apply during a certain period for a person with a certain certificate; authorizing a certain person to obtain a certain certificate for certain civil actions relating to child sexual abuse filed by a certain victim; requiring certain information in a certificate for certain civil actions relating to child sexual abuse to be provided in statements by an attorney and a licensed mental health practitioner; authorizing claims for damages to be filed under this Act for a certain period of time for certain claims that would otherwise be barred under certain circumstances; providing for the termination of this Act; and generally relating to civil actions and child sexual abuse.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–117
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 576 – Senator Jacobs

AN ACT concerning

Maryland Emergency Management Assistance Compact

FOR the purpose of providing that certain emergency responders and certain law enforcement officers may be a party to the Maryland Emergency Management Assistance Compact, under certain circumstances; defining certain terms; and generally relating to the Maryland Emergency Management Assistance Compact.

BY repealing and reenacting, with amendments,

Article – Public Safety
Section 14–801 and 14–802
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 577 – Senator Jacobs

AN ACT concerning

**Harford County – Nuisance Abatement and Local Code Enforcement –
Enforcement Authority**

FOR the purpose of authorizing certain community associations, the State’s Attorney for Harford County, the County Attorney for Harford County and the city attorneys for the incorporated municipalities of Aberdeen, Havre de Grace, and Bel Air to bring certain actions in the District Court for relief from certain nuisances within Harford County; requiring certain notices to the county code enforcement agency and to certain tenants and property owners before a nuisance abatement action may be brought; providing that a political subdivision may not be subject to certain actions; providing for certain remedies; providing for the construction of this Act; defining certain terms; and generally relating to the right of community associations, the State’s Attorney for Harford County, the County Attorney for Harford County and the city attorneys for the incorporated municipalities of Aberdeen, Havre de Grace, and Bel Air to seek judicial abatement of certain nuisances in Harford County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(7)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Real Property
Section 14–125.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 578 – Senators Jacobs, DeGrange, Dyson, and Stone

AN ACT concerning

Health – Donations – Oocytes

FOR the purpose of authorizing certain individuals to donate oocytes under certain circumstances; making certain medical histories available to certain children and certain parents or guardians; requiring certain consent for certain donations indicating certain acceptance; prohibiting certain compensation for certain donations; authorizing certain reimbursement for certain expenses related to certain donations; providing for certain penalties for certain compensation of certain persons under certain circumstances; defining a certain term; and generally relating to the donation of oocytes.

BY adding to

Article – Health – General

Section 20–1301 to be under the new subtitle “Subtitle 13. Donation of Oocytes”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 579 – Senators Jacobs, Dyson, Harris, Hooper, and Middleton

AN ACT concerning

Children with Disabilities – Voluntary Placement Agreements

FOR the purpose of requiring the juvenile court to make a certain finding in certain hearings involving a child with a developmental disability or mental illness; authorizing the juvenile court, in making a disposition on a child in need of assistance petition involving a child with a developmental disability or mental illness, to make a certain finding and require a local department of social services to take certain actions; requiring each local department of social services to designate a certain staff person to administer requests for voluntary placement agreements for children with developmental disabilities or mental illnesses; requiring each local department of social services to make a certain annual report to the Social Services Administration; requiring a local department of social services to take certain actions on receipt of a request for a voluntary placement agreement for a child with a developmental disability or mental illness; requiring the Social Services Administration to provide certain training for certain staff who administer requests for voluntary placement agreements; and generally relating to children with disabilities or mental illnesses and voluntary placement agreements.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(b) and 3–819(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 580 – Senator Rosapepe

AN ACT concerning

Income Tax Exemption Amounts – Blind and Elderly Individuals

FOR the purpose of altering the amount allowed as a deduction for additional exemptions under the Maryland income tax for certain individuals who as of the last day of the taxable year are blind or are at least a certain age; repealing certain obsolete provisions; providing for the application of this Act; and generally relating to certain exemptions allowed to be deducted to determine Maryland taxable income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–211
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 581 – Senator Rosapepe

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Prince George’s
County – Municipal Building Requirements**

FOR the purpose of authorizing the legislative body of a municipal corporation in Prince George’s County by ordinance or resolution to impose additional or stricter building requirements than are otherwise required under certain circumstances; requiring the municipal building requirements to be imposed for certain purposes and to regulate the construction, repair, erection, or remodeling of single–family residential buildings in relation only to certain fencing, sign, parking, storage, structural, and lot coverage requirements; requiring the municipal building requirements to include a certain procedure for a waiver from the strict application of the building requirements; requiring a municipal corporation to hold a certain public hearing before adopting an ordinance or regulation under this Act; and generally relating to the Maryland–National Capital Park and Planning Commission and municipal building requirements in Prince George’s County.

BY adding to

Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–115.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 582 – Senator Rosapepe

AN ACT concerning

Prince George’s County School Facilities Surcharge – Exemption

FOR the purpose of altering an exemption from the school facilities surcharge in Prince George’s County for certain multi–family housing designated as student housing; and generally relating to an exemption from the school facilities surcharge in Prince George’s County.

BY repealing and reenacting, without amendments,

The Public Local Laws of Prince George’s County
Section 10–192.01(a)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

BY repealing and reenacting, with amendments,

The Public Local Laws of Prince George's County
Section 10-192.01(b)(4)
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)
(As enacted by Chapter 431 of the Acts of the General Assembly of 2003)

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

Senate Bill 583 – Senator Kramer (Chair, Joint Committee on Pensions)

AN ACT concerning

Alternate Contributory Pension Selection – Clarifications

FOR the purpose of requiring certain participating governmental units to pay certain liabilities associated with the alternate contributory pension selection for certain employees; clarifying that membership in the Employees' Pension System or the Teachers' Pension System ends under certain circumstances; providing that certain members of the Employees' Pension System or the Teachers' Pension System may combine certain prior service credit with their current service credit under certain circumstances; requiring certain members of the Employees' Pension System or the Teachers' Pension System who choose to combine certain prior service credit with their current service credit to pay the Board of Trustees of the State Retirement and Pension System certain member contributions; requiring the Board of Trustees to refund certain member contributions under certain circumstances; providing that certain members of the State Retirement and Pension System are eligible to receive certain eligibility service credit under certain circumstances; providing that certain members of the Employees' Pension System or the Teachers' Pension System may purchase certain prior service credit with their current service credit under certain circumstances; requiring certain members of the Employees' Pension System or the Teachers' Pension System who choose to purchase certain prior service credit to pay the Board of Trustees certain member contributions; providing that certain members of the Employees' Pension System or the Teachers' Pension System are entitled to certain eligibility service credit under certain circumstances; requiring that certain members of the Employees' Pension System or the Teachers' Pension System who apply for an ordinary or special disability, file an application within a certain period of time; exempting certain transfers between the Employees' Pension System or the Teachers' Pension System from certain provisions of law; permitting certain transfers of service credit between certain State or local retirement and pension systems and the Employees' Pension System or the Teachers' Pension System; repealing certain obsolete provisions; defining certain terms; providing certain conforming changes to reflect the addition of the alternate contributory pension selection; and

generally relating to the alternate contributory pension selection of the Employees' Pension System and the Teachers' Pension System.

BY adding to

Article – State Personnel and Pensions

Section 20–101(d–1), (j–1), and (aa–1), 21–307(m), and 37–101(n–1) and (n–2)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 20–205(c), 21–305.5(a), (d), and (f), 21–307(k), (l), and (m), 23–215, 23–302(d), 23–303(b), 23–303.1, 23–304, 23–306.2, 23–306.3, 23–310, 29–104, 29–303(h), 29–425(b), 37–101(j), 37–201, 37–203(a) and (f), and 37–203.1

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing

Article – State Personnel and Pensions

Section 23–309(c)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 584 – Senators Britt, Harris, Hooper, and Klausmeier

AN ACT concerning

Health Occupations – Maryland Athletic Trainers Act

FOR the purpose of establishing the Athletic Trainers Advisory Committee as a subunit of the State Board of Physicians; establishing certain fees for services provided by the Board to athletic trainers; providing for the composition, appointment, terms, and compensation of the Committee members; establishing certain powers and duties of the Committee; requiring certain persons to be licensed by the Board as athletic trainers before performing certain work in the State; establishing certain education and experience requirements to qualify for a license; establishing certain application fees and requirements for obtaining a license; establishing certain terms and procedures for the renewal and reinstatement of a license; establishing certain terms and conditions for a temporary license; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license or temporary license to an applicant, reprimand a licensee or holder of a

temporary license, place a licensee or temporary licensee on probation, or suspend or revoke a license or temporary license under certain circumstances; establishing certain requirements for reinstatement of a revoked license; providing for certain criminal and civil penalties; establishing certain hearing and appeal procedures for athletic trainers; providing that the Committee is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Committee and statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; providing for the termination of this Act; and generally relating to an athletic training license and the Athletic Trainer Advisory Committee.

BY adding to

Article – Health Occupations

Section 14–5D–01 through 14–5D–19 to be under the new subtitle “Subtitle 5D. Athletic Trainers”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(7) through (69), respectively
to be Section 8–403(b)(8) through (70), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(7)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 585 – Senator Britt

AN ACT concerning

Labor and Employment – Meal Periods

FOR the purpose of requiring an employer to provide a one-half hour nonworking or working meal period to an employee under certain circumstances; providing that a certain meal period count towards an employee's work hours for a certain day; authorizing health care industry employees to waive a certain meal period under certain circumstances; requiring employers to provide a certain place to eat during a certain meal period; requiring an employer to pay a certain amount to an employee under certain circumstances; authorizing certain civil actions under certain circumstances; authorizing certain remedies under certain circumstances; authorizing a court to award certain attorney's fees and costs under certain circumstances; providing a certain exception; defining a certain term; and generally relating to meal periods for employees in the State.

BY adding to

Article – Labor and Employment

Section 3-710

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 586 – Senator Britt

AN ACT concerning

Secondary School – Graduation Requirements – Weighted Numerical Assessment System

FOR the purpose of requiring the State Board of Education to establish a certain weighted numerical assessment system to calculate a certain score that certain students are required to achieve to graduate from certain schools; requiring a certain assessment system to include a certain category that may not be more than a certain percentage value of a certain total score; and generally relating to high schools and a weighted numerical assessment system for calculating achievement of graduation requirements.

BY repealing and reenacting, with amendments,

Article – Education

Section 7-205

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 587 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

District Court – Citations

FOR the purpose of requiring the Chief Judge of the District Court to authorize the use of a single document for issuance of certain multiple, separately numbered, citations; requiring the Chief Judge of the District Court to specify certain means used to execute certain citations by a police officer issuing a citation and by a person to whom a citation is issued; requiring the Chief Judge of the District Court to authorize certain citations to include a summons; allowing a police officer to dispense with the acknowledgment of a person receiving a certain citation containing a summons in accordance with certain regulations; requiring a police officer to execute certain citations under penalties of perjury; providing for notice of certain trial dates; repealing certain references to appearance in court as specified in certain citations; repealing certain requirements as to signatures; authorizing the initial filing electronically of certain citations with the District Court; altering the duty of the District Court with regard to providing certain traffic citation forms; providing for consultation with the Chief Judge of the District Court by the Motor Vehicle Administration with regard to distribution and disposition of certain citation forms; making certain technical and stylistic changes; providing for the effect of this Act on pending citations; and generally relating to certain citations filed with the District Court.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(4)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–605(d)(8) and (9)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 1–605(d)(9), (10), and (11) and (e)

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–212
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–104.1(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–304(b), 26–201, 26–203, 26–204, 26–402, 26–407, and 26–409(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 588 – Senator Garagiola

AN ACT concerning

Insurance – Binders or Policies – Personal Insurance

FOR the purpose of providing that certain provisions of law regarding binders or policies are applicable to personal insurance; defining a certain term; providing for the application of this Act; and generally relating to binders and policies of personal insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 12–106
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 589 – Senators Garagiola, Colburn, Conway, Currie, DeGrange, Dyson, Jacobs, Munson, and Rosapepe

AN ACT concerning

First Responders Fund

FOR the purpose of establishing the First Responders Fund; establishing that the purpose of the Fund is to provide grants to counties and municipal corporations to pay for equipment and personnel for fire, rescue, and emergency medical services entities and local law enforcement agencies; requiring the Director of the Maryland Emergency Management Agency to administer the Fund; establishing the composition of the Fund; limiting the uses of the Fund; providing for investment of money in the Fund; establishing a certain intent of the Fund; authorizing the Director to make grants from the Fund to counties or municipal corporations to be used for fire, rescue, and emergency medical services entities and local law enforcement agencies in the county or municipal corporation; establishing that grants from the Fund may be used for certain purposes; requiring the Director to establish certain procedures and guidelines; establishing that grants are for a certain duration and require certain matching funds; prohibiting a county or municipal corporation from reducing money to fire, rescue, and emergency medical services entities or local law enforcement agencies because of money provided from the Fund; requiring a county or municipal corporation that receives a grant to use the grant in accordance with certain terms and comply with certain requirements; and generally relating to funding for first responders.

BY adding to

Article – Public Safety

Section 4–401 through 4–403 to be under the new subtitle “Subtitle 4. First Responders Fund”

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 7–101(b)

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 590 – Senators Garagiola, Colburn, Conway, Currie, DeGrange, Forehand, and Munson

AN ACT concerning

Vehicle Laws – Security Lapses and Point Assessments – Penalties

FOR the purpose of authorizing the Secretary of Budget and Management to authorize the Motor Vehicle Administration to enter into certain contracts for the procurement of billing and collection services for certain fees imposed under this Act; requiring a certain amount of revenues from certain fees to be deposited in a certain manner; altering a certain definition to establish that certain fees collected under this Act may not be altered by the Administration; requiring an individual holding a driver's license to pay a certain fee annually for each point over a certain number of points that is assessed against the individual's driving record; requiring the Administration to send a notice to an individual subject to a fee under this Act a certain number of days after a certain event; requiring the suspension of an individual's driver's license unless the individual pays a fee under this Act except under certain circumstances; authorizing an individual to request a certain hearing; limiting the issue that can be considered at a certain hearing; authorizing the Administration to establish a certain schedule for payment of fees charged under this Act; prohibiting the Administration from suspending and requiring the Administration to renew an individual's driver's license under certain circumstances; authorizing a licensee to prepay a certain fee; authorizing the Administration to adopt certain regulations; altering the penalties for a certain lapse of security on a vehicle during a registration year; altering the distribution of funds that are collected from a certain penalty; defining certain terms; repealing certain obsolete provisions; providing for the effective date of certain provision of this Act; providing for the termination of certain provisions of this Act; and generally relating to the assessment of fees against certain drivers and certain funding.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–302
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–120(a) and 17–106(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 16–1001 to be under the new subtitle “Subtitle 10. Assessment of Fees”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 591 – Senator Madaleno

AN ACT concerning

Municipal Corporations – Building Excise Tax

FOR the purpose of authorizing municipal corporations to impose, by ordinance or resolution, a building excise tax on all types of building construction within a municipal corporation; requiring the governing body of a municipal corporation to hold a public hearing before adopting a certain ordinance or resolution; prohibiting a municipal corporation from imposing a building excise tax if the municipal corporation imposes a certain impact fee; requiring a municipal corporation to specify in the ordinance or resolution the types of building construction subject to tax, the criteria and formulas used to assess the tax, and the tax rates; authorizing a municipal corporation to impose different rates of the building excise tax on different types of building construction subject to the tax; requiring that the building excise tax be assessed on an applicant for a building permit at the time of the issuance of the building permit; requiring that the tax rates relate to the development or growth-related infrastructure needs in the municipal corporation; authorizing a municipal corporation to provide for tax credits against and exemptions from the building excise tax; requiring that the revenues from the building excise tax be deposited in a special fund; providing that the revenues from the building excise tax may only be used for certain capital and operating costs of certain public works, improvements, and facilities; and generally relating to authorizing municipal corporations to impose a building excise tax.

BY adding to

Article 23A – Corporations – Municipal

Section 8A

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 592 – Senator Madaleno

AN ACT concerning

Sales and Use Tax – Exemption for Sales by Religious and Nonprofit Organizations

FOR the purpose of altering a certain exemption under the sales and use tax for certain sales by certain organizations under certain circumstances; and generally relating to an exemption under the sales and use tax for certain sales by certain organizations.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–204(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing
Article – Tax – General
Section 11–204(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 593 – Senators Madaleno, DeGrange, McFadden, Munson, and Robey

AN ACT concerning

Optional Defined Contribution System – Membership

FOR the purpose of providing membership in the Optional Defined Contribution System to members of the Employees' Retirement System or the Correctional Officers' Retirement System; and generally relating to membership in the Optional Defined Contribution System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 32–101
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 594 – Senators Garagiola, Currie, Forehand, and Madaleno

AN ACT concerning

Maryland Biomedical Product Development Fund

FOR the purpose of establishing the Maryland Biomedical Product Development Fund; providing for the purpose of the Fund; specifying that the Fund is a special, nonlapsing fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; specifying that certain earnings shall be paid into the Fund; providing for the composition of the Fund; requiring the Maryland Technology Development Corporation to administer the Fund; providing that money in the Fund may only be used for certain purposes; requiring the Corporation, in consultation with the Department of Health and Mental Hygiene, to evaluate applications for grants from the Fund based on certain criteria; requiring the Corporation to award grants from the Fund in a certain manner; requiring the Corporation to issue a certain report to the Governor and the General Assembly on or before a certain date each year; altering the distribution of tobacco tax revenues; providing for the distribution of certain tobacco tax revenues to the Fund for certain purposes; altering the tobacco tax rate imposed on cigarettes; defining certain terms; providing for the application of this Act; and generally relating to funding of grants to address smoking related diseases.

BY adding to

Article 83A – Department of Business and Economic Development
Section 5–2C–01 through 5–2C–04 to be under the new subtitle “Subtitle 2C.
Maryland Biomedical Product Development Fund”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General
Section 2–1601 and 2–1602
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 2–1603 and 12–105
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 2–1604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 595 – Senator Garagiola

AN ACT concerning

Public Utility Companies – Net Energy Metering – Renewable Portfolio Energy Standard – Photovoltaic Power

FOR the purpose of increasing a certain limit used to determine the availability of net energy metering to eligible customer–generators; increasing the amount of generating capacity of an electric generating system that may be used by an eligible customer–generator for net metering; requiring that an eligible customer–generator has a title to certain attributes or credits associated with certain electricity produced; establishing a Tier 3 renewable portfolio energy standard for electricity derived from solar energy; providing that a Tier 3 renewable portfolio energy standard applies only to electric companies under certain circumstances; requiring an electric company to meet the Tier 3 renewable energy portfolio standard in a certain manner; repealing a provision that required an electricity supplier to receive a double credit toward meeting a certain standard derived from solar energy; allowing a renewable on–site generator to retain or transfer certain credits; requiring certain electric companies to submit a certain report; providing for compliance fees for certain shortfalls in required Tier 3 renewable sources; allowing an electric company to request a certain delay for a certain scheduled increase under certain circumstances; providing that compliance fees paid for Tier 3 renewable sources be used for a certain support of new Tier 3 renewable sources; requiring that the duration of a certain contract be not less than 15 years; requiring the Public Service Commission to appoint a certain individual with certain duties; requiring the Commission to revise certain interconnection standards and procedures; defining a certain term and altering certain definitions; making stylistic changes; and generally relating to net energy metering, renewable portfolio energy standards, and photovoltaic power generation.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7–306, 7–701, 7–703 through 7–705, 7–707, and 7–709

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 7–702, 7–706, and 7–708

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies

Section 7–714

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

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

Senate Bill 596 – Senator Klausmeier

AN ACT concerning

**Discount Medical Plan Organizations and Discount Drug Plan Organizations –
Registration and Regulation**

FOR the purpose of providing for the regulation by the Maryland Insurance Commissioner of certain discount medical plan organizations and discount drug plan organizations; requiring the registration of certain entities as discount medical plan organizations or discount drug plan organizations; providing for the application and renewal process for registration; authorizing the Commissioner to deny a registration or refuse to renew, suspend, or revoke a registration under certain circumstances; prohibiting certain actions by a discount medical plan organization and discount drug plan organization; requiring certain disclosures to be made by discount medical plan organizations and discount drug plan organizations; requiring certain reimbursement if membership in a discount medical plan or discount drug plan is canceled under certain circumstances; requiring the Commissioner, in consultation with the Office of the Attorney General, to adopt regulations that establish standards for determining a certain fee; requiring that certain information appear on certain discount cards; requiring a certain statement to be included on or attached to certain discount cards; authorizing the examination of discount medical plan organizations and discount drug plan organizations under certain circumstances; authorizing the Commissioner to take certain actions to enforce certain provisions of law; providing for certain penalties; providing for the payment of the examinations; requiring an insurer, nonprofit health service plan, health maintenance organization, or dental plan organization to meet certain requirements; requiring the Commissioner to adopt certain regulations; requiring the Commissioner to review the continued need for a certain requirement and report on the findings of the review to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the application of this Act; and generally relating to discount medical plan organizations and discount drug plan organizations.

BY adding to

Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 2–208
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance
Section 14–601 through 14–612 to be under the new subtitle “Subtitle 6. Discount
Medical Plan Organizations and Discount Drug Plan Organizations”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 597 – Senators Kittleman, Greenip, Haines, Harris, Jacobs, Munson, Simonaire, and Stoltzfus

AN ACT concerning

Election Law – Qualification of Voters – Proof of Identity

FOR the purpose of requiring an election judge to establish certain information with regard to certain voters; requiring an election judge to qualify a voter by requesting the voter to present a certain form of identification; requiring an election judge to authorize an individual to vote a regular ballot under certain circumstances; allowing a voter who is unable to present a certain form of identification to vote by provisional ballot under certain circumstances; prohibiting a person from voting or attempting to vote under a false form of identification; requiring the Motor Vehicle Administration to issue an identification card to certain voters at no charge; and generally relating to proof of identity of voters.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 10–310 and 16–201
Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 12–301(a) and (h)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 598 – Senators Kittleman, Dyson, Haines, Kasemeyer, and Stoltzfus

AN ACT concerning

Consumer Protection – Political Telephone Calls – Prohibition

FOR the purpose of prohibiting a person from placing or causing to have placed an automated telephone call to a residential telephone number in the State that is registered on a certain do–not–call registry with the purpose of promoting a political candidate or advertising, campaigning, or soliciting donations for or against a political candidate, or relating to a political issue; altering a certain penalty provision; and generally relating to prohibitions on political telephone calls.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–3201 and 14–3202
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 599 – Senator Kittleman

AN ACT concerning

Health – Disclosure of Medical Records – Cases Before the Workers’ Compensation Commission

FOR the purpose of requiring a health care provider to disclose certain medical records under certain circumstances in accordance with a certain subpoena for a case before the Workers’ Compensation Commission, subject to certain exceptions and limitations; and generally relating to the disclosure of medical records in cases before the Workers’ Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–306(b)(9) and (10)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 4–306(b)(10)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 600 – Senator Kittleman

AN ACT concerning

Workers’ Compensation Commission – Authorization for Release of Medical Information – Work–Related Injury or Occupational Disease

FOR the purpose of requiring an authorization for the release of certain medical information to be filed with the Workers’ Compensation Commission when a claim is filed for an alleged work–related injury or occupational disease; requiring a health care provider to disclose certain medical information on receipt of a certain authorization filed with the Commission; and generally relating to the authorization for the release of medical information in a certain manner and the filing of workers’ compensation claims.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4–303
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–709, 9–710, and 9–711
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 601 – Senator Kittleman

AN ACT concerning

Health Insurance – Health Care Providers – Reimbursement by Carriers

FOR the purpose of prohibiting certain carriers from requiring certain health care providers that deliver health care services through a group practice or other health care entity to accept the reimbursement fee schedule applicable under the contract between the group practice or other health care entity and the carrier for certain health care services delivered by the health care provider; and generally relating to reimbursement of health care providers by carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)(1), (3), (4), and (6)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–112(o)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 602 – Senator Kittleman

AN ACT concerning

Workers' Compensation – Temporary Total Disability – Exclusion

FOR the purpose of providing that an employer is not liable for the payment of temporary total disability compensation under the workers' compensation law for certain prisoners; providing that this Act does not apply to certain prisoners who are

otherwise covered employees; providing for the application of this Act; and generally relating to temporary total disability compensation under workers' compensation law.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–221
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–618 and 9–621
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 603 – Senator Brinkley

AN ACT concerning

Creation of a State Debt – Frederick County – YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed \$135,000, the proceeds to be used as a grant to the Board of Directors of the Young Men's Christian Association of Frederick County, Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 604 – Senator Forehand

AN ACT concerning

Higher Education – Senatorial Scholarships

FOR the purpose of repealing a certain requirement to take a certain examination as part of the application process for a senatorial scholarship; altering the maximum

amount of a certain award; repealing a certain condition relating to the use of a certain award for summer school; repealing a certain deadline; repealing a certain requirement for the Office of Student Financial Assistance within the Maryland Higher Education Commission to make a certain announcement; repealing a certain authorization for a certain appointment for receipt of a certain scholarship; and generally relating to senatorial scholarships.

BY repealing and reenacting, without amendments,

Article – Education

Section 18–401

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 18–402(a), 18–404, 18–406(c), and 18–407

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing

Article – Education

Section 18–408

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 605 – Senator Forehand

AN ACT concerning

Real Property – Priority of Liens – Condominium and Homeowners Associations

FOR the purpose of providing that certain condominium unit owners or lot owners within homeowners associations are liable for certain fees, assessments, and charges; authorizing a homeowners association to enforce the payment of certain fees, assessments, and charges by imposition of a contract lien under certain circumstances; providing that a certain portion of a condominium or homeowners association lien has priority over a first mortgage or deed of trust under certain circumstances; providing that certain provisions of this Act do not limit or affect certain mortgages or deeds of trust; providing for the abrogation of certain provisions of this Act upon the occurrence of certain contingencies; and generally relating to liens on condominium units and lots within homeowners associations.

BY renumbering

Article – Real Property

Section 11B–115

to be Section 11B–116

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–110(d)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 11B–115

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 606 – Senators Forehand, Conway, Kelley, Kramer, Pugh, Raskin, and Rosapepe

AN ACT concerning

Human Trafficking and Involuntary Servitude

FOR the purpose of prohibiting a person from knowingly soliciting or attempting to solicit another person for prostitution, a sexually explicit performance, labor, or services by certain means; prohibiting a person from knowingly soliciting or attempting to solicit a minor for prostitution or a sexually explicit performance; establishing certain penalties; establishing that a business entity that knowingly aids or participates in a certain violation is subject to certain penalties; defining certain terms; and generally relating to trafficking of persons and involuntary servitude.

BY adding to

Article – Business Occupations and Professions

Section 1–209

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation
Section 1–211
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–324
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law
Section 3–1001 and 3–1002 to be under the new subtitle “Subtitle 10. Trafficking
of Persons and Involuntary Servitude”
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 607 – Senator Forehand

AN ACT concerning

Real Property – Wrongful Detainer – Protective Orders

FOR the purpose of establishing that certain provisions of law relating to persons who hold possession of property without the right of possession do not apply to cases in which possession of the property is included in a certain protective order under certain circumstances; and generally relating to the applicability of certain provisions of law that relate to wrongful possession of property.

BY repealing and reenacting, with amendments,

Article – Real Property
Section 8–402.4 and 14–109
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 608 – Senator Forehand

AN ACT concerning

**Creation of a State Debt – Montgomery County – Gaithersburg Regional Aquatic
Recreation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Gaithersburg for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 609 – Senator Forehand

AN ACT concerning

**Creation of a State Debt – Montgomery County – Rockville Senior Center
Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$900,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 610 – Senator Middleton

AN ACT concerning

Physicians – Delegation of Duties – Nonphysician Surgical Assistants

FOR the purpose of authorizing a licensed physician to delegate certain duties to nonphysician surgical assistants; requiring nonphysician surgical assistants to be certified by certain professional organizations; defining a certain term; and generally relating the delegation of duties by physicians to nonphysician surgical assistants.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14–101 and 14–306
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 611 – Senator Middleton

AN ACT concerning

Statewide Empowerment Zones for Seniors Commission

FOR the purpose of establishing the Statewide Empowerment Zones for Seniors Commission; providing for the membership of the Commission; authorizing the Commission to consult with certain individuals and entities; authorizing the Secretary of Aging to perform certain duties; requiring the Commission to make certain recommendations; providing for the requirements for a qualifying comprehensive empowerment zone for seniors plan; requiring the Department of Aging to staff the Commission; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; providing that a member of the Commission may receive a certain reimbursement; providing for a certain annual appropriation to the Commission; providing for the termination of this Act; and generally relating to the Statewide Empowerment Zones for Seniors Commission.

BY adding to

Article – Human Services
Section 10–801 through 10–807 to be under the new subtitle “Subtitle 8. Statewide Empowerment Zones for Seniors Commission”
Annotated Code of Maryland
(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 612 – Senator Middleton

AN ACT concerning

Creation of a State Debt – Charles County – Lions Camp Merrick

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the

proceeds to be used as a grant to the Board of Directors of Lions Camp Merrick, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 613 – Senators Jones, Astle, Currie, DeGrange, Gladden, and McFadden

AN ACT concerning

Maryland Heritage Structure Rehabilitation Tax Credit Program

FOR the purpose of requiring the Director of the Maryland Historical Trust to adopt certain regulations to establish certain criteria for plans of proposed rehabilitation for purposes of the Maryland heritage structure rehabilitation tax credits; exempting certain commercial rehabilitations from a certain competitive award process; repealing a certain limit on the award of initial credit certificates for projects in a single jurisdiction; altering certain preferences for the award of initial credit certificates to certain commercial rehabilitations; repealing a requirement that a certain percentage of tax credits be provided for certain nonprofit organizations; altering certain provisions relating to certain authority of the Director to charge certain fees to certify heritage structures and rehabilitations; providing that certain related structures may qualify separately for tax credits under certain conditions; altering a certain time period for completing commercial rehabilitations for purposes of the credit; exempting certain commercial rehabilitations from a certain limit on the aggregate credit amounts for which the Director may issue initial credit amounts for any fiscal year; extending to certain fiscal years a requirement that the Governor include in the budget bill a certain appropriation to a certain fund; defining a certain term; altering certain definitions; extending the termination date of the credit; providing for the application of this Act; and generally relating to the Maryland Heritage Structure Rehabilitation Tax Credit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–303
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 614 – Senators Jones, Britt, Della, Dyson, Kelley, Madaleno, Pinsky, Robey, and Stone

AN ACT concerning

Economic Development and Tax Incentive Act

FOR the purpose of requiring the State Department of Assessments and Taxation to submit a Unified Property Tax Exemption and Credit Report on or before a certain date each year; specifying the contents of the property tax report; requiring the State Department of Assessments and Taxation to publish the property tax report in both written and electronic formats; requiring the Department of Business and Economic Development to submit a Unified Economic Development and Tax Incentive Report on or before a certain date each year; specifying the contents of the report; requiring the Department of Business and Economic Development to publish the economic development report in both written and electronic formats; providing an exception to certain tax information confidentiality requirements; requiring all State agencies to cooperate and assist in the preparation of certain reports; requiring the State Department of Assessments and Taxation to have access to certain information for the preparation of certain reports; defining certain terms; and generally relating to the Unified Property Tax Exemption and Credit Report and the Unified Economic Development and Tax Incentive Report.

BY adding to

Article – Tax – Property

Section 2–301 through 2–307 to be under the new subtitle “Subtitle 3. Unified Property Tax Exemption and Credit Report”

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article 83A – Department of Business and Economic Development

Section 7–101 through 7–106 to be under the new title “Title 7. Unified Economic Development and Tax Incentive Report”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 615 – Senators Madaleno, Della, Frosh, Lenett, and Robey

AN ACT concerning

Tax General – Income Tax Credit – Energy–Efficient Residential Heating and Cooling Systems

FOR the purpose of allowing individuals and corporations certain credits against the State income tax for certain costs associated with the purchase and installation of certain energy–efficient residential heating and cooling systems for a certain period of time; specifying certain standards for certain systems to qualify for the credit; authorizing the Maryland Energy Administration to adopt certain regulations to establish and implement the program; providing for the application of this Act; and generally relating to the creation and administration of a tax credit for the purchase and installation of energy–efficient residential heating and cooling systems.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 616 – Senators Currie, Frosh, Middleton, Conway, Astle, Britt, Edwards, Exum, Forehand, Gladden, Hooper, Jones, Klausmeier, Lenett, Madaleno, McFadden, Muse, Pinsky, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Land Preservation and School Construction Assistance Act of 2007

FOR the purpose of imposing recordation and transfer taxes on the transfer of controlling interest in certain entities owning certain interests in real property in Maryland; requiring the counties and Baltimore City for certain fiscal years to dedicate certain recordation tax revenues to public school construction and renovation; requiring the filing of a certain report; providing for a filing fee; establishing the rate of taxation and the method of calculation of tax liability; exempting certain transfers; providing for interest and a penalty for certain filings; requiring the Department of Assessments and Taxation to adopt certain regulations; defining certain terms; providing for a delayed effective date; requiring the Department of Assessments and Taxation to deduct and credit certain revenues to a certain fund; and generally relating to the taxation of transfers of controlling interests in certain entities.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–110(d) and 13–209(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property
Section 12–110(e), 12–116, and 13–103
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 617 – Senators Pipkin, Jacobs, and Munson

AN ACT concerning

Consumer Health Open Insurance Coverage Act of 2007

FOR the purpose of prohibiting the Department of Health and Mental Hygiene, on or after a certain date, from applying for certain waivers or expanding a certain program except under certain circumstances; requiring the Secretary of Health and Mental Hygiene to provide health benefits for certain program recipients through the Maryland Health Insurance Exchange on or after a certain date; requiring the Department, in consultation with the Maryland Health Care Commission, to develop a certain system; requiring the Secretary to apply for a certain federal waiver; establishing the Maryland Health Insurance Exchange in the Maryland Health Care Commission; requiring the Commission to oversee the administration of the Exchange; requiring the Commission to administer a Maryland Health Insurance Coverage Verifications System; requiring the Commission to appoint a director of the Exchange, with the advice and consent of the Governor; providing that the director of the Exchange is an employee of the Commission; providing for the duties of the director of the Exchange; authorizing the Exchange to enter into certain contracts subject to approval by the Commission; requiring that certain expenses of the Exchange be paid only from certain funds; providing that certain accounts of the Exchange are special fund accounts and not part of the General Fund of the State; exempting the Exchange from certain requirements; providing for the certification of participating plans in the Exchange for a certain period of time; requiring participating plans to give certain notice to the Exchange under certain circumstances; providing that an individual must meet certain eligibility requirements to participate in the Exchange; requiring participating plans in the Exchange to make certain data available; requiring certain employers to file a certain annual form with the Commission; requiring the Commission to transmit copies of certain forms to certain departments or agencies; renaming the Maryland Small Employer Health Reinsurance Pool to be the Maryland Health Insurance

Risk Transfer Pool; requiring the Pool to be operational on or after a certain date; authorizing the Pool to enter into a certain agreement with a self-funded health benefit plan; requiring that a carrier that issues a health benefit plan in the State participate in the Pool; requiring the Board of the Pool to establish a certain methodology to determine certain premium rates; providing that the Pool is exempt from certain provisions of law; providing for the establishment of a certain formula to make certain assessments on reinsuring carriers; requiring the Board of the Pool to make a certain evaluation; requiring the Commission to adopt certain regulations and procedures; requiring the Commission to make certain recommendations; requiring the Commission to comply with certain provisions of law in carrying out certain duties; providing for application and enrollment in the Exchange; providing that certain insurance producers may apply to the Exchange on behalf of certain individuals; requiring certain insurance producers to be paid a certain commission under certain circumstances; providing that certain membership organizations may apply to the Exchange on behalf of certain individuals; requiring certain membership organizations to be paid certain consideration under certain circumstances; requiring the Exchange to verify the eligibility of applicants; requiring that the Exchange give eligible applicants the opportunity to elect coverage under certain plans under certain circumstances; providing for the termination of coverage of individuals in the Exchange under certain circumstances; authorizing participating plans to charge a certain premium under certain circumstances; authorizing participating plans to impose a preexisting condition provision under certain circumstances; providing that an individual may be deemed to have a certain amount of creditable coverage under certain circumstances; requiring the Exchange to provide for the election of coverage outside of regular open seasons under certain circumstances; providing that coverage of a participating individual may not be canceled or not renewed under certain circumstances; providing that a participating individual who is not a resident of the State shall remain an eligible individual for a certain period of time under certain circumstances; authorizing certain employers to apply to the Exchange to sponsor a participating employer-subsidized plan; requiring certain employers to enter into a certain agreement with the Exchange; requiring the Secretary of Budget and Management to enter into a certain contract with the Exchange; prohibiting the Maryland Health Insurance Plan from accepting any new enrollees after a certain date; providing that individuals enrolled in the Maryland Health Insurance Plan after a certain date may continue coverage under the Plan only under certain circumstances; requiring that coverage of all enrollees in the Maryland Health Insurance Plan terminate after a certain date except under certain circumstances; prohibiting certain carriers from issuing or renewing a group health benefit plan to certain employers except under certain circumstances after a certain date; requiring certain carriers to establish certain community rates for health benefit plans offered through the Exchange; prohibiting a carrier from issuing or renewing certain individual health benefit plans other than through the Exchange except under certain circumstances; prohibiting a carrier from offering a

health benefit plan through the Exchange unless the Maryland Insurance Commissioner has made a certain certification of the plan; requiring that the certification of certain plans be exempt from certain provisions of law; providing for the duration of a certain certification; establishing a certain tax credit for certain individuals; repealing certain provisions of law relating to the purpose and operation of the Maryland Health Insurance Plan; repealing certain provisions of law relating to the regulation of small group market health insurance; requiring the Maryland Insurance Administration to submit a certain notice to the federal government by a certain date; providing for the effective dates of this Act; making the provisions of this Act severable; defining certain terms; repealing and altering certain definitions; and generally relating to health insurance coverage and regulation.

BY adding to

Article – Health – General

Section 15–144, 19–103(c)(14), and 19–108; 19–142 through 19–151 to be under the new part “Part IV. Maryland Health Insurance Exchange”; and 19–154 to be under the new part “Part V. Maryland Health Insurance Coverage Verifications System”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–103(c)(6), (12), and (13)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–108

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–502, 14–508, 15–1201, 15–1202, 15–1204, 15–1205, 15–1208.1, 15–1216 through 15–1221, 15–1309, and 15–1408

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–1222 through 15–1224

Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – Insurance

Section 15–1206, 15–1207, 15–1208, 15–1209 through 15–1211, 15–1213,
15–1215, 15–1303(c), and 5–1313

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–1207

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–502(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 618 – Senators Pipkin and Astle

AN ACT concerning

Public Service Companies – General Utility Commission and Public Energy Commission

FOR the purpose of establishing the General Utility Commission and the Public Energy Commission; providing that the Public Service Commission shall become the General Utility Commission and the Public Energy Commission; providing for the membership, terms, and duties of each Commission; requiring the Governor to appoint a chairman for each Commission with the advice and consent of the Senate; providing for the appointment of an Executive Secretary for each

Commission; providing for the terms and duties of each Executive Secretary; requiring each Commission to appoint an Executive Director for the Commission; providing for the duties of each Executive Director; requiring each Commission to appoint a General Counsel for the Commission; providing for qualifications, terms, and duties of each General Counsel; providing for the principal office for each Commission, hours for the offices of each Commission, meeting of each Commission, and a seal for each Commission; requiring the State budget to provide sufficient money for each Commission to hire, develop and organize a staff to perform the functions of the Commission; authorizing each Commission to hire certain experts and hearing examiners under certain circumstances; requiring each Commission to hire personal staff members for certain commissioners under certain circumstances; authorizing each Commission to delegate certain authority to certain persons under certain circumstances; providing that certain personnel of each Commission are subject to the provisions of certain personnel and pension laws; providing that certain persons are under a certain classification in the State Personnel Management System; providing for the compensation of certain persons; requiring each Commission to submit to the Secretary of Budget and Management certain changes to certain salary plans within a certain time period; requiring the Secretary of Budget and Management to review certain proposed changes to certain salary plans and advise a certain Commission regarding the proposed changes within a certain time period under certain circumstances; authorizing each Commission to charge certain reasonable fees under certain circumstances; providing that each Commission has certain powers set forth by law and certain implied and incidental powers for certain purposes; authorizing each Commission to perform certain inspections of certain plants under certain circumstances; requiring each Commission to conduct certain investigations under certain circumstances; authorizing each Commission to conduct certain proceedings on certain proposed amendments to certain laws under certain circumstances; authorizing each Commission to recommend or prepare certain legislation under certain circumstances; authorizing each Commission to bring certain actions in a certain court under certain circumstances; providing for the court proceedings in a certain action under certain circumstances; requiring each Commission to give certain notice to certain persons under certain circumstances; requiring each Commission to order a certain offender to stop certain operations under certain circumstances; requiring each Commission to make a certain certification to the Motor Vehicle Administration under certain circumstances; requiring the Motor Vehicle Administration to suspend or revoke certain registration certificates of certain vehicles under certain circumstances; providing that a certain action of the Motor Vehicle Administration may not be appealed but a certain judicial review may be sought under certain circumstances; requiring the Public Energy Commission to require certain public service companies to formulate and implement certain long-range plans; providing for the contents of a certain long-range plan; requiring the Public Energy Commission to review certain long-range plans; requiring the Public Energy Commission to require

certain revisions to a certain long-range plan under certain circumstances; requiring each Commission to study the rates and service of certain public service companies in interstate commerce beyond the jurisdiction of either Commission and authorizing each Commission to apply to and appear before an appropriate federal unit to protect those interests under certain circumstances; authorizing each Commission to act jointly or concurrently with certain boards or commissions of the United States or another state for certain purposes under certain circumstances; authorizing each Commission to adopt certain regulations under certain circumstances; requiring each Commission to publish certain reports each year; requiring each Commission to send a copy of certain reports to certain persons; providing that certain costs and expenses of each Commission and the Office of People's Counsel shall be borne by certain public service companies; providing for the assessment of certain costs and expenses; requiring the Commissions to pay certain money that they collect into the Public Utility Regulation Fund under certain circumstances; providing for the calculation of certain costs and expenses; establishing a certain Public Utility Regulation Fund; providing for the funding of the Fund; providing for the purposes and uses of the Fund; providing that the State Treasurer is the custodian of the Fund; prohibiting any part of the Fund from reverting or being credited to the General Fund of the State or any other special fund; providing for the terms of the initial members of the Public Energy Commission; providing that certain members of the Public Service Commission are members of the General Utility Commission; providing for the exclusive jurisdictions of both the Public Energy Commission and the General Utility Commission; providing that certain orders issued, or regulations adopted, by the Public Service Commission prior to the enactment of this Act shall continue in full force and effect until modified or repealed by a certain Commission under certain circumstances; providing that certain transactions or employment statuses shall remain valid after the effective date of this Act and may be terminated, completed, consummated, or enforced as required or allowed by certain statutes as though a certain repeal, amendment, or transfer had not occurred; providing that certain personnel, records, other properties and appropriations, credits, assets, liabilities, and obligations of the Public Service Commission are continued as the personnel, records, other properties and appropriations, credits, assets, liabilities, and obligations of the General Utility Commission and the Public Energy Commission; providing that certain persons licensed, registered, certified, or issued a permit or certification by certain units that are amended, repealed, or transferred by this Act are considered for all purposes to be licensed, registered, certified, or issued a permit or certification for a certain term under certain circumstances; providing that certain classified employees of the Public Service Commission shall be transferred to the General Utility Commission and the Public Energy Commission without any diminution of their rights, benefits, or employment status; requiring the General Utility Commission, the Public Energy Commission, and the Department of Budget and Management to develop and implement a certain plan on or before a certain date; providing for the construction

of certain references; providing that each Commission submit certain reports to certain persons within a certain time frame; declaring the intent of the General Assembly; defining certain terms; making certain stylistic changes; requiring the publishers of the Annotated Code of Maryland to propose the correction of certain cross-references rendered incorrect by this Act under certain circumstances; providing for the effective dates of this Act; and generally relating to the General Utility Commission and the Public Energy Commission.

BY renumbering

Article – Public Utility Companies

Section 1–101(o) through (v) and (w) through (pp) and 2–101, respectively to be Section 1–101(p) through (w) and (y) through (rr) and 2–101.1, respectively
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing

Article – Public Utility Companies

Section 2–110 and 2–110.1
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 1–101(a)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 1–101(d), 2–101.1, 2–106, 2–112, 2–115(b)(1), 2–116(a)(1), 2–117(a)(1), 2–118, 2–122, 2–302, 4–102(b), 5–101(a), 5–104(a), 5–105, 5–201(a), 5–202, 5–302(a), 5–304(a)(1), 5–401, 6–102(b), 6–203, 6–204, 6–205(a)(2), 6–206(a), 7–101, 11–101(b), 11–102(a), 11–202(a), 11–203(a)(1), 11–204(a), 11–205(a), 11–206(a), 11–207, 11–208(a), 12–106, 12–109, 12–304, 12–311(e), 12–312(a), 13–101(b), 13–201(b)(1) and (d), 13–204, and 13–205
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies

Section 1–101(o) and (x), 1–102, 1–103, and 2–101; 2–1A–01 through 2–1A–23 to be under the new subtitle “Subtitle 1A. Public Energy Commission”; and 2–401 and 2–402 to be under the new subtitle “Subtitle

4. Expenses”
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 5–203(a) and 6–101(a)(2)
Annotated Code of Maryland
(As enacted by Chapter 5 of the Acts of the General Assembly of the 2006 Special
Session)

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

Senate Bill 619 – Senators Pipkin and Jacobs

AN ACT concerning

Health Insurance – Low–Income Health Insurance Premium Support Fund

FOR the purpose of establishing the Low–Income Health Insurance Premium Support Fund; providing for the purpose of the Fund; requiring the Maryland Health Care Commission to administer the Fund; providing that the Fund is a special, nonlapsing fund; providing that certain interest and other income from the Fund shall be accounted for and credited in a certain manner; establishing the source of funds in the Fund; providing that subsidies from the Fund shall be made in a certain manner to certain individuals in accordance with a certain methodology established by the Commission; requiring the Commission to issue a certain report to the General Assembly each year on or before a certain date; requiring the Health Services Cost Review Commission to establish a certain methodology; and generally relating to subsidies for health insurance premiums.

BY adding to
Article – Health – General
Section 19–112
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Article – Health – General
Section 19–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 19–214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 620 – Senator Pipkin

AN ACT concerning

**Health Services Cost Review Commission – Repeal of Commission and Study of
Alternative Financing of Uncompensated and Undercompensated Care**

FOR the purpose of repealing provisions of law relating to the Health Services Cost Review Commission and its powers and duties; repealing a certain bond program for certain hospitals; altering provisions of law relating to the Health Services Cost Review Commission; repealing a requirement that certain health facilities submit certain discharge information; repealing certain requirements regarding reimbursement rates set by the Health Services Cost Review Commission; requiring nonprofit hospitals to submit a certain report to the Maryland Health Care Commission; requiring the Maryland Health Care Commission to issue a certain annual report; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, to conduct a certain study; requiring the Maryland Health Care Commission to report to the Governor and to the General Assembly on the Commission’s findings and recommendations on or before a certain date; providing for the termination of certain provisions of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to health care financing.

BY repealing

Article – Health – General
Section 19–201 through 19–227 and the subtitle “Subtitle 2. Health Services Cost Review Commission”; and 19–720
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article 43C – Maryland Health and Higher Educational Facilities Authority
Section 16A
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 11–405
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing

Article – Health – General
Section 2–106(a)(4), 15–103(b)(28), 15–105(d), 15–110, 19–118(d)(3), and
19–133(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 10–628(a)(1), 13–310.1(c)(2), 15–103(b)(29) and (30), 15–105(e) and (f),
15–141(m)(1)(iv), 19–103(c)(1) and (13) and (d), 19–120(k)(6)(viii) and
(ix), 19–130(b), (d), and (e), 19–133(i), 19–303, 19–307.2(c), 19–325,
19–3B–05(e), 19–710.1(b), and 19–711.3
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 2–303.1(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article – Insurance
Section 15–604 and 15–1214
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–906(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 7–403(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY renumbering

Article – Health – General

Section 2–106(a)(5) through (27), respectively
to be Section 2–106(a)(4) through (26), respectively
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 621 – Senator Gladden

AN ACT concerning

State Personnel – Compensatory Time for Mentoring Youth

FOR the purpose of providing that certain State employees may be entitled to earn compensatory time for mentoring youth in certain mentoring youth programs; establishing the maximum number of hours of compensatory time that an employee may earn for mentoring youth; requiring that the total value of compensatory time awarded for mentoring youth may not exceed a certain amount; authorizing an employee to mentor youth after obtaining approval from the employee's appointing authority; requiring the Secretary of Budget and Management to adopt certain regulations; providing for the application of this Act; providing for the termination of this Act; and generally relating to compensatory time for State employees mentoring youth.

BY adding to

Article – State Personnel and Pensions

Section 8–310

Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 622 – Senator Gladden

AN ACT concerning

Ground Rents – Limitation of Actions – Registry of Ground Leases

FOR the purpose of authorizing the recordation of a certain ground lease extinguishment certificate under certain circumstances; providing that a ground rent is extinguished if there is no demand or payment for more than a certain number of

years of any specific ground rent under certain circumstances; requiring the State Department of Assessments and Taxation to maintain and update regularly on-line registries of landlords and properties that are subject to ground leases; requiring a landlord to apply to register a ground lease with the Department by submitting a certain registration application and a certain fee; requiring the Department to register a ground lease under certain circumstances; requiring a landlord to notify the Department of certain information after a ground lease is registered; requiring a landlord to apply to register a ground lease by a certain date; providing for the extinguishment of a ground lease if the ground lease is not registered under certain circumstances; requiring the Department to credit all fees collected under this Act to a certain fund; requiring the Department to adopt regulations to carry out the provisions of this Act; defining certain terms; and generally relating to ground rents.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–102(a) and 8–107

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 8–701 through 8–709 to be under the new subtitle “Subtitle 7. Registry of Ground Leases”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 623 – Senator Gladden

AN ACT concerning

Ground Rents – Redemption

FOR the purpose of repealing a certain waiting period for redeeming certain ground rents; requiring, before a voluntary transfer of a redeemable ground rent to a third party, that the landlord give the tenant notice of the tenant’s right to redeem the ground rent and offer the tenant the opportunity to exercise the right; requiring the notice to contain certain information and to be given in a certain manner; establishing procedures for the tenant to exercise the right to redeem; requiring a settlement agent, before settlement of a certain loan, to notify the borrower of the right to redeem a redeemable ground rent and the redemption amount; requiring the Department of Housing and Community Development to study the feasibility

of establishing or expanding a certain program to redeem certain ground rents and to report its findings to certain committees; and generally relating to encouraging the redemption of existing ground rents.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–110
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 8–110.1 and 14–129
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 624 – Senator Gladden

AN ACT concerning

Criminal Procedure – Drug–Related Offenses – Repeal of Mandatory Minimum Sentences

FOR the purpose of repealing certain mandatory minimum sentences for certain drug–related offenses; specifying that a person convicted of certain drug–related offenses is not prohibited from participating in a certain drug treatment program; providing that a person who is serving a term of confinement that includes a mandatory minimum sentence imposed on or before a certain date is entitled to be granted a certain hearing and a certain sentence review; requiring that a person who seeks to be granted a hearing or sentence review submit an application on or before a certain date; altering certain penalties; repealing a prohibition against a person possessing a regulated firearm if the person was previously convicted of certain drug–related offenses; and generally relating to penalties for drug–related offenses.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–602, 5–603, 5–604, 5–605, and 5–606
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 5–607, 5–608, and 5–609
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133(c)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 625 – Senator Garagiola

AN ACT concerning

**Workers’ Compensation Commission – Governmental Self–Insurance
Groups – Investment**

FOR the purpose of requiring the Workers’ Compensation Commission to adopt regulations that establish certain guidelines to authorize a certain type of investment of surplus funds by governmental self–insurance groups; providing certain conditions for the investment of surplus funds by governmental self–insurance groups; and generally relating to regulations by the Workers’ Compensation Commission.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–404(a)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–404(b), (c), (i), (j), and (k)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 95 – Treasurer
Section 22(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 626 – Senators Gladden and McFadden

AN ACT concerning

Creation of a State Debt – Baltimore City – Chimes School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of The Chimes, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 627 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Historic Laurel Mill Ruins

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Patuxent River Commission and the Mayor and City Council of the City of Laurel for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 628 – Senators Pipkin and Jacobs

AN ACT concerning

Repeal of Certificate of Need Requirements – Health Care Facilities Other Than Home Health Agencies and Hospices

FOR the purpose of altering requirements that certain health facilities obtain a certificate

of need in order to build a new facility or expand a facility; repealing certain provisions relating to certificates of need for certain facilities; altering certain definitions; repealing certain definitions; requiring the Maryland Health Care Commission to develop a certain comprehensive plan for emergency medical services; requiring the Commission to issue a certain report to the General Assembly on or before a certain date; and generally relating to certificates of need for health facilities and health care planning.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–114, 19–118, 19–119, 19–120, 19–126, 19–319(c), 19–3B–04, and
19–4A–05

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–121 through 19–125, and 19–129

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 629 – Senators Lenett, Britt, Jones, Madaleno, and McFadden

AN ACT concerning

Health – Prohibition Against Smoking in Vehicle Containing Minor Passenger

FOR the purpose of prohibiting a person from smoking a tobacco product in a vehicle in which a person who is under a certain age is a passenger; establishing a certain civil penalty for a violation of this Act; making certain technical and stylistic changes; and generally relating to prohibitions against tobacco smoking.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 24–501 through 24–505 to be under the amended subtitle “Subtitle 5.
Tobacco Smoking”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

New part designation “Part I. Retail Stores” to immediately precede

Section 24–501
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 24–508 to be under the new part “Part II. Vehicle Containing Minor Passenger”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 630 – Senators Della, Exum, and Kelley

AN ACT concerning

Maryland Medical Assistance Program – Community Choice Program Excluded Populations

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to exclude from the community choice program a certain population under certain circumstances; providing that the community choice program does not include certain adults under certain circumstances; and generally relating to excluded populations from the community choice program.

BY repealing and reenacting, without amendments,

Article – Health – General
Section 15–141(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–141(d) and (i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 631 – Senator Jacobs

AN ACT concerning

Crimes – Criminal Gangs – Abatement

FOR the purpose of establishing that the use of property by members of a certain criminal gang in a certain manner is a nuisance that may be the subject of a certain action for abatement; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–120(a)(5)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 632 – Senator Jacobs and the President (By Request – Administration, Attorney General, and Maryland State’s Attorneys’ Association)

AN ACT concerning

Maryland Gang Prosecution Act of 2007

FOR the purpose of prohibiting a person from participating in a certain criminal gang knowing that the members of the gang engage in or have engaged in a certain pattern of criminal gang activity; prohibiting a person from willfully promoting, furthering, or assisting in a criminal offense committed for the benefit of, at the direction of, or in association with a criminal gang; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for a crime based on the act establishing a violation of this Act; providing that a defendant may only be charged with a violation under this Act by indictment, criminal information, or a petition alleging a delinquent act; authorizing the Attorney General, with the consent of a certain State’s Attorney, to aid in a certain investigation and prosecution under certain circumstances; establishing that the Attorney General has all the powers and duties of a State’s Attorney in certain circumstances; authorizing certain State’s Attorneys or the Attorney General to join certain causes of action in certain circumstances; authorizing a certain grand jury to conduct a certain investigation; defining a certain term; altering a certain term; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to

Article – Criminal Law
Section 9–804
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 633 – Senators Raskin, Forehand, Britt, Madaleno, and Pinsky

AN ACT concerning

Food Containing Artificial Trans Fat – Prohibition

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting certain schools, certain institutions of higher education, and certain food establishments from storing, distributing, holding for service, using in preparation of certain menu items, or serving food containing artificial trans fat; providing for the applicability of this Act to certain penalties; and generally relating to the prohibition on the use of artificial trans fat in public schools, public institutions of higher education, and State-owned or State-operated food establishments.

BY adding to

Article – Education
Section 7–116 and 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General
Section 21–301(e), (f), and (h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 21–353 and 21–354 to be under the new part “Part VIII. Artificial Trans Fat”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General
Section 21–1214
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 634 – Senators Raskin and Brochin

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote

FOR the purpose of altering certain methods of nominating presidential electors; altering certain methods of electing presidential electors; repealing a certain restriction governing elector voting; entering the State of Maryland into the Agreement Among the States to Elect the President by National Popular Vote; providing that any state is eligible to become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a certain procedure for appointing presidential electors in member states; specifying when the Agreement becomes effective; providing for the withdrawal of a member state; requiring notification of member states; specifying that the provisions of the Agreement are severable; defining certain terms; making this Act subject to a certain contingency; and generally relating to the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–503, 8–504, and 8–505
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 8–5A–01 to be under the new subtitle “Subtitle 5A. Agreement Among the States to Elect the President by National Popular Vote”
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 635 – Senator Raskin

AN ACT concerning

Condominiums – Conversion of Rental Facilities – Notice Requirements

FOR the purpose of providing that, in a conversion of rental facilities to condominiums, if a tenant who is entitled to receive a purchase offer does not receive the purchase offer at the same time as the tenant receives the notice of conversion, then a certain time period of continued residency does not begin until the tenant receives the purchase offer; requiring that a certain written notice given to a certain tenant include certain language relating to the time frame a tenant may remain in a residence if a purchase offer is not included with a notice of conversion; and generally relating to notice requirements for the conversion of rental facilities to condominiums.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–102.1(a) and (f) and 11–136(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–102.1(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 636 – Senator Raskin

AN ACT concerning

Primary and Secondary Education – School Construction – Green School Buildings Fund

FOR the purpose of establishing the Green School Buildings Fund; providing for the purpose of the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; requiring the Governor to include a certain amount of funding in the operating budget or capital budget submission beginning in a certain fiscal year for the Fund; requiring the Board of Public Works to administer the Fund and to adopt certain regulations; and generally relating to the establishment of the Green School Buildings Fund.

BY adding to

Article – Education
Section 5–312
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 637 – Senator Raskin

AN ACT concerning

Environment – Marinas – Pump–out and Waste Reception Facilities

FOR the purpose of altering the types of marinas subject to the requirement of having an on–site pump–out facility and a waste reception facility and establishing the date by which certain marinas must meet this requirement; modifying certain postponement procedures; repealing obsolete provisions of law; and generally relating to on–site pump–out facilities and waste reception facilities at marinas.

BY repealing and reenacting, with amendments,

Article – Environment
Section 9–333
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 638 – Senator Raskin

AN ACT concerning

Election Law – Development of State Voter Referendum Guide – Condensed and Summary Statements

FOR the purpose of requiring the State Board of Elections to post certain condensed or summary statements for voters on its website; requiring that certain statements drafted by the Attorney General, the Department of Legislative Services, or the Secretary of State be subject to certain requirements; requiring certain agencies or offices to schedule a certain meeting, take certain testimony, and follow certain procedures that relate to preparing a certain guide; authorizing a certain person to seek a certain review of certain titles and statements by a certain court under

certain circumstances; defining certain terms; and generally relating to the development of a State Voter Referendum Guide.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 7–103 and 7–105
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to
Article – Election Law
Section 7–106
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Senate Bill 639 – Senator Klausmeier

AN ACT concerning

Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Criminal Background Checks

FOR the purpose of requiring an applicant for a heating, ventilation, air–conditioning, and refrigeration license to apply for a national and State criminal history records check in a certain manner; requiring the Criminal Justice Information System of the Department of Public Safety and Correctional Services to provide the Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors with a certain criminal history record of an applicant, an update to the criminal history records check, and a certain receipt; requiring an applicant to submit to the Central Repository a complete set of legible fingerprints taken in a certain manner; requiring an applicant to pay certain fees; specifying that certain information obtained by the Board shall be confidential and may be disseminated only to certain individuals; requiring the Board to periodically verify the continued licensure of individuals requiring criminal history records checks in accordance with certain regulations; requiring a licensee to submit proof of an update of a certain criminal history records check as a condition for the renewal of a license; requiring the Board to allow an applicant to operate in a temporary licensing status under certain circumstances; requiring the temporary licensing to expire at a certain time; requiring an applicant obtaining a temporary license to meet certain requirements; providing for the application of this Act; defining certain terms; providing for a delayed effective date; and generally relating to licensure of

heating, ventilation, air-conditioning, and refrigeration contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A-302(a) and 9A-309(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Business Regulation
Section 9A-302.1 and 9A-309.1
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 9A-310(a)(1)(v) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10-221(b)(7)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

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

Senate Bill 640 – Senator Raskin

AN ACT concerning

Consumer Protection – Motor Vehicle Manufacturers – Warranty Adjustment Programs

FOR the purpose of requiring a manufacturer of motor vehicles sold in the State to establish procedures under which certain consumers receive notice of certain warranty adjustment programs and, on request, are provided with a copy of a certain notification or other documents; requiring a motor vehicle manufacturer to ensure that a purchaser of a new motor vehicle receives certain notice at a certain time; requiring a motor vehicle dealer to disclose the terms and conditions of certain adjustment programs to certain consumers under certain circumstances; requiring a motor vehicle manufacturer to implement procedures to ensure

reimbursement of certain consumers for certain repairs under certain circumstances; requiring a motor vehicle manufacturer to send a copy of a warranty adjustment program to the Motor Vehicle Administration within a certain time period; requiring the Motor Vehicle Administration to post a copy of a warranty adjustment program on its website within a certain time period; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to motor vehicle manufacturer adjustment programs.

BY adding to

Article – Commercial Law

Section 14–1401 through 14–1403 to be under the new subtitle “Subtitle 14.
Motor Vehicle Manufacturers’ Warranty Adjustment Programs”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 641 – Senator Raskin

AN ACT concerning

**Condominiums – Conversion of Rental Facilities – Extended Leases – Property Tax
Credit**

FOR the purpose of altering the minimum period of a certain extended lease that a developer converting a rental facility to a condominium is required to offer certain households under certain circumstances; authorizing the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property owned by a developer that converts a residential rental facility to a condominium and offers extended leases to tenants of the residential rental facility; authorizing the county or municipal corporation to provide, by law, for the amount, duration, and application of the property tax credit and any other provision necessary to carry out the credit; providing for the application of this Act; and generally relating to the conversion of rental facilities to condominiums.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–102.1(f), 11–137(b) and (f)(1), and 11–140(c)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – Property

Section 9–246

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 642 – Senator Raskin

AN ACT concerning

Courts – Health Care Malpractice – Certificate of a Qualified Expert

FOR the purpose of eliminating the requirement that an attorney for a party or the party pro se in a health care malpractice claim or action shall file a certain report in addition to a certificate of a qualified expert; and generally relating to the certificate of a qualified expert in a health care malpractice action.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–2A–04(b)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 643 – Senator Conway

AN ACT concerning

Creation of a State Debt – Baltimore City – Junior League of Baltimore Thrift Store

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Junior League of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 644 – Senators Conway, Britt, Dyson, Gladden, Jones, Pinsky, and Pugh

AN ACT concerning

Maryland Affordable Housing Investment Fund

FOR the purpose of establishing the Maryland Affordable Housing Investment Fund Board; abolishing the Housing Finance Review Committee; providing for the membership, terms, meetings, and duties of the Board; establishing the Maryland Affordable Housing Investment Fund; requiring that the Board use the Fund in certain ways to support, foster, and promote affordable housing; specifying the source of moneys of the Fund; requiring that the Board annually allocate money to certain local governments and to the Department of Housing and Community Development in a certain manner; establishing certain requirements that local governments must meet and actions local governments must agree to take to receive money from the Fund; establishing a certain maximum amount of certain funds that a local government may use to cover administrative costs; authorizing the Board to transfer unencumbered money in the Fund to certain other funds in the Department within a certain time; specifying certain conditions under which a local government may use certain funds for certain purposes; specifying certain factors that a local government must consider in establishing upper income limits for a family of limited income; requiring the Governor beginning in a certain fiscal year and for every year thereafter to include in the annual budget bill submitted to the General Assembly a certain appropriation to the Fund; imposing an annual State tax on certain property at a certain rate; repealing certain obsolete language; providing for the distribution of certain State property tax revenue to the Fund; defining certain terms; and generally relating to the Maryland Affordable Housing Investment Fund.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 2–201
Annotated Code of Maryland
(2006 Volume)

BY repealing
Article – Housing and Community Development
Section 4–208
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–208 and 4–506

Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–501
Annotated Code of Maryland
(2006 Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–134(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–301
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 645 – Senator Stoltzfus (By Request)

AN ACT concerning

Radiologist Assistants – Certification

FOR the purpose of requiring the State Board of Physicians to adopt certain regulations for the certification of radiologist assistants; requiring the Board to set certain fees; altering the membership of the Radiation Oncology/Therapy Technology, Medical Radiation Technology, and Nuclear Medicine Technology Advisory Committee; requiring the Committee to make certain recommendations, review certain applications, investigate certain complaints, and provide certain advice regarding radiologist assistants; providing for the supervision of certain radiologist assistants; requiring the Board to determine certain duties of certain radiologist assistants; establishing certain qualifications for certain radiologist assistants; providing for the renewal and reinstatement of certain certificates for radiologist assistants; authorizing the Board to deny, reprimand, place on probation, or suspend or revoke the certification of a radiologist assistant under certain circumstances; requiring certain reports to be filed by certain health care institutions regarding radiologist assistants; allowing certain exceptions to filing

certain reports; requiring certain notification of entrance into certain treatment programs; prohibiting the unauthorized practice of radiology assistance; prohibiting the practice or representation of the ability to practice radiology assistance without a certain certificate; making certain technical changes; defining certain terms; and generally relating to the certification of radiologist assistants.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5B–01, 14–5B–03 through 14–5B–09, 14–5B–11 through 14–5B–15,
14–5B–17, 14–5B–18, and 14–5B–20

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–5B–02, 14–5B–10, 14–5B–16, 14–5B–19, and 14–5B–21

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 646 – Senator Exum

AN ACT concerning

Mental Hygiene Facilities – Patient Rights

FOR the purpose of altering the requirement that individuals in certain facilities be free from certain restraints and seclusions; establishing that individuals in certain facilities be free from certain physical restraints and holds; establishing certain rights for individuals in certain State–operated psychiatric facilities; providing that the rights established in a certain subtitle may not be limited by certain privilege systems; establishing that certain individuals, guardians, and persons may file certain complaints in certain courts; requiring that certain complainants granted injunctive relief be awarded certain costs and attorney’s fees; and generally relating to patients rights in mental hygiene facilities.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 10–701

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 10–701.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 647 – Senator Exum

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Delta Alumnae Community
Development Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s County Delta Alumnae Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 648 – Senators Exum, Astle, Currie, Klausmeier, and Pugh

AN ACT concerning

Health Insurance – Managed Care Organizations – Service Count Ratio

FOR the purpose of requiring that certain regulations adopted by the Secretary of Health and Mental Hygiene, in consultation with the Maryland Insurance Commissioner, establish a mechanism to include a certain service count ratio as a condition under which a certain adjustment to capitation payments for certain managed care organizations will be waived; and generally relating to capitation payments for managed care organizations.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 15–605(c)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 193 of the Acts of the General Assembly of 2005
Section 2

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

Senate Bill 649 – Senator Edwards

AN ACT concerning

Garrett County – Special Property Tax – Volunteer Fire Departments

FOR the purpose of authorizing the Board of County Commissioners of Garrett County to increase certain tax rates on certain property up to a certain amount to support volunteer fire departments.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 41–1 A.
Article 12 – Public Local Laws of Maryland
(1985 Edition and October 2001 Supplement, as amended)
(As enacted by Chapter 247 of the Acts of the General Assembly of 2003)

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

Senate Bill 650 – Senator Edwards

AN ACT concerning

**Community Based Regional Initiatives Loan of 2004 – Garrett
County – Fairgrounds Exhibit Hall**

FOR the purpose of extending the deadline by which the County Commissioners of Garrett County must present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003
Section 12(3)(X)

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

Senate Bill 651 – Senator Edwards

AN ACT concerning

**Medical Malpractice Liability Insurance – Garrett County Memorial Hospital –
Subsidy for Family Practitioners Who Also Perform Obstetrical Services**

FOR the purpose of requiring a certain subsidy for certain calendar years for medical professional liability insurance policies issued to family practitioners who have staff privileges at Garrett County Memorial Hospital and who also provide obstetrical services at the Hospital; requiring certain amounts to remain in the Rate Stabilization Account to pay for certain subsidies; requiring medical professional liability insurers to include, if applicable, a certain subsidy in the information required to be submitted to the Maryland Insurance Commissioner to receive money from the Rate Stabilization Account; providing a certain exception to the requirement that a certain disbursement from the Rate Stabilization Account be reduced by a certain amount and the prohibition on a disbursement from the Account to a certain entity under certain circumstances; providing for the termination of this Act; and generally relating to a subsidy for medical professional liability insurance policies issued to family practitioners in Garrett County who also provide obstetrical services in Garrett County.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 19–801(a) and (b), 19–802(a), (b), and (g), and 19–803

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–804 and 19–805

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 652 – Senator Edwards

AN ACT concerning

Correctional Officers' Retirement System – Benefits

FOR the purpose of providing that surviving spouses or certain children of deceased retirees of the Correctional Officers' Retirement System are eligible to receive a certain death benefit under certain circumstances; altering the formula for computing the retirement allowance of members of the Correctional Officers'

Retirement System; and generally relating to benefits in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–401 and 25–401
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 25–401.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 653 – Senator Edwards

AN ACT concerning

Allegany County – School Funding Repayment – Release of Debt

FOR the purpose of releasing a debt owed by Allegany County to the State of Maryland for the sale of two certain public schools and outstanding bond debt; and generally relating to repayment of the County's outstanding debt for two public schools.

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

Senate Bill 654 – Senator Muse

AN ACT concerning

Department of Housing and Community Development – Rent Stabilization Program for Seniors

FOR the purpose of establishing the Rent Stabilization Program for Seniors in the Department of Housing and Community Development; extending the Rental Housing Programs Fund to operate, make loans, and pay expenses of the Program; providing for the purposes and scope of the Program; requiring the Department to administer the Program; authorizing the Department to ask the State to increase or replace amounts deposited in the Fund; providing for exemption from the provisions of this Act for certain establishments; restricting the amount of rent landlords may charge certain senior tenants and their households; providing for

adjustment of the rent ceiling of individual rental units; making certain landlords eligible for a certain tax credit; requiring a certain registration statement to be filed with the Department; establishing certain procedures for landlords and tenants to petition for a rent ceiling adjustment hearing; requiring the Department to make an official record of a certain hearing; specifying certain factors that the Department must consider in deciding whether to grant an individual adjustment of rent; prohibiting the approval of a certain adjustment of the rent ceiling under certain circumstances; specifying certain times when certain adjustments become effective; requiring the Secretary of the Department to give a certain notice of violations of certain provisions; providing for judicial review of certain decisions, notices, and orders; providing for a certain exemption due to financial hardship; specifying that certain agreements to modify certain provisions of this subtitle are void; authorizing the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on rental dwellings of owners who are covered under this Act; imposing a certain penalty; defining certain terms; and generally relating to rent stabilization for senior tenants in the State.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–103 and 4–504
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–4A–01 through 4–4A–20 to be under the new subtitle “Subtitle 4A.
Rent Stabilization Program for Seniors”
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Tax – Property
Section 9–219.1
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 655 – Senators Muse and Kramer

AN ACT concerning

**Task Force to Study the Feasibility of Establishing a State Police Barrack in
Legislative District 26**

FOR the purpose of establishing a Task Force to Study the Feasibility of Establishing a State Police Barrack in Legislative District 26; providing for the composition of the Task Force; requiring the Secretary of State Police to designate two cochairs of the Task Force in a certain manner; requiring the Department of State Police to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; entitling a member of the Task Force to reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding the feasibility of establishing a State Police Barrack in legislative district 26 and to include an assessment of certain operating and capital costs and certain individuals' needs for the Barrack; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to establishing a Task Force to Study the Feasibility of Establishing a State Police Barrack in Legislative District 26.

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

Senate Bill 656 – Senators Muse and Kramer

AN ACT concerning

**Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration
Office in Legislative District 26**

FOR the purpose of establishing a Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration Office in Legislative District 26; providing for the composition of the Task Force; requiring the Motor Vehicle Administrator to designate two cochairs of the Task Force in a certain manner; requiring the Motor Vehicle Administration to provide staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; entitling a member of the Task Force to reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding the feasibility of establishing a Motor Vehicle Administration office in legislative district 26 and to include an assessment of certain operating and capital costs and certain individuals' needs for the office; requiring the Task Force to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to establishing a Task Force to Study the Feasibility of Establishing a Motor Vehicle Administration Office in Legislative District 26.

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

Senate Bill 657 – Senators Muse, Britt, and Peters

AN ACT concerning

Prince George’s County – Board of Education – Election of Members

FOR the purpose of repealing certain provisions of law relating to the composition of certain school districts in Prince George’s County; requiring the members of the Prince George’s County Board of Education to be elected from certain school board districts; providing for the boundaries of certain school board districts; requiring candidates to live in certain school board districts and be registered voters; requiring candidates for election to the County Board to include a certain petition containing a certain number of signatures with the candidate’s certificate of candidacy; providing for the initial terms of the elected members of the County Board; requiring that a vacancy on the County Board be filled by a certain election if the vacancy occurs within a certain time period; requiring that certain vacancies on the County Board remain vacant under certain circumstances; providing that a member whose term expires may not hold over; requiring certain special elections to take place within a certain number of days under certain provisions of law; requiring the term of the chair and vice chair to be a certain number of years; specifying that the State Open Meetings Act applies to any committee or other entity created by the County Board; requiring the County Board or certain entities of the County Board to take certain actions before and after an executive session; altering the requirements for a quorum of the County Board; requiring the presence of a certain quorum of the County Board in order for the County Board to take any action; repealing provisions relating to the Shared Space Council in Prince George’s County; repealing a certain provision relating to the composition of a committee of the County Board; requiring certain documents and records relating to employment terms and financial compensation of certain officers in a certain school system be public records; repealing certain provisions and altering the title of a certain officer in the Prince George’s County school system; and generally relating to the election of members of the Prince George’s County Board of Education.

BY repealing

Article – Education

Section 3–1001, 3–1005, and 3–1008

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–1002, 3–1003, 3–1004, 3–1006, and 3–1007

Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education

Section 4–401 and 4–402 to be under the new subtitle “Subtitle 4. Prince George’s
County”

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 658 – Senators DeGrange, Jones, Madaleno, McFadden, Munson, and Robey

AN ACT concerning

Local Police Protection – Funding Restoration

FOR the purpose of repealing a requirement that certain payments to subdivisions and municipalities related to law enforcement be reduced by a certain amount; repealing certain definitions relating to the calculation of the amount by which a certain payment to subdivisions and municipalities related to law enforcement be reduced; providing for the application of this Act; and generally relating to certain payments to subdivisions and municipalities related to law enforcement.

BY repealing and reenacting, with amendments,

Article 41 – Governor – Executive and Administrative Departments

Section 4–403

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 659 – Senators McFadden and Jones

AN ACT concerning

Baltimore City – Sheriff’s Office – Personnel and Salaries

FOR the purpose of requiring the Sheriff of Baltimore City to appoint a certain number of additional persons to certain positions in the Sheriff’s Office; authorizing the Sheriff of Baltimore City to appoint up to a certain number of additional persons to certain positions in the Sheriff’s Office; requiring that certain employees in the

Baltimore City Sheriff's Office receive a salary not less than the salary of certain employees of the Baltimore City Police Department; and generally relating to personnel and salaries in the Baltimore City Sheriff's Office.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(d)(1)(ii) and (iii)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 660 – Senator McFadden

AN ACT concerning

Lead–Based Paint Damages – Reimbursement by Manufacturer – Market Share Liability

FOR the purpose of requiring certain manufacturers of certain lead–based paint to reimburse certain persons for certain damages caused by lead–based paint; establishing the types of damages for which certain manufacturers of lead–based paint are required to pay reimbursement; providing that certain manufacturers of lead–based paint may be held liable under any legally recognized theory of liability including a market share theory of liability; providing that failure to join a certain manufacturer in a certain action does not constitute failure to join a required party for any purpose; providing that a person is not required to demonstrate that a manufacturer manufactured the lead–based paint that caused the damage for a court to hold the manufacturer liable; requiring the person to prove certain elements in order to recover damages under a market share theory of liability; providing that the damages paid by a certain manufacturer who is found to be liable shall equal the manufacturer's share of the market at a certain time; defining certain terms; and generally relating to the liability of paint manufacturers for damage caused by lead–based paint.

BY adding to

Article – Courts and Judicial Proceedings
Section 3–1701 through 3–1703 to be under the new subtitle “Subtitle 17.
Reimbursement by Manufacturers of Lead–Based Paint for Damages
Caused by Lead–Based Paint”
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 661 – Senator McFadden

AN ACT concerning

Libraries – Funding – State Library Resource Center

FOR the purpose of altering the minimum allocations per resident that the State Library Resource Center shall receive for operating and capital expenses in certain fiscal years; and generally relating to funding for the State Library Resource Center.

BY repealing and reenacting, without amendments,

Article – Education

Section 23–201

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 23–205(d)

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 662 – Senators McFadden and Gladden (By Request – Baltimore City Administration)

AN ACT concerning

Local Law Enforcement Agencies – Disposal of Personal Property

FOR the purpose of requiring local law enforcement agencies to hold certain personal property that comes into their possession until certain determinations are made; establishing a procedure for local law enforcement agencies to notify the owner of the property and for the owner of the property to secure the release of the property in a certain manner within a certain period of time; authorizing a local law enforcement agency to sell certain personal property in a certain manner after a certain period of time; establishing that the amount received from the sale of personal property shall be distributed in a certain order of priority to certain entities; requiring that a certain remaining amount from the sale of personal property that was in the possession of the Baltimore Police Department be divided equally among certain entities; providing that a person who submits certain proof of the right to possession of the property shall be paid a certain amount under

certain circumstances; providing that a certain claim is barred after a certain period of time; providing for the interpretation of this Act; defining a certain term; and generally relating to the disposal of personal property in the possession of local law enforcement agencies.

BY adding to

Article – Public Safety

Section 3–505

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 663 – Senators McFadden and Jones

AN ACT concerning

Creation of a State Debt – Baltimore City – Clarence H. “Du” Burns Memorial

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of the Clarence H. “Du” Burns Memorial Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 664 – Senators McFadden and Gladden

AN ACT concerning

Economic and Community Development – Community Technology Centers

FOR the purpose of establishing the Community Technology Center Program in the Department of Business and Economic Development to provide grants to certain nonprofit organizations for the development of information technology training and support in certain communities; establishing eligibility criteria for grant recipients; establishing a limit on the grant amount; requiring the Department to adopt regulations to carry out the Program; requiring the Department to submit a certain report to the Senate Finance Committee and the House Economic Matters Committee on or before a certain date; establishing the intent of the General Assembly regarding funding for the Program; defining a certain term; and

generally relating to the Community Technology Center Program.

BY adding to

Article 83A – Department of Business and Economic Development
Section 6–1001 through 6–1005 to be under the new subtitle “Subtitle 10.
Community Technology Center Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 665 – Senators McFadden, DeGrange, Jones, Madaleno, Munson, and Robey

AN ACT concerning

Correctional Officers’ Retirement System – Retirement Allowance

FOR the purpose of altering the formula for computing the retirement allowance of members of the Correctional Officers’ Retirement System; and generally relating to the retirement allowance of members of the Correctional Officers’ Retirement System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions
Section 25–401
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 666 – Senators McFadden, Astle, Brinkley, Britt, DeGrange, Dyson, Hogan, Klausmeier, Middleton, Munson, Peters, Stoltzfus, and Stone

AN ACT concerning

Income Tax Credit for Graduate Level Education – Nonpublic School Teachers

FOR the purpose of allowing teachers in certain nonpublic schools to claim a credit against the State income tax under certain circumstances for up to a certain amount of tuition paid by the teacher for certain graduate level education; providing for the application of this Act; and generally relating to an income tax credit for tuition paid for certain graduate level education.

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–717
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 667 – Senators McFadden and Pugh

AN ACT concerning

Education – Personnel – Criminal Convictions

FOR the purpose of requiring the State Board of Education to adopt certain regulations that prohibit certain county boards of education from hiring certain certificated employees who have been convicted of certain crimes under certain circumstances; requiring certain county boards to dismiss certain individuals who have been convicted of certain crimes; and generally relating to the hiring and dismissal of individuals who have been convicted of certain crimes.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–113 and 6–202(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 668 – Senators Pinsky, Britt, Currie, Muse, and Peters

AN ACT concerning

Teachers’ Retirement and Pension Systems – Reemployment of Retirees

FOR the purpose of exempting, from a certain offset of a retirement allowance, certain retirees of the Teachers’ Retirement System or Teachers’ Pension System; altering the criteria that certain retirees of the Teachers’ Retirement System or Teachers’ Pension System are required to meet to be exempt from a certain offset of a retirement allowance; and generally relating to the reemployment of retirees of the Teachers’ Retirement System or Teachers’ Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions

Section 22–406 and 23–407
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 669 – Senators Pinsky, Britt, Dyson, Gladden, Hooper, Kelley, Madaleno, Peters, and Robey

AN ACT concerning

Education – Public Charter Schools – Revisions

FOR the purpose of authorizing certain charter schools to reserve certain enrollment for certain students; prohibiting the State Board of Education from contracting with certain entities to operate certain schools subject to a certain exception; requiring certain charter schools to submit certain applications on or before a certain date; requiring certain county boards of education to review certain applications and render certain decisions on or before a certain date; altering the amount of time within which the State Board must render certain decisions; authorizing the State Board to waive certain requirements regarding certification under certain circumstances; prohibiting certain charter schools from seeking certain waivers; authorizing certain charter schools to seek certain waivers from certain rules, regulations, or policies from certain county boards; authorizing certain appeals under certain circumstances; subjecting implementation of certain side agreements to certain negotiations between certain employee organizations and certain county boards; requiring certain county boards to disburse certain funds in accordance with a certain formula; authorizing certain county boards and certain charter schools to negotiate for certain funds; requiring certain charter schools to report certain information in a certain format; requiring certain county boards to provide certain special education services to students in certain charter schools; authorizing certain charter schools to submit a certain request to certain county boards regarding the provision of special education services; requiring certain county boards to approve or deny certain requests within a certain period of time; requiring certain charter schools and certain county boards to negotiate a certain system of reimbursement for the provision of special education services under certain circumstances; authorizing certain county boards and certain charter schools to provide certain transportation for certain students; providing for certain reimbursement for certain transportation; clarifying that certain reimbursement does not include certain circumstances; and generally relating to public charter schools.

BY renumbering

Article – Education

Section 9–110
to be Section 9–113
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 9–102 through 9–106, 9–108, and 9–109
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Education
Section 9–110 through 9–112
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 670 – Senators Pinsky and Britt

AN ACT concerning

Prescription Drugs – Canadian Mail Order Plan

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in coordination with the Secretary of Budget and Management, to develop a Canadian mail order plan for the purchase and importation of prescription drugs; requiring the Canadian mail order plan to provide prescription drugs to certain individuals, require a certain contract with a pharmacy benefits manager, incorporate certain patient safety features, include certain cost requirements, and provide certain financial incentives; requiring the Secretary to prepare a certain report for submission to the Legislative Policy Committee on or before a certain date; requiring the Secretary to implement the Canadian mail order plan on or before a certain date; and generally relating to a Canadian mail order plan for the purchase and importation of prescription drugs from Canada.

BY adding to
Article – Health – General
Section 15–144
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 671 – Senators Harris and Greenip

AN ACT concerning

**State–Funded Stem Cell Research – Stem Cell Research Commission
– Abstract**

FOR the purpose of creating a certain exception to the requirement that certain procedures and guidelines be based on the guidelines of the National Institutes of Health Center for Scientific Review; requiring an applicant for State–funded stem cell research to submit a certain abstract; providing for the specifications of the abstract; prohibiting the abstract from including certain proprietary or confidential information; requiring the Stem Cell Research Commission to establish certain length specifications and certain other guidelines for the submission of the abstract; requiring the Commission to publish certain abstracts on the Maryland Technology Development Corporation’s website; and generally relating to an abstract submitted as part of an application for State–funded stem cell research.

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 5–2B–07(a)(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5–2B–07(a)(5)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development
Section 5–2B–07.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 672 – Senators Harris and Greenip

AN ACT concerning

Residential Real Property Sales – Notice Requirements – Industrial Zoned Land

FOR the purpose of requiring a contract for the sale of residential real property to contain a certain statement notifying the buyer that the property may be located near industrial zoned land; providing for the application and construction of this Act; and generally relating to notice requirements for the sale of residential real property.

BY adding to

Article – Real Property

Section 14–117(l)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 673 – Senators Harris, Kelley, and Pugh

AN ACT concerning

Education – Teachers – Merit–Based Pay

FOR the purpose of requiring a county board of education to implement a system of merit–based pay if the majority of teachers, principals, and certain other personnel in a certain school are in favor of it, subject to certain conditions; subjecting the implementation of a system of merit–based pay to the availability of certain private funds donated for certain purposes; and generally relating to a system of merit–based pay for teachers, principals, and other certificated school–based personnel.

BY adding to

Article – Education

Section 6–307

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

FOR the purpose of requiring the Public Service Commission to adopt certain regulations concerning the purchase of certain equipment by electric companies; requiring the Maryland Energy Administration to adopt regulations by a certain date to establish certain minimum energy efficiency standards for certain new products sold in the State; prohibiting certain new products from being sold or offered for sale in the State on or after certain dates unless the products meet the minimum energy efficiency standards; authorizing the Administration to adopt regulations to exempt compliance with certain standards; requiring the Administration, in consultation with the Attorney General, to make certain determinations; requiring the Administration to apply for certain waivers of federal preemption under certain circumstances; prohibiting certain new products from being installed in the State on or after a certain date unless the products meet or exceed the minimum energy efficiency standards; authorizing the Administration to adopt regulations to establish increased energy efficiency standards for certain new products sold in the State under certain circumstances; authorizing the Administration to adopt regulations to establish energy efficiency standards for certain other products under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to energy efficiency standards for certain products.

BY repealing and reenacting, without amendments,

Article – Public Utility Companies

Section 1–101(a)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 1–101(p) through (pp)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY adding to

Article – Public Utility Companies

Section 1–101(p) and (oo) and 7–212

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2006

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 675 – Senator Klausmeier

AN ACT concerning

Creation of a State Debt – Baltimore City – Port Discovery

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Children’s Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 676 – Senator Klausmeier

AN ACT concerning

Family Law – Child Care – Influenza Immunization

FOR the purpose of requiring the parent or guardian of a child in the care of a certain child care center to provide to the child care center evidence of immunization against the influenza virus by a certain date each year except under certain circumstances; requiring certain child care centers to provide to the State Department of Education certain documentation concerning the immunization status of children in the care of certain child care centers; authorizing the State Superintendent of Schools to waive the influenza immunization requirement under certain circumstances; and generally relating to immunization against the influenza virus for children in the care of certain child care centers.

BY adding to

Article – Family Law
Section 5–580.4 and 5–589.2
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 677 – Senators Klausmeier, Della, and Edwards

AN ACT concerning

Pharmacy Benefits Managers Regulation Act

FOR the purpose of prohibiting a pharmacy benefits manager from establishing the amount of a certain reimbursement on a certain basis; prohibiting a pharmacy benefits manager from imposing a certain copayment, deductible, limit on quantity, or other condition, under certain circumstances; requiring an insurance policy or contract or a pharmacy benefits manager to allow an insured or certificate holder to obtain pharmaceutical benefits from the pharmacy or pharmacist of the insured or certificate holder's choice, within any pharmacy network; exempting certain managed care organizations, insurers, nonprofit health service plans, and health maintenance organizations, and affiliates, subsidiaries, or other related entities of certain insurers, nonprofit health service plans, and health maintenance organizations from certain provisions of this Act, under certain circumstances; requiring a person to register with the Maryland Insurance Commissioner before the person acts as or represents itself as a pharmacy benefits manager in the State; requiring an applicant for registration to file an application on a certain form and pay to the Commissioner a certain fee; requiring the Commissioner to register certain applicants; providing for the expiration and renewal of a registration; prohibiting a pharmacy benefits manager from taking certain actions; authorizing the Commissioner to deny, suspend, or revoke a registration or refuse to renew a registration under certain circumstances and subject to certain hearing provisions; authorizing the Commissioner, if a registration is suspended or revoked, to permit the continued operation of a pharmacy benefits manager for a certain period of time and under certain circumstances; requiring a pharmacy benefits manager to register as a third party administrator or a private review agent under certain circumstances; requiring a certain pharmacy benefits manager to pay and adjust claims according to certain statutory requirements; prohibiting an insurer, nonprofit health service plan, or health maintenance organization from entering into an agreement with a pharmacy benefits manager that has not registered with the Commissioner; requiring the Commissioner to conduct a certain examination in accordance with certain provisions of law; requiring a pharmacy benefits manager to maintain certain books and records for a certain period and in accordance with certain standards; requiring the Commissioner to adopt certain regulations on or before a certain date; requiring a pharmacy benefits manager to disclose in writing certain information to a prospective purchaser and a purchaser; specifying the manner in which certain disclosures must be provided; providing that a pharmacy benefits manager need not make certain disclosures unless and until the prospective purchaser or the purchaser agrees in writing to maintain certain information as

confidential; providing that certain agreements may include certain remedies and certain persons; requiring a contract executed by a pharmacy benefits manager for the provision of pharmacy benefits management services to include certain items; establishing certain requirements for members of a pharmacy and therapeutics committee; prohibiting a pharmacy benefits manager from substituting one prescription drug for the drug originally prescribed unless certain conditions are met; requiring a pharmacy benefits manager to disclose certain information to a purchaser if a drug substitution is made; requiring a pharmacy benefits manager to obtain a certain authorization to make a drug substitution and to make certain disclosures to a prescriber; providing for certain exceptions; prohibiting a pharmacy benefits manager from substituting a drug for a currently prescribed drug unless the pharmacy benefits manager provides a beneficiary or the beneficiary's representative with certain information; requiring a pharmacy benefits manager to maintain a certain toll-free telephone number; requiring a pharmacy benefits manager to enter into certain contracts with pharmacy providers under certain circumstances; specifying certain requirements of the contracts; specifying provisions that apply to audits carried out by pharmacy benefits managers of pharmacies or pharmacy claims; requiring a pharmacy benefits manager to allow a beneficiary to obtain covered pharmacy services from a certain pharmacy provider and allow a certain pharmacy that can meet certain conditions to provide certain services; requiring certain disclosures to comply with certain privacy standards; providing certain penalties; altering the definition of a "nonresident pharmacy" to include a pharmacy benefits manager under certain provisions of law; requiring a nonresident pharmacy to meet certain requirements; making certain provisions of law applicable to health maintenance organizations; allowing a certain person to continue to act as a pharmacy benefits manager without registering with the Commissioner under certain circumstances; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–805

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 15–1601 through 15–1623 to be under the new subtitle "Subtitle 16.
Pharmacy Benefits Managers"

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–101(m) and 12–403(e) and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–403(a), (b)(17), (d), and (g)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 678 – Senators Raskin, Britt, Della, Frosh, Gladden, and Pinsky

AN ACT concerning

Maryland Human Relations Commission – Hearings and Civil Actions – Relief

FOR the purpose of altering various provisions of the Maryland Human Relations Commission law; providing that an administrative law judge oversees certain proceedings before the Commission; providing that a complaint of discrimination and certain documents shall be certified to the general counsel of the Commission rather than the Commission chairman; requiring that the Executive Director of the Commission, rather than the Commission chairman, cause a certain notice to be issued and served; providing a process for electing to file a civil action rather than an administrative hearing concerning certain acts of discrimination; providing a process for the filing of a civil action by the Commission; expanding the relief available for acts of discrimination to include an award of certain compensatory damages, punitive damages, and attorney fees and expert witness fees under certain circumstances; establishing that certain limitations on compensatory and punitive damages shall increase by a certain amount each year; providing a process for a certain person or the Commission to intervene in a civil action brought by the Commission; authorizing the court to award certain relief to an intervening person; making stylistic changes; repealing certain obsolete provisions; providing for the construction of this Act; providing for the application of this Act; and generally relating to hearings and relief under the Maryland Human Relations Commission law.

BY repealing and reenacting, with amendments,
Article 49B – Human Relations Commission
Section 11
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 49B – Human Relations Commission
Section 11A through 11D
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 679 – Senators Raskin, Forehand, Jacobs, Kittleman, Lenett, Madaleno, McFadden, Peters, Robey, and Simonaire

AN ACT concerning

Family Law – Denial of Paternity, Custody, and Visitation

FOR the purpose of excluding as a father of a child a man who has committed a certain sexual crime against the child’s mother for purposes of certain provisions relating to guardianship and adoption of a child under certain circumstances; authorizing the court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody or visitation of a child to a parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring the court to consider the safety and well-being of the child’s other parent or guardian in approving supervised visitation; making a conforming change; and generally relating to paternity, custody, and visitation.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–306, 5–318(a)(1), 5–3A–06, 5–3B–05, and 9–101.2
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 680 – Cecil County Senators

AN ACT concerning

Cecil County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$31,405,000 in order to finance the cost of the construction and improvement of certain public facilities in Cecil County and to effect that borrowing by the issuance and sale at public or private sale of its general obligation bonds in like amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; and relating generally to the issuance and sale of the bonds by Cecil County.

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

Senate Bill 681 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Caterer’s License

FOR the purpose of establishing a caterer’s license in Cecil County; providing for a license fee, qualifications of license holders, license privileges, and requirements for a caterer’s license; specifying that certain license holders need not have a caterer’s license for a certain purpose; and generally relating to alcoholic beverages licenses in Cecil County.

BY adding to

Article 2B – Alcoholic Beverages

Section 6–711

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 682 – Cecil County Senators

AN ACT concerning

**Cecil County – Purchase of Development Rights Program – General Obligation
Installment Purchase Agreements**

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to enter into installment purchase agreements for an aggregate purchase price of not more than \$4,000,000, plus interest thereon, to acquire development rights in tracts or parcels of agricultural land located in Cecil County, Maryland as part of the County's Purchase of Development Rights Program; empowering the County to fix and determine by resolution, the tracts or parcels of land the transfer development rights of which are to be acquired and the form, content, terms and conditions of each installment purchase agreement, including, without limitation, the purchase price payable thereunder, the maturity date of the installment purchase agreement, the interest rate and schedule of payments of the purchase price (or the method of determining such interest rate and payment schedule) and all other details incident to the acquisition of the development rights and the installment purchase agreements; providing that the County's obligation to make payments of the purchase price under the installment purchase agreements and to pay interest thereon shall be a general obligation of the County made upon its full faith and credit; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing purchase price of an interest on the installment purchase agreements; exempting the installment purchase agreements and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; authorizing and empowering the County to purchase and set aside in a segregated fund or account U.S. Treasury STRIPs or other investments allowed under certain provisions of the law and the investment guidelines of Cecil County to pay the balance of the purchase price of the installment purchase agreements payable on their maturity dates; and generally relating to the County's entering into installment purchase agreements to acquire transfer development rights in agricultural lands in Cecil County.

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

Senate Bill 683 – Cecil County Senators

AN ACT concerning

**Cecil County – Alcoholic Beverages – Board of License Commissioners –
Summonses and Subpoenas**

FOR the purpose of authorizing inspectors employed by the Board of License

Commissioners of Cecil County to serve summonses for witnesses; authorizing the Board to subpoena records or papers pertaining to a licensed business or establishment; and generally relating to the powers of the Board of License Commissioners of Cecil County and inspectors employed by the Board.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 16–410(b)(2)(i) and (c)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 78 of the Acts of the General Assembly of 2003)

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

Senate Bill 684 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – New Year’s Sales

FOR the purpose of altering the hours of sale of alcoholic beverages in Cecil County when December 31 falls on a Sunday; altering the hours of sale when January 1 falls on a Sunday; and generally relating to sales of alcoholic beverages in Cecil County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–402(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 685 – Cecil County Senators

AN ACT concerning

Cecil County – Pretrial Release – Use of Technology to Facilitate Pretrial Release Process

FOR the purpose of allowing the use of video conferencing technology to facilitate the pretrial release process if authorized by the County Administrative Judge or the

District Administrative Judge; requiring certain documents to be delivered to the appropriate court immediately after a certain proceeding; and generally relating to the pretrial release process.

BY adding to

Article – Criminal Procedure

Section 5–214

Annotated Code of Maryland

(2001 Volume and 2006 Supplement)

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

Senate Bill 686 – Senators Pugh and Kelley

AN ACT concerning

Drug–Exposed Infants – Methamphetamine

FOR the purpose of expanding the definition of a drug–exposed infant to include exposure to methamphetamine; and generally relating to drug–exposed infants.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–818

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–323(a)

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–323(d)(3)(ii)

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 687 – Senator Pugh

AN ACT concerning

Youth Services Bureaus – Services

FOR the purpose of repealing a provision that makes the provision of certain required services by a youth services bureau subject to the availability of funding; and generally relating to services of youth services bureaus.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 9–233

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

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

Senate Bill 688 – Senators Pugh and McFadden

AN ACT concerning

High School – Compulsory Attendance – Diploma by Examination

FOR the purpose of requiring certain children of a certain age who withdraw from a certain school program to take the examination for a high school diploma at a certain time; requiring certain children who fail the examination for a high school diploma to enroll in certain school or educational programs; requiring certain persons with legal control and custody of certain children of a certain age who failed a certain examination to see that the children attend school or receive certain instruction; providing for certain violations and penalties; providing for a delayed effective date; and generally relating to compulsory school attendance and obtaining a high school diploma by examination.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–206 and 7–301

Annotated Code of Maryland

(2006 Replacement Volume)

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

Senate Bill 689 – Senator Pugh

AN ACT concerning

Maryland Nonprofit Development Center Program

FOR the purpose of establishing the Maryland Nonprofit Development Center Program in the Department of Business and Economic Development; requiring the Program to provide certain training and technical assistance services to nonprofit entities; establishing the Maryland Nonprofit Development Center Program Fund; establishing certain moneys and fees to be distributed to the Fund; providing for the purpose of the Fund; requiring the Department to designate a certain number of organizations to implement the Program and providing certain criteria for the designations; defining certain terms; increasing the amount of a certain annual fee paid by certain charitable organizations under certain circumstances and requiring a portion of the annual fee to be credited to the Fund; increasing the amount of a certain processing fee paid by certain nonstock corporations under certain circumstances and requiring a portion of the processing fee to be credited to the Fund; and generally relating to the Maryland Nonprofit Development Center Program.

BY adding to

Article 83A – Department of Business and Economic Development
Section 6–601 through 6–605 to be under the new subtitle “Subtitle 6. Maryland
Nonprofit Development Center Program”
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 6–407(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations
Section 1–203(a), (b)(10), and (d)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations
Section 1–203(b)(1)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Corporations and Associations
Section 1–203(b)(11) and (e)
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

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

Senate Bill 690 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Westchester Community Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Westchester Center Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 691 – Senators Kasemeyer, Hogan, Jones, McFadden, Munson, Peters, Robey, Zirkin, and Madaleno

AN ACT concerning

Primary and Secondary Education – School Facilities – Aging Schools Program

FOR the purpose of increasing the amount of the grants the State is required to distribute to county boards of education for the Aging Schools Program beginning in a certain fiscal year; and generally relating to the calculation and amount of grants under the Aging Schools Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–206(f)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 692 – Senator Miller

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Brandywine North Keys
Community Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Baden Aquasco Little League, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

Senate Bill 693 – Senators Zirkin, Britt, Colburn, Dyson, Harris, and Middleton

AN ACT concerning

HIV Testing – Prohibited Exposure – Victims

FOR the purpose of including a forensic scientist who works under the direction of a law enforcement agency within the list of possible victims of prohibited exposure to HIV; including a forensic scientist who works under the direction of a law enforcement agency within the definition of a public safety worker required to test for HIV in the event of a certain exposure; and generally relating to victims of prohibited HIV exposure.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–107
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338.3(a)(8)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 694 – Senators Edwards, Munson, and Stoltzfus

AN ACT concerning

Environment – Outdoor Wood Burning Furnaces – Requirements

FOR the purpose of prohibiting the use of an outdoor wood burning furnace in a municipality; authorizing the use of an outdoor wood burning furnace outside of a municipality under certain circumstances; prohibiting certain individuals from bringing certain nuisance claims; requiring certain commercial sellers to notify certain buyers of the provisions of this Act; exempting certain individuals from certain provisions of this Act under certain circumstances; defining a certain term; and generally relating to outdoor wood burning furnaces.

BY adding to

Article – Environment

Section 2–108

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

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

Senate Bill 695 – Senators Stone and Haines

AN ACT concerning

Real Property – Construction Contracts – Retention Proceeds

FOR the purpose of providing that certain retention proceeds may not exceed a certain percentage of certain contracts or certain payments under certain circumstances; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain owners reasonably determine that the performance of certain contractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain contractors reasonably determine that the performance of certain subcontractors provides reasonable grounds for withholding certain amounts; providing that certain retention proceeds may exceed a certain percentage of certain payments if certain subcontractors reasonably determine that the performance of certain other subcontractors provides reasonable grounds for withholding certain amounts; defining a certain term; providing certain

exceptions; providing for the construction of this Act; providing for the application of this Act; and generally relating to construction contracts and retention proceeds.

BY renumbering

Article – Real Property

Section 9–304

to be Section 9–305

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY adding to

Article – Real Property

Section 9–304

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

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

Senate Bill 696 – Senators Stone, Britt, Della, Jones, Madaleno, and Pinsky

AN ACT concerning

**Crimes – Leaving Dogs Outside and Unattended by Use of
Restraints – Penalties**

FOR the purpose of prohibiting a person from leaving a dog outside and unattended by use of a certain restraint during certain time periods and under certain circumstances; establishing penalties for a violation of this Act; defining certain terms; and generally relating to the unattended restraint of dogs.

BY adding to

Article – Criminal Law

Section 10–623

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

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

Senate Bill 697 – Senator Stone

AN ACT concerning

Criminal Law – Reckless Endangerment – Use of a Motor Vehicle

FOR the purpose of creating certain exceptions to an exclusion of conduct involving the use of a motor vehicle from the crime of reckless endangerment; and generally relating to reckless endangerment.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–204
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

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

Senate Bill 698 – Senator Stone

AN ACT concerning

Interception of Oral Communications – School Vehicles

FOR the purpose of providing that it is lawful for a person to intercept an oral communication on certain school vehicles and passenger buses being used to transfer children, students, or teachers for educational purposes or in connection with a school activity; defining certain terms; and generally relating to the interception of oral communications.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)
Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 699 – Senator Stone

AN ACT concerning

State Highway Administration – Protection of Highway Construction and Maintenance Workers

FOR the purpose of requiring the State Highway Administration to develop certain procedures to ensure the safety of highway construction and maintenance workers during construction or maintenance work on certain expressways and controlled

access highways; requiring the Administration or the appropriate local authority to incorporate the procedures into the project planning and construction phases of certain proposed highway projects; requiring procedures developed under this Act to include certain methods of protecting highway construction and maintenance workers, including closure of certain highways in a certain manner, the use of certain barriers, or maintenance of a law enforcement presence at or near the site of certain highway construction or maintenance projects; prohibiting the use of speed monitoring systems to enforce speed limits at the site of certain highway construction or maintenance projects under certain circumstances; and generally relating to the protection of certain highway construction and maintenance workers.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 8–610(a), (b), (g), (h), and (i)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 8–613.2
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–151 and 21–101(a) and (v)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

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

Senate Bill 700 – Senator Dyson

AN ACT concerning

The Baby Boomer Initiative Act

FOR the purpose of establishing a Baby Boomer Initiative Council; establishing the membership of the Council; requiring the Governor to appoint the chair to the Council; establishing the duties of the Council; requiring the Council to make certain recommendations; requiring the Council to provide certain reports to the Governor and General Assembly on or before certain dates; providing for the termination of this Act; defining certain terms; and generally relating to the baby

boomer population.

BY adding to

Article – Health – General

Section 24–1501 through 24–1505 to be under the new subtitle “Subtitle 15. Baby Boomer Initiative Council”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 701 – Senator Dyson

AN ACT concerning

**Public Safety – Maryland State Firemen’s Association – Uses
of Appropriation**

FOR the purpose of altering the purposes for which the Maryland State Firemen’s Association may use money appropriated in the State budget; and generally relating to the Maryland State Firemen’s Association.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 8–205

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

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

Senate Bill 702 – Senator Dyson

AN ACT concerning

Natural Resources – Yellow Perch – Harvest Restrictions

FOR the purpose of prohibiting a person from installing, setting, operating, or maintaining in certain tributaries of the Chesapeake Bay at certain times certain fishing gear capable of catching yellow perch; establishing a certain exception to the prohibition; establishing a certain exception to the authority of the Department of Natural Resources to regulate a certain fishery resource exclusively through the adoption of a fishery management plan; requiring the Department, in consultation with certain stakeholders, to report annually to the General Assembly on the

environmental and economic impact of certain harvest restrictions on or before a certain date; requiring the Department in consultation with certain stakeholders, to prepare and submit to certain committees of the General Assembly a certain report related to fisheries on or before a certain date; and generally relating to fishery management in the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Natural Resources
Section 4–710(j)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

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

Senate Bill 703 – Senator Dyson

AN ACT concerning

Maryland Partnership for Innovation and Quality in Family Child Care Act

FOR the purpose of authorizing family child care providers to designate which provider organizations, if any, shall be the joint negotiating representative of all Purchase of Child Care Subsidy Program (POC) providers and the joint rulemaking representative of all registered providers; establishing certain procedures for petitioning of a provider organization for recognition as representative of providers; establishing certain procedures for the election of provider organizations; establishing a certain minimum period of representation for the initial designation of a provider organization; requiring that a certain percentage of providers petition to request an election after the initial designation period of a provider organization; requiring provider organizations designated as representative to represent all providers in the State fairly, without regard to whether or not the provider is a member of the provider organization; requiring the State Department of Education to negotiate with the representative of POC providers on certain matters; authorizing the Department to negotiate with the joint negotiating representative of POC providers on certain matters; limiting the service or representation fee of the POC providers; authorizing a certain deduction in the membership dues of POC providers; requiring the Department to meet and

confer with the joint rulemaking representative of registered providers on certain matters; authorizing the Department to meet and confer with the joint rulemaking representative of registered providers on certain matters; establishing certain procedures for the appointment of a third party when there is an impasse; specifying that if certain issues agreed on by certain parties would require modifications of existing regulations, the issues may not become effective until the modifications to the regulations have been made in a certain manner; specifying that the designation of certain State representatives under this Act does not prevent provider organizations from appearing before or making proposals to certain State agencies at a public meeting or hearing; prohibiting the State and provider organizations from certain actions against providers because of the exercise of the providers' rights to join or refuse to join a provider organization; prohibiting a provider organization from calling or directing a strike; declaring the legislative intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws; providing for the application and construction of this Act; defining certain terms; providing for the short title of this Act; declaring that the provisions of this Act are severable; providing for the effective date of this Act; and generally relating to the organization of family child care providers.

BY adding to

Article – Education

Section 27–101 through 27–114 to be under the new title “Title 27. Organization of Family Child Care Providers”

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 5–550(d) and 5–552(b)

Annotated Code of Maryland
(2006 Replacement Volume)

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

Senate Bill 704 – Senators Conway and Colburn

AN ACT concerning

Home Improvement Contracts – Exception to Limit on Deposits

FOR the purpose of authorizing a person to receive a deposit of more than one–third of a home improvement contract price before or at the time of execution of the home improvement contract if that person provides a certain bond or bond equivalent

and includes a certain notice in the home improvement contract; and generally relating to an exception to the limit on deposits before or at the time of execution of a home improvement contract.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–617
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

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

Senate Bill 705 – Senator Forehand

AN ACT concerning

Property Tax – Exemption for Property Used as a Publicly Sponsored Business Incubator

FOR the purpose of exempting from the State and local property tax certain property that is used as a business incubator; defining a certain term; providing for the application of this Act; and generally relating to a State and local property tax exemption for certain property that is used as a business incubator.

BY adding to
Article – Tax – Property
Section 7–242
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

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

Senate Bill 706 – Senators Klausmeier and Pipkin

AN ACT concerning

Public Service Companies – Annual Reports

FOR the purpose of requiring a public service company to file a separate annual report for each of its nonregulated affiliated or subsidiary companies under certain circumstances; and generally relating to annual reports submitted by public service companies to the Public Service Commission.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 6–205
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

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

Senate Bill 707 – Senators Hooper, Forehand, and Munson

AN ACT concerning

Vehicle Laws – Consumer Access to Replacement Key Information

FOR the purpose of requiring a manufacturer of a motor vehicle sold or leased in the State on or after a certain date to implement a system for providing certain replacement key information to certain locksmiths on or before a certain date; requiring a motor vehicle manufacturer to make a certain key replacement system available to certain individuals at all times; establishing procedures for a certain locksmith and a certain motor vehicle manufacturer to follow to provide a replacement key to a certain motor vehicle owner or lessee; providing for exemption from liability for theft for certain locksmiths and certain motor vehicle manufacturers under certain circumstances; requiring a manufacturer of certain motor vehicles to operate a certain telephone or electronic system for providing a replacement key to a certain vehicle owner or lessee at all times at a reasonable cost and within a certain period of time; authorizing a motor vehicle manufacturer to enter into a contract with another entity to provide the services required under this Act; providing for the severability of this Act; providing for the effective date of certain provisions of this Act; defining certain terms; and generally relating to requirements and procedures for motor vehicle manufacturers and locksmiths to provide replacement keys to motor vehicle owners or lessees.

BY adding to
Article – Transportation
Section 15–210.1
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing
Article – Transportation
Section 15–210.1(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–210.1(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)
(As enacted by Section 1 of this Act)

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

Senate Bill 708 – Senators McFadden, Gladden, Jones, and Miller

AN ACT concerning

Election Law – County Offices or Baltimore City Municipal Offices – Election Dates

FOR the purpose of altering the date of the primary elections in Baltimore City; requiring that any county, including Baltimore City, hold general elections for county offices or Baltimore City municipal offices on certain dates; providing for the terms of office for certain municipal officers; providing for a delayed effective date; and generally relating to election dates for county offices or Baltimore City municipal offices.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–201 and 8–301
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 3 – Senators Haines, Colburn, Greenip, Harris, and Simonaire

A Senate Joint Resolution concerning

Celebrate Freedom Week in Public Schools

FOR the purpose of urging local boards of education in the State to establish Celebrate Freedom Week during the month of September by instituting a curriculum in the public schools designed to instill a sense of the sacrifices made during the

founding of this country and the values upon which this country was founded.

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

Senate Joint Resolution 4 – Senator Garagiola

A Senate Joint Resolution concerning

Veterans Health Care Budget Reform

FOR the purpose of urging the Maryland Congressional Delegation and the United States Congress to support veterans health care budget reform to allow direct funding instead of discretionary funding; and generally relating to the veterans health care budget.

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

Senate Joint Resolution 5 – Senators Forehand and Raskin

A Senate Joint Resolution concerning

REAL ID Act of 2005 – Protest and Repeal

FOR the purpose of protesting the implementation of the federal REAL ID Act of 2005; requesting the United States Congress to repeal the Act; and generally relating to the federal REAL ID Act of 2005.

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

INTRODUCTION OF RESOLUTIONS

A Resolution; Given to Honor the Men and Women who have given their lives in service to their country. The Maryland General Assembly extends its sincere sympathy to the Family and colleagues. The citizens of Maryland will forever be grateful for your dedicated service and will never forget the sacrifice made at a time of great need.

QUORUM CALL

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

(See Roll Call No. 102)

ADJOURNMENT

At 8:51 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 6, 2007.

Annapolis, Maryland
Tuesday, February 6, 2007
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Chaplain J. Joseph Hart, GBMC Healthcare, guest of Senator Brochin.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 2, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 105)

THE COMMITTEE ON RULES REPORT #1

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 33 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

Senate Bill 150 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 17(c). Appointment

(c) After consultation with the President, the minority leader shall recommend minority party Members for appointment to each standing committee. After due consideration of the minority leader's recommendations, the President shall appoint Members to each standing committee in a manner that reflects the diversity of the Senate, including but not limited to political party affiliation.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 17(c)

Senator Klausmeier moved, duly seconded, to adopt Senate Rule 17(c).

The motion was adopted.

Senate Rule 77. Limit of Debate.

(a) A Senator may not speak more than once upon any subject until every other Senator wishing to speak has spoken. Senators shall confine themselves to the subject under debate.

(b) Upon motion of a Senator, supported by a vote of three-fifths of the Members elected to the Senate, debate may be limited pursuant to the terms of the motion. This motion is not debatable or amendable. It is a question of the highest privilege and prevails of the questions and motions listed in Rules 70, 83, and 86, and it may be made at any time.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 77

Senator Klausmeier moved, duly seconded, to adopt Senate Rule 77.

Senator Harris moved, duly seconded, to offer the following amendment to Senate Rule 77(b).

(b) Upon motion of a Senator, supported by a vote of ~~three-fifths~~ TWO-THIRDS of the Members elected to the Senate, debate may be limited pursuant to the terms of the motion. This motion is not debatable or amendable. It is a question of the highest privilege and prevails of the questions and motions listed in Rules 70, 83, and 86, and it may be made at any time.

The preceding amendment was read and rejected by roll call vote as follows:

Affirmative - 14 Negative - 33 (See Roll Call No.106)

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 77

Senator Klausmeier moved, duly seconded, to adopt Senate Rule 77.

Senate Rule 77 was adopted by roll call vote as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 107)

RULES

MOTION

Senator Kittleman moved, duly seconded, to propose the following Senate Rule.

“Each bill introduced in the Senate of Maryland must receive a recorded vote by the committee to which it is assigned by the eighty-ninth (89th) day of the Legislative session.”

The preceding proposed Senate Rule was read and rejected by roll call vote as follows:

Affirmative - 14 Negative - 33 (See Roll Call No. 108)

Senator Klausmeier moved, duly seconded, to offer the following amendment to Senate Rule 46.

AMENDMENT TO SENATE RULE NO. 46

ORDERED by the Senate of Maryland, that Senate Rule 46, as adopted by the Senate for the 2007 Session be and it is hereby repealed and readopted with amendments, to read as follows:

“46. Change of Purpose.

(A) A bill or resolution may not be amended in its passage through the Senate or by a conference committee, by the use of the phrase “strike out everything after the words ‘A BILL’” or by any other amendment or series of amendments, with the effect of changing the original purpose of the bill or resolution. A motion to suspend the provisions of this Rule must refer to it and state the reason for the proposed suspension. The proposed amendment shall be submitted in writing and copies shall be distributed to each Senator’s desk.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A BILL OR RESOLUTION MAY NOT BE AMENDED ON SECOND READING IN THE SENATE OR, AS TO A HOUSE BILL OR RESOLUTION, ON SECOND OR THIRD READING IN THE SENATE, OR BY A CONFERENCE COMMITTEE, TO INCLUDE A PROPOSED CONSTITUTIONAL AMENDMENT.

(2) THIS SUBSECTION DOES NOT APPLY TO AN AMENDMENT ADOPTED BY A STANDING COMMITTEE AND INCLUDED IN THE COMMITTEE’S FAVORABLE REPORT OF THE BILL THAT IS THE SUBJECT OF THE PROPOSED AMENDMENT.”

The preceding amendment was adopted by roll call vote as follows:

Affirmative - 33 Negative - 14 (See Roll Call No. 109)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116 Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

(1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and

(2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senator Klausmeier moved, duly seconded, to adopt Senate Rule 116.

The motion was adopted by roll call vote as follows:

Affirmative - 47 Negative - 0 (See Roll Call No.110)

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 111)

ADJOURNMENT

At 11:30 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 7, 2007.

**Annapolis, Maryland
Wednesday, February 7, 2007
10:00 A.M. Session**

The Senate met at 10:15 A.M.

Prayer by The Reverend William H.C. Ticknor, St. James’ Parish, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 6, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Harris be excused from today’s session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 114)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Maryland Library Community	The President et al	174

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 115)

INTRODUCTION OF BILLS

Senate Bill 709 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Talbot County – For All Seasons Mid Shore Center for Human Services

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of For All Seasons, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 710 – Senators Conway, Dyson, Exum, Frosh, Gladden, Hogan, Kelley, and Pugh

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

FOR the purpose of authorizing counties and municipalities to take certain actions to support, foster, or promote an affordable housing program for individuals or families of low or moderate income; making certain technical corrections; and generally relating to the authority of counties and municipalities to take action to support, foster, and promote affordable housing.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 6–203
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 711 – Senators Gladden and Dyson

AN ACT concerning

Education – “Share the State Fair!” Matching Fund

FOR the purpose of establishing the “Share the State Fair!” Matching Fund in the State Department of Education; specifying the purpose of the Fund; specifying sources of money for the Fund and requiring the Governor to include certain money in the

State budget each year for the Fund; specifying the amount of a matching grant; restricting the use of grant money to the payment of certain costs; requiring the State Superintendent of Education to evaluate and make recommendations to the State Board of Education regarding grant applications and to issue a certain annual report; requiring the State Board to adopt certain regulations; and generally relating to the “Share the State Fair!” Matching Fund.

BY adding to

Article – Education
Section 7–116
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 712 – Senator Kittleman

AN ACT concerning

Workers’ Compensation – Covered Employees – Benefits

FOR the purpose of providing that undocumented employees are entitled to certain workers’ compensation benefits only under certain circumstances; defining a certain term; and generally relating to eligibility to receive benefits under workers’ compensation law.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 9–101 and 9–202
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment
Section 9–660(a) and (b) and 9–661
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 713 – Senator Colburn

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Special Class C
Licensees – Distribution of Wristbands**

FOR the purpose of requiring in Dorchester County a holder of a certain special Class C license to distribute at the event for which the license is issued a wristband to each individual who is at least 21 years old; prohibiting a holder of a certain special Class C license from serving an alcoholic beverage to any individual who does not wear the wristband; making a certain stylistic change; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(6) and (d)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 714 – Senator Astle

AN ACT concerning

**Health Insurance – Prohibited Discrimination and Rebates – Incentives for
Participation in Wellness Programs and Other Exceptions**

FOR the purpose of providing that it is not discrimination or a rebate under certain insurance laws for an insurer, nonprofit health service plan, or health maintenance organization to provide reasonable incentives to an insured, subscriber, or member for participation in a bona fide wellness program offered by the insurer, nonprofit health service plan, or health maintenance organization under certain circumstances; requiring any incentive offered for participation in a bona fide wellness program to be reasonably related to the program; prohibiting the value of the incentive from exceeding a certain limit; requiring the Maryland Insurance Commissioner to adopt certain regulations; applying certain exceptions to certain prohibitions against certain discrimination and rebates to health maintenance organizations; defining certain terms; and generally relating to exceptions to prohibitions against discrimination and rebates under insurance laws.

BY adding to
Article – Health – General
Section 19–706(jjj)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–210
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 715 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Laurel Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 716 – Senator Greenip

AN ACT concerning

Income Tax – Expensing of Section 179 Property

FOR the purpose of limiting the applicability of certain modifications to federal adjusted gross income of an individual or federal taxable income of a corporation for Maryland income tax purposes for certain deductions for the cost of certain property treated as an expense for federal income tax purposes; providing for the application of this Act; and generally relating to certain modifications for Maryland income tax purposes for certain deductions for the cost of certain property treated as an expense for federal income tax purposes.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–210.1(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–310
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 717 – Senator Colburn

AN ACT concerning

**Somerset County, Wicomico County, and Worcester County – Deer Hunting on
Private Lands – Sundays**

FOR the purpose of removing Somerset County, Wicomico County, and Worcester County from the list of counties in which deer hunting on private lands on certain Sundays is prohibited; authorizing a person in Somerset County, Wicomico County, or Worcester County to hunt deer on certain Sundays on private property with a bow and arrow; and generally relating to deer hunting on private lands on Sundays.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–405(a)(2)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 718 – Chair, Finance Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

FOR the purpose of repealing the requirement that the Maryland Health Care

Commission may not act on any matter unless a certain number of voting members in attendance concur; providing that a decision of the Commission shall be by a majority of the quorum present and voting; raising the amount of total fees that may be assessed by the Commission; providing that a majority of the full authorized membership of the Commission is a quorum to act on certain applications; altering the date by which the Commission shall provide a certain annual report; authorizing the Commission to compile certain data from certain facilities to be included in the medical care data base; altering certain requirements for the medical care data base related to information collected by the Health Services Cost Review Commission; repealing the requirement that the Commission conduct a certain study; repealing the requirement that the Commission annually determine the full cost of certain mandated health insurance services in the State; altering the information to be reported to the General Assembly in a certain annual report on mandated health insurance services; requiring the Commission to include certain information on mandated health insurance services in a certain evaluation and in certain reports to the General Assembly; providing for a certain evaluation of the Commission and the statutes and regulations that relate to the Commission on or before a certain date; requiring the Commission to include certain information regarding the Limited Health Benefit Plan in a certain report to certain committees of the General Assembly; requiring the Commission to include certain information in a certain workload distribution study and to report to certain committees of the General Assembly on or before a certain date; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of certain recommendations related to certificate of need; requiring the Commission to include certain information on the Maryland Trauma Physician Services Fund in a certain report; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the collection and use of certain data; requiring the Commission to report to certain committees of the General Assembly on or before a certain date on the implementation of recommendations contained in a certain evaluation of the Commission; and generally relating to the program evaluation of the Maryland Health Care Commission.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–107(a), 19–111(c)(1), 19–126(d)(2), 19–130(e), and 19–133

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–126(d)(1) and (13) and 19–130(b)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing

Article – Health – General

Section 19–139

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–1501(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing

Article – Insurance

Section 15–1501(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1501(e) and (f) and 15–1502

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(27)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 287 of the Acts of the General Assembly of 2004

Section 4

Read the first time and referred to the Committee on Rules.

Senate Bill 719 – Chair, Finance Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

FOR the purpose of requiring the Health Services Cost Review Commission to include certain items in its annual report to the Governor and the General Assembly; authorizing the Secretary of Health and Mental Hygiene to assess a certain administrative charge; authorizing the Commission to use money from certain user fees to pay certain administrative costs; increasing the total amount of user fees that the Commission may assess; requiring the Board of the Maryland Health Insurance Plan to submit a certain report on or before a certain date each year; requiring that an evaluation under the Maryland Program Evaluation Act of the State Health Services Cost Review Commission be prepared on or before a certain date; requiring the Department of Health and Mental Hygiene, in consultation with the Commission, to conduct a certain assessment of Medicaid hospital day limits and report on its findings to certain committees of the General Assembly on or before a certain date; requiring the Commission, in consultation with the Maryland Hospital Association, to study certain alternatives to the annual update factor as a restriction on the budget of the Commission and report on its findings to certain committees of the General Assembly on or before a certain date; requiring the Commission to submit certain reports to certain committees of the General Assembly on or before certain dates; requiring the Commission, the Maryland Health Care Commission, and the Community Health Resources Commission to study certain items and report on their findings to certain committees of the General Assembly on or before a certain date; and generally relating to the Health Services Cost Review Commission and hospital financing.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–207(b)(6), 19–208(b), and 19–213(c)(1) and (3) and (d)(8)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–213(d)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–503(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(28)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 720 – Senators Middleton, Exum, and Kelley (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

FOR the purpose of reestablishing the Joint Committee on Unemployment Insurance Oversight; establishing the membership and staffing of the Committee; requiring the President of the Senate and the Speaker of the House of Delegates to designate the cochairs of the Committee; requiring the Committee to examine certain issues; authorizing the Committee to examine certain issues; requiring the Committee to issue a certain report by a certain date; prohibiting a member of the Committee from receiving certain compensation, but authorizing a member of the Committee to receive certain reimbursements; providing for the termination of this Act; and generally relating to the reestablishment of the Joint Committee on Unemployment Insurance Oversight.

BY adding to
Article – State Government
Section 2–10A–11
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 6 – Senators Exum, Britt, Conway, Frosh, Gladden, Jones, Madaleno, McFadden, Muse, and Pugh

A Senate Joint Resolution concerning

Slavery in Maryland

FOR the purpose of expressing regret for the role that Maryland played in instituting and maintaining slavery and for the discrimination that was slavery's legacy.

Read the first time and referred to the Committee on Rules.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 116)

ADJOURNMENT

At 10:31 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 8, 2007.

Annapolis, Maryland
Thursday, February 8, 2007
10:00 A.M. Session

The Senate met at 10:14 A.M.

Prayer by The Reverend Charlotte Hendee, Galesville United Methodist Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 7, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Zirkin be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 121)

INTRODUCTION OF BILLS

Senate Bill 721 – Senator Stone

EMERGENCY BILL

AN ACT concerning

Homeowner's Insurance – Action for Bad Faith Settlement of or Bad Faith Failure to Settle a Claim

FOR the purpose of establishing certain procedures for certain insureds to bring a certain action against a certain insurer for a bad faith settlement of or bad faith failure to settle a claim made under a policy of homeowner's insurance; requiring an insured to send a certain written notice of the insured's intent to file a certain action to a certain insurer within a certain time period; authorizing an insurer to request that an insured allow an inspection of the insured property and provide certain evidence; prohibiting an insurer from alleging that an insured has denied reasonable access to an insurer or its agent under certain circumstances; requiring

an insurer to send a written response to an insured within certain time periods; requiring the written response to offer to settle the claim and state the amount of the settlement offer or to state that the insurer refuses to settle the claim; requiring an insured to send a certain notice to an insurer stating that the insured rejects the insurer's settlement offer and the reason for the rejection or that the insured accepts the settlement offer; authorizing an insured to bring a certain civil action against an insurer if the insurer fails to take a certain action or refuses to settle a claim; requiring a certain claimant to send a copy of a certain notice and a certain complaint to the Maryland Insurance Commissioner and People's Insurance Counsel; providing that if an insurer is found to have settled a claim in bad faith or, in bad faith, failed to settle a claim, the insurer is liable to a claimant for certain losses, consequential damages, punitive damages, and reasonable attorney's fees; defining certain terms; providing for the application of this Act; making this Act an emergency measure; and generally relating to homeowner's insurance and the bad faith settlement of or bad faith failure to settle a claim.

BY adding to

Article – Insurance

Section 19–208

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 722 – Senators Conway, Della, Jones, McFadden, and Pugh

AN ACT concerning

Baltimore City – Sheriff's Office – Compensation

FOR the purpose of altering the salary rate for a Baltimore City deputy sheriff, deputy sheriff sergeant, and deputy sheriff lieutenant; providing that the salary rate for a deputy sheriff, deputy sheriff sergeant, and deputy sheriff lieutenant shall be set at respective rates not less than the salary equivalent of a Baltimore City police officer, police sergeant, and police lieutenant with equal service time; and generally relating to compensation for deputy sheriffs, deputy sheriff sergeants, and deputy sheriff lieutenants in the Baltimore City Sheriff's Office.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–309(d)(1)

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 723 – Senators Conway, Dyson, and Kelley

AN ACT concerning

Certified Social Workers–Clinical – Practice – Definition

FOR the purpose of altering the definition of “practice social work” so as to authorize a licensed certified social worker–clinical to practice social work by evaluating, diagnosing, and treating certain mental and emotional conditions and impairments in addition to certain other conditions and disorders; and generally relating to defining the practice of social work for certified social workers–clinical.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 724 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Brook Lane Health Services

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Brook Lane Health Services, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 725 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of the Washington County Museum of Fine Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 726 – Senators Rosapepe, Britt, Forehand, Frosh, Garagiola, Jones, Lenett, Peters, Pinsky, Raskin, Robey, and Zirkin

AN ACT concerning

Election Law – Maryland Student Voting Rights Act

FOR the purpose of requiring certain institutions of higher education to facilitate student engagement in the electoral process by undertaking certain activities and policies; requiring local boards of elections to provide the general public access on the Internet to certain voter registration information; repealing a provision that prohibits a local board from establishing a separate precinct at a certain location; specifying that an individual who attends an institution of higher education in the State who resides in an on-campus residential housing facility may register for the precinct in which the institution is located or at an alternate address; requiring each public institution of higher education in the State to provide certain individuals with the opportunity to register to vote or to update a voter registration record; providing that an individual may register to vote by the Internet under certain circumstances; providing that if an applicant provides a full Social Security number with a voter registration application the name of the applicant promptly shall be added to the voter registry pending further review by the applicable local board or the State Board of Elections; requiring a local board to provide a certain notice to certain applicants for voter registration under certain circumstances; requiring a local board to post within a certain time period after an election the names of individuals voting by provisional ballot; requiring local boards to adopt a certain plan; requiring each local board to ensure that polling places are staffed to a certain standard and in a certain manner on election day; providing that the budget of the State Board for each fiscal year shall include funding necessary to support certain staffing and operations at polling places to satisfy a certain standard; requiring each local board to ensure that each polling place is equipped with the number of voting machines specified under standards established by the

State Board; requiring the State Board to ensure that a voter who casts a provisional ballot may access through the Internet information about the status of the ballot; altering the standard for determining the area at certain polling places beyond which electioneering may not take place; requiring local boards to establish certain easy voting polling places; authorizing any qualified voter to vote at an easy voting polling place; making stylistic changes; requiring the State Board to adopt certain regulations; making a part of this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the Maryland Student Voting Rights Act.

BY adding to

Article – Election Law

Section 1–305

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 2–202, 2–303(a), 3–102, 3–201, 3–202, 3–204, 9–403, 10–201, 10–301.1, 10–302, 11–303, and 16–206

Annotated Code of Maryland

(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 727 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Courthouse – Duvall Wing

FOR the purpose of authorizing the creation of a State Debt in the amount of \$7,000,000, the proceeds to be used as a grant to the County Executive and County Council of Prince George’s County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 728 – Senators Middleton, Colburn, and Pipkin

AN ACT concerning

Creation of a State Debt – Talbot County – Rosie Parks Restoration Project

FOR the purpose of authorizing the creation of a State Debt not to exceed \$225,000, the proceeds to be used as a grant to the Board of Governors of the Chesapeake Bay Maritime Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 729 – Senator Kelley

AN ACT concerning

Maryland Medical Assistance Program – Atypical Antipsychotic Medication

FOR the purpose of providing that certain Maryland Medical Assistance Program enrollees who are prescribed certain medications shall be automatically dispensed a certain supply of medication and may not be subject to a certain waiting period; repealing a certain termination provision; repealing an exemption from prior authorization for certain medications; making certain technical corrections; and generally relating to the Maryland Medical Assistance Program and atypical antipsychotic medication.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 15–101(a), (h), and (i)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–119
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing
Chapter 444 of the Acts of the General Assembly of 2005
Section 41

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Paul Laurence Dunbar Senior High School	Senator Verna L. Jones	248

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 122)

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 682 – Cecil County Senators

AN ACT concerning

**Cecil County – Purchase of Development Rights Program – General Obligation
Installment Purchase Agreements**

Reassigned to the Budget and Tax Committee under Rule 33(d).

Read and ordered journalized.

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 674 – Senators Pinsky, Britt, Della, Dyson, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Lenett, Pugh, and Zirkin

AN ACT concerning

Maryland Energy Efficiency Standards Act of 2007

Reassigned to the Education, Health, and Environmental Affairs Committee and the Finance Committee under Rule 33(d).

Read and ordered journalized.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #2**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 57 – Senators Pinsky, Britt, Raskin, and Rosapepe

AN ACT concerning

**Education – Teachers – State and Local Aid Program for Certification by the
National Board for Professional Teaching Standards**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 58 – Senators Pinsky, Britt, and Raskin

AN ACT concerning

**Study Commission to Explore the Expanded Application of State Stipends for
National Certification of Teachers**

(Amendment ID: SB0058/144335/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 58
(First Reading File Bill)

On page 3, in line 24, after the first “therapists,” insert “school”.

On page 4, in line 4, after the second “therapists,” insert “school”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 123)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #3

Senate Bill 33 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Curative Bill

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 124)

The Bill was then sent to the House of Delegates.

Senate Bill 150 – The President (By Request – Department of Legislative Services)

EMERGENCY BILL

AN ACT concerning

Annual Corrective Bill

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 125)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 126)

ADJOURNMENT

At 10:34 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 9, 2007.

Annapolis, Maryland
Friday, February 9, 2007
11:00 A.M. Session

The Senate met at 11:14 A.M.

Prayer by The Reverend Karen Bunnell, Elkton United Methodist Church, guest of Senator Pipkin.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 8, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Exum, Middleton, Mooney and Zirkin be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 129)

INTRODUCTION OF BILLS

Senate Bill 730 – Senator Mooney

AN ACT concerning

Vehicle Laws – Traffic Control Signal Monitoring Systems and Speed Monitoring Systems – Defenses

FOR the purpose of adding the defense that the driver was responding to a health-related emergency or that the driver's view of a traffic control signal was obstructed by a truck to the list of defenses that the District Court may consider in defense of a violation of a certain offense recorded by a traffic control signal monitoring system; adding the defense of responding to a health-related emergency to the list of defenses that the District Court may consider in defense of a violation of a certain offense recorded by a speed monitoring system; and generally relating to the defense of violations recorded by traffic control signal monitoring systems and speed monitoring systems.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–202(h), 21–202.1(c), and 21–809(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–202.1(g) and 21–809(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 731 – Senators Hooper, Astle, Brinkley, Colburn, Dyson, Edwards, Garagiola, Greenip, Haines, Harris, Jacobs, Kittleman, Middleton, Munson, Pipkin, Robey, Simonaire, and Stoltzfus

AN ACT concerning

Maryland Estate Tax – Exclusions for Family Farms Subject to Agricultural Preservation Easements

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain real property subject to certain agricultural preservation easements; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 732 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Maryland Food Bank

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Maryland Food Bank, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 733 – Senator Edwards

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

FOR the purpose of authorizing the State Highway Administration to issue an exceptional milk hauling permit for a combination of vehicles or a straight truck that carries certain raw liquid milk to a processing plant and has an axle configuration that meets certain requirements; requiring a combination of vehicles or a straight truck operating under the authority of an exceptional milk hauling permit to comply with certain weight limits; requiring a certain combination of vehicles or straight truck, twice each year, to submit to and pass a certain inspection and be allowed only a certain load limit tolerance; prohibiting a person who operates a certain combination of vehicles or straight truck from violating certain highway restrictions, operating the combination of vehicles on an interstate highway system, or operating the vehicle if it exceeds certain ratings or restrictions or fails to comply with the terms and conditions of the permit; requiring a person who operates a certain combination of vehicles or straight truck to have, in the person's possession, a certain permit and certain inspection reports; specifying the penalties for the violation of certain provisions of law, regulations, or the terms and conditions of certain exceptional milk hauling permits; authorizing the revocation of an exceptional milk hauling permit under certain circumstances; authorizing a certain person to appeal the revocation of an exceptional milk hauling permit; requiring certain records to be provided to the State Highway Administrator or the Administrator's designee on request; authorizing the State Highway Administrator to take certain action if certain records are not received; establishing certain fees; providing that an exceptional milk hauling permit is valid for a certain period; requiring the State Highway Administration, in consultation with the Secretary of State Police, to adopt certain regulations; requiring the State Highway

Administration and the Department of State Police to submit a certain report on or before a certain date; establishing that the issuance of a permit under this Act is at the discretion of the State Highway Administrator; requiring the State Highway Administrator to report a certain decision to the General Assembly; providing for the termination of this Act; and generally relating to vehicle size, weight, and load limits, and exceptional milk hauling permits.

BY adding to

Article – Transportation

Section 24–113.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 734 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hammond–Harwood House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of Hammond–Harwood House Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 735 – Senators Exum, Britt, Della, Kelley, and Stone

AN ACT concerning

Health Care Disclosure Act

FOR the purpose of requiring an applicant for certain State health programs to identify the employer of a proposed beneficiary or the employer of a certain family member of a proposed beneficiary; requiring the Department of Health and Mental Hygiene to publish a report identifying certain employers and providing certain information; requiring the report to protect the confidentiality of individuals in the

State health programs; requiring the report to be made available to the public; requiring the Department to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the disclosure of information regarding employers of individuals enrolled in State health programs.

BY adding to

Article – Health – General

Section 15–103.5

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 736 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses

FOR the purpose of altering the hours of Sunday sales of alcoholic beverages for certain Class B and Class BLX licenses in Cecil County; and generally relating to alcoholic beverages licenses in Cecil County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–508(a)(2)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 737 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – 4–H Animal Display Barn

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the Cecil County Fair, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and

sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 738 – Senators Frosh and Garagiola

AN ACT concerning

Criminal Procedure – Offender Registry – Minors

FOR the purpose of establishing that a certain part of a police or court record pertaining to a child may be accessed and used by the Department of Public Safety and Correctional Services and certain supervising authorities for certain purposes relating to a certain offender registry; altering the definitions of “child sexual offender” and “sexually violent offender” for purposes of a certain offender registry to include certain persons who have been adjudicated delinquent for acts that would constitute certain offenses if committed by an adult; altering the definition of “supervising authority” for purposes of a certain offender registry to include the court in which certain persons are adjudicated delinquent; requiring a certain person to register with a supervising authority for inclusion on a certain offender registry if the person was at least a certain age at the time a certain act was committed, is determined by the court at the time a certain court jurisdiction is terminated to be at risk of committing certain offenses, and is at least a certain age; requiring the Department of Juvenile Services to provide the court with certain information and conduct certain follow-up; establishing that a certain person is required to register with a supervising authority within a certain time after a certain jurisdiction of the juvenile court terminates; altering the definition of “resident” for purposes of a certain offender registry; requiring that a certain person is required to register with a certain local law enforcement unit after a certain jurisdiction of the juvenile court is terminated; establishing that, for a certain person, a term of registration on a certain offender registry is computed from the time a certain jurisdiction of the juvenile court is terminated; defining a certain term; and generally relating to the inclusion of minors on the offender registry.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(1) and (b)(1)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–27(h)

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(b), (f), and (i), 11–704, 11–705, and 11–707
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(g)
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 739 – Senators Simonaire, Brinkley, Brochin, Colburn, Conway, Della, Edwards, Forehand, Frosh, Greenip, Haines, Harris, Hooper, Jacobs, Jones, Kittleman, Kramer, Lenett, Munson, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Legislative Scholarships Integrity Act of 2007

FOR the purpose of prohibiting a member of the General Assembly from awarding a Senatorial Scholarship or a House of Delegates Scholarship to certain persons; defining a term; making a stylistic change; and generally relating to legislative scholarships.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–401 and 18–501
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–402 and 18–502
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 740 – Senators Dyson and Middleton

AN ACT concerning

Patient Referrals – Group Practice – Radiology Services

FOR the purpose of authorizing a multispecialty group practice located in a rural area to provide certain radiology services as in-office ancillary services; including a limited liability company in the definition of a “group practice”; and generally relating to patient referrals for radiology services.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 1–301
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 741 – Senators Middleton, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; specifying that a preliminary evaluation is not required for the next full evaluation of the Office; requiring that an evaluation of the Office, and the statutes and regulations that relate to the Office, be performed on or before a certain date; authorizing a designee of the Director of the Office to conduct a certain investigation and inspection, commence proceedings on a complaint, and review a complaint and attempt to negotiate a settlement of a complaint; requiring the Director to maintain a list of all for-profit and nonreligious-nonprofit cemeteries associated with a registrant or permit holder for each fiscal year; requiring the Director to maintain a list of all bona fide religious-nonprofit cemeteries, veterans’ cemeteries, and local government-owned cemeteries that have filed a certain statement or report; requiring that all lists maintained by the Director be open to inspection by any person; requiring the Director to conduct an inventory of all known burial sites in the State and to update the inventory periodically and to report, beginning on a certain date, to the General Assembly on

the number of certain types of cemeteries; requiring the Director, beginning on a certain date, to annually assess the rate of compliance with certain registration, permit, and reporting requirements in a certain manner; requiring the Director to report annually to the General Assembly on the implementation of a certain action plan; repealing the Cemetery Oversight Fund; requiring the Office to pay all money collected under the Maryland Cemetery Act into the General Fund of the State; requiring the Director, on or before a certain date each year, to report to the General Assembly on the nature of certain complaints, the manner in which certain complaints are resolved, the number of complaints against certain persons, and any disciplinary or enforcement actions taken against certain persons; altering the scope of certain limitations on burial land; specifying that a certain certificate of ownership, under seal of certain persons, has the same effect as a certain conveyance of real property; repealing an exemption for certain cemeteries from certain provisions of law relating to perpetual care requirements; altering certain requirements relating to perpetual care; requiring that any moneys remaining in the Cemetery Oversight Fund after a certain date revert to the General Fund of the State; requiring the Office to provide status reports on the implementation of certain recommendations to certain committees of the General Assembly and the Department of Legislative Services on or before certain dates; requiring the Advisory Council on Cemetery Operations to study the issue of abandoned and neglected cemeteries in a certain manner and develop a legislative proposal; defining a certain term; making certain conforming, clarifying, and technical changes; and generally relating to the Office of Cemetery Oversight and the operation of cemeteries and burial goods businesses in the State.

BY renumbering

Article – Business Regulation

Section 5–603, 5–605, 5–606, and 5–607, respectively

to be Section 5–604, 5–606, 5–607, and 5–608, respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–102(a), 5–204, 5–205, 5–311, 5–501, 5–502, 5–504, 5–601, 5–602,
5–604, 5–608, and 5–1002

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Business Regulation

Section 5–601

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(11)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 742 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

FOR the purpose of requiring each county or municipal corporation that owns or operates a swimming pool to develop and implement a certain automated external defibrillator program that meets certain requirements for certain swimming pools owned or operated by the county or municipal corporation; requiring the owners and operators of certain swimming pools to develop and implement a certain automated external defibrillator program that meets certain requirements; requiring the Department of Health and Mental Hygiene and the Maryland Institute for Emergency Medical Services Systems to jointly adopt certain regulations; defining certain terms; and generally relating to requiring certain automated external defibrillator programs for certain swimming pools.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 20–101 to be under the new title “Title 20. Automated External
Defibrillator Programs”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 13–2501 to be under the new subtitle “Subtitle 25. Automated External
Defibrillator Programs”
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

Senate Bill 699 – Senator Stone

AN ACT concerning

**State Highway Administration – Protection of Highway Construction and
Maintenance Workers**

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
SB 6	The President	Human Services

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 8, 2007

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

It is a pleasure to submit to the Maryland State Senate, the following nominations for appointment as Department Secretaries:

Department of Aging

Gloria G. Lawlah

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Business and Economic Development

David W. Edgerley

Appointment as Secretary

To serve at the pleasure of the Governor

Department of General Services

Alvin C. Collins

Appointment as Secretary

To serve at the pleasure of the Governor

Department of Juvenile Services

Donald W. DeVore

Appointment as Secretary

To serve at the pleasure of the Governor

Thank you for your consideration. I look forward to your favorable approval of these nominations.

Sincerely,

/s/

Martin O'Malley
Governor

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

(Amendment ID: SB0001/774535/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, Astle, Klausmeier, and Kramer”.

AMENDMENT NO. 2

On page 1, in line 10, after “Section” insert “1 and”; and after line 14, insert:

“1.

All elections shall be by ballot. [Every] EXCEPT AS PROVIDED IN SECTION 3 OF THIS ARTICLE, EVERY citizen of the United States, of the age of 18 years or upwards, who is a resident of the State as of the time for the closing of registration next preceding the election, shall be entitled to vote in the ward or election district in which [he] THE CITIZEN resides at all elections to be held in this State. A person once entitled to vote in any election district, shall be entitled to vote there until [he] THE PERSON shall have acquired a residence in another election district or ward in this State.”.

The preceding 2 amendments were read only.

Senator Della moved, duly seconded, to make the Bill and Amendments a Special Order for February 13, 2007.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 23 – Senators Conway, Britt, and Kelley

AN ACT concerning

Procurement – Small Business Reserve Program – Sunset Extension

(Amendment ID: SB0023/944036/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 23
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Sunset Extension” and substitute “Modifications”; in line 3, after “of” insert “altering certain reporting requirements relating to procurements involving small businesses under the Small Business Reserve Program;”; and in line 4, strike “procurements from small businesses under”.

AMENDMENT NO. 2

On page 5, in line 20, after “state” insert “, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,”; in line 22, after “state” insert “, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,”; and in line 25, after “state” insert “, BY INDUSTRY SECTOR AS IDENTIFIED UNDER § 14-501(C)(2)(IV) THROUGH (VIII) OF THIS SUBTITLE,”.

AMENDMENT NO. 3

On page 5, in line 26, strike “and”; after line 26, insert:

“(IV) ANALYZE AND DETERMINE WHETHER CURRENT ELIGIBILITY STANDARDS ARE APPROPRIATE OR INSUFFICIENT AND A BARRIER TO THE UNIT’S ABILITY TO MEET THE 10% GOAL UNDER § 14-502 OF THIS SUBTITLE; AND”;

and in line 27, strike “(iv)” and substitute “(v)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #2

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Joint Resolution 1 – Senators Middleton, Conway, Dyson, Hogan, and Pugh

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D and Pharmacy Assistance Programs

(Amendment ID: SJ0001/797070/1)

BY: Finance Committee

AMENDMENT TO SENATE JOINT RESOLUTION 1
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Joint Resolution 2 – Senators Middleton, Astle, Currie, Dyson, Hogan, McFadden, and Pugh

A Senate Joint Resolution concerning

Federal Reauthorization of the State Children’s Health Insurance Program

(Amendment ID: SJ0002/197076/1)

BY: Finance Committee

AMENDMENT TO SENATE JOINT RESOLUTION 2
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 130)

ADJOURNMENT

At 12:07 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. Monday, February 12, 2007, in memory of Jennifer Parcell.

Annapolis, Maryland
Monday, February 12, 2007
8:00 P.M. Session

The Senate met at 8:15 P.M.

Prayer by Pastor Kathy Mucci, Abundant Life Church, guest of Senator DeGrange.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 9, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 133)

INTRODUCTION OF BILLS

Senate Bill 743 – Senator Della

AN ACT concerning

**Creation of a State Debt – Baltimore City – Flag House and Star Spangled Banner
Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Star Spangled Banner Flag House Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 744 – Senator Della

AN ACT concerning

Former Governors – Death Benefits – Surviving Spouses

FOR the purpose of providing certain death benefits to surviving spouses of former Governors; and generally relating to death benefits for surviving spouses of former Governors.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–405
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 745 – Howard County Senators

AN ACT concerning

**Officer Pieter Lucas Act
Ho. Co. 14–07**

FOR the purpose of providing that an auxiliary police officer in Howard County is a covered employee while performing duties under certain circumstances for the Howard County Police Department; and generally relating to workers' compensation benefits for Howard County auxiliary police officers.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–220
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 746 – Senator Conway

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling

FOR the purpose of altering certain requirements for obtaining written informed consent for human immunodeficiency virus (HIV) testing in accordance with Department of Health and Mental Hygiene regulations; clarifying that an informed consent for

certain HIV testing be distinct from other consents; altering the manner in which a certain patient identifying number is obtained; requiring the Department to review and streamline certain regulations relating to certain HIV test counseling requirements and to adopt or revise regulations that address certain requirements; requiring the Department to report to the Governor and General Assembly on or before a certain date; defining certain terms; and generally relating to human immunodeficiency virus counseling and testing procedures.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–336
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 747 – Senator Klausmeier

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

FOR the purpose of authorizing a person who intends to acquire a property that is considered to be affected under certain lead risk reduction provisions to submit a compliance plan to the Department of the Environment; authorizing a person who has acquired, or will acquire, an affected property to give certain notice and information at a certain time; establishing a process and a fee for submitting an application for a compliance plan; requiring the Department to approve or deny the plan, or request additional information, within a certain number of days after the plan is submitted; authorizing the Department to deny certain applications under certain circumstances; requiring either certain proof that a certain risk reduction standard has been met or a certain inspection report to be filed with the Department under certain circumstances; providing that a compliance plan is void under certain circumstances; providing certain protections for an owner after a plan is approved; providing that if the owner fails to comply with the compliance plan, the owner shall be considered noncompliant as of a certain date; authorizing the Department to adopt certain regulations; providing for the application of this Act; and generally relating to acquiring property with lead risks.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–820 and 6–823
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–824 and 6–836
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY adding to
Article – Environment
Section 6–825
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 748 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Clay Street Revitalization

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Commissioners of The Housing Authority of the City of Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 749 – Senator Pipkin

AN ACT concerning

**Health Insurance – Provider Contracts – Conditions of Participation
with Carriers**

FOR the purpose of repealing a prohibition that certain health insurance carriers may not require a health care provider to serve on a provider panel of another health benefit plan of the carrier under certain circumstances; repealing a certain exception to the prohibition for a carrier that offers health care services as a managed care organization; prohibiting a provider contract from containing a provision that requires a provider, as a condition of participation with a carrier, to participate

with a different carrier; authorizing a provider contract to contain the prohibited provision under certain circumstances; authorizing a carrier that offers health care services as a managed care organization to require a provider to participate with the managed care organization under certain circumstances; providing that a carrier is responsible for certain violations regardless of whether the carrier has subcontracted with certain entities; defining certain terms; and generally relating to provider contracts and conditions of participation of health care providers with health insurance carriers.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–112(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 15–112.2
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 750 – Senators Pipkin, Della, Edwards, Hogan, Jacobs, and Kittleman

EMERGENCY BILL

AN ACT concerning

Queen Anne’s County – Health Care Facilities Regulation – Licensing of Freestanding Medical Facilities

FOR the purpose of providing that a freestanding medical facility located in Queen Anne’s County is exempt from a certain review process under certain circumstances; defining a certain term; making this Act an emergency measure; and generally relating to regulation of health care facilities in Queen Anne’s County.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–3A–01
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–131 and 19–3A–03
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 751 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – Marlin K. Hoff Memorial Barn

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Carroll County Agricultural Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 752 – Senator Exum

AN ACT concerning

Workers' Compensation – Benefits for Dependents

FOR the purpose of clarifying that surviving dependents of certain individuals are eligible to receive the same workers' compensation benefits as the individual received at the time of death; and generally relating to workers' compensation benefits for dependents.

BY repealing and reenacting, with amendments,
Article – Labor and Employment

Section 9–503
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 753 – Senators Muse, Britt, Lenett, Peters, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; altering the computation of the subtraction modification; repealing a certain limit on the amount of the subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 754 – Senator Muse

AN ACT concerning

Vehicle Laws – Eluding a Police Officer – Offenses, Penalties, and Forfeiture

FOR the purpose of establishing the offense of eluding a police officer in a motor vehicle and causing damage to the property of another person; establishing the offense of eluding a police officer in a motor vehicle if the officer is attempting to apprehend the driver for the commission of a felony or a crime of violence; making it a felony to commit certain offenses of eluding a police officer; establishing and altering certain penalties; authorizing a law enforcement officer to seize a motor vehicle that is used by an individual in the commission of certain violations of eluding a police officer; prohibiting a motor vehicle from being forfeited if it was used to commit the violation without the knowledge of the registered owner of the

vehicle; authorizing a certain chief law enforcement officer to recommend forfeiture to a certain forfeiting authority only after the officer takes certain actions and after the individual accused of committing the violation is convicted; providing that a sworn affidavit from a certain law enforcement officer is admissible into evidence in a certain proceeding for a certain purpose; prohibiting the chief law enforcement officer from being subpoenaed under certain circumstances; requiring a certain forfeiting authority to surrender a certain motor vehicle under certain circumstances; requiring a certain forfeiting authority to file a certain complaint with the court under certain circumstances; requiring the court to schedule a certain hearing; requiring that the registered owner of a certain motor vehicle be sent a certain notice; requiring the court to take certain actions after making certain determinations; requiring a lienholder to sell a motor vehicle in a certain manner under certain circumstances; providing for the distribution of the proceeds of a certain sale; authorizing a political subdivision to sell a certain vehicle if no claim is lodged by a lienholder and directing the distribution of the proceeds of the sale; defining certain terms; clarifying language; and generally relating to the offense of eluding a police officer.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–904 and 27–101(p)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 27–114

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 755 – Senator Gladden

AN ACT concerning

**Ground Rents – Property Owned by Baltimore City – Reimbursement for Expenses
– Notices**

FOR the purpose of providing that in any suit, action, or proceeding to recover back rent, a ground rent landlord may only recover not more than a certain amount of back rent if the property is owned by Baltimore City and is abandoned or distressed under certain circumstances; authorizing a ground rent landlord of property that is owned by Baltimore City and is abandoned or distressed to request the Mayor and

City Council of Baltimore to acquire the reversionary interest under the ground rent for a certain value under certain circumstances; prohibiting the application of a certain provision regarding reimbursement of a ground rent holder's expenses to collect a ground rent on property that is owned by Baltimore City and is abandoned or distressed under certain circumstances; establishing a certain Baltimore City office as the recipient of certain bills, notices, or other documents sent with regard to any property owned by Baltimore City that is subject to a ground rent; and generally relating to property owned by Baltimore City that is subject to a ground rent.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–111.1 and 8–402.3
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article – Real Property
Section 14–115.1
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 756 – Senator Gladden

AN ACT concerning

Health Occupations – Morticians – Exemption and Permit

FOR the purpose of providing that certain licensing requirements for practicing mortuary science do not limit the Maryland State Board of Morticians from issuing a permit to certain designees to handle, transport, and work with a dead human body in performing certain religious services without a mortician's license; subjecting certain designees to conditions and limitations the Board may specify; requiring the Board to adopt certain regulations; requiring the Board to submit a certain report on or before a certain date; exempting certain apprentices from assisting with embalming if a certain affidavit is submitted to the Board; providing for the termination of certain provisions of this Act; and generally relating to exceptions to the Maryland Morticians Act.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–301 and 7–306

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 757 – Senator Gladden

AN ACT concerning

Maryland Compassionate Use Act

FOR the purpose of allowing the medical use of marijuana under certain circumstances; repealing certain criminal provisions that allow the imposition of a certain fine for use or possession of marijuana or use or possession of drug paraphernalia related to marijuana under certain circumstances; establishing a Compassionate Use Registry Program; requiring the Department of Health and Mental Hygiene to issue registry identification cards to certain qualifying patients who submit certain documents under certain circumstances in order to qualify for use of marijuana for certain medical conditions; requiring the Department to verify application information and approve or deny an application or renewal within a certain time period or the application shall be deemed granted after a certain time period; allowing judicial review of an approval or denial of a petition or the denial of an application or renewal; specifying the duration of and the information that is required to be contained on the registry identification card; allowing the use in the State of a registry identification card issued by another state under certain circumstances; providing that a qualifying patient may not be subject to arrest or other penalty or disciplinary action for medical use of marijuana under certain circumstances; providing that a primary caregiver may not be subject to arrest or other penalty or disciplinary action for assisting with medical use of marijuana under certain circumstances; providing that a practitioner may not be subject to arrest or other penalty or disciplinary action for providing certifications of qualifying patients' debilitating medical conditions or other information under certain circumstances; providing that certain persons are not subject to arrest or criminal prosecution under certain circumstances; providing that a nurse practitioner or pharmacist may not be subject to arrest or other penalty or disciplinary action solely for discussing the benefits or health risks of medical marijuana or other information under certain circumstances; providing that an application for or possession of a registry identification card may not be used to support the search of a certain person or property; prohibiting a school, employer, or landlord from refusing to enroll, employ, or lease to a person solely based on the person's status as a registered qualifying patient or primary caregiver; providing that a primary caregiver may only assist a certain number of qualifying patients with medical use of marijuana; providing that a primary caregiver may receive reimbursements for certain costs; establishing a certain presumption;

requiring the Department to adopt regulations to implement this Act by a certain date with certain requirements; requiring that persons issued registry identification cards comply with certain requirements subject to certain penalties for noncompliance; providing that applications and supporting information submitted by qualifying patients are confidential with a certain limitation; providing a certain penalty for a certain breach of confidentiality; requiring the Department to report to the Governor and General Assembly on certain issues by a certain date; allowing a person or a person's primary caregiver to assert a defense to a prosecution involving marijuana under certain conditions; exempting certain property used in connection with the medical use of marijuana from forfeiture under certain circumstances; defining certain terms; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–601(c) and 5–619(c)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY adding to
Article – Health – General
Section 21–1117 through 21–1129 to be under the new part “Part IV. Maryland
Compassionate Use Act”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 758 – Senator Gladden

AN ACT concerning

Election Law – Task Force on Instant Voter Registration and Voting by Mail

FOR the purpose of establishing a Task Force on Instant Voter Registration and Voting by Mail to study and assess certain aspects of registration and voting for elections in the State; providing for the membership and staffing of the Task Force; authorizing the reimbursement of certain expenses; requiring a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force on Instant Voter Registration and Voting by Mail.

Read the first time and referred to the Committee on Rules.

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

FOR the purpose of altering the requirements for obtaining a wholesale distributor's permit to include a certain inspection and the posting of a certain bond; requiring a certain pedigree for prescription drugs or devices distributed in the State; requiring the State Board of Pharmacy to adopt regulations regarding certain pedigree and inspection requirements; defining a certain term; and generally relating to permit requirements for wholesale drug distribution.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 760 – Senator Middleton

AN ACT concerning

Telephone Companies – Competitive Services – Tariffs – Exception

FOR the purpose of providing an exception for certain competitive services to the requirement that a public service company shall file a certain tariff schedule; requiring a telephone company to publish terms, conditions, and rates of certain competitive services in a certain way under certain circumstances; providing an exception for certain competitive services to the prohibition that a public service company may not establish a new rate or change a rate under certain circumstances; allowing a telephone company to establish a new term, condition, or rate or change a term, condition, or rate of certain competitive services by providing a certain notice by a certain date; and generally relating to tariffs and competitive services offered by telephone companies.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 4–202 and 4–203
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 761 – Senators Hooper, Astle, Colburn, Greenip, Harris, Jacobs, Kittleman, and Mooney

AN ACT concerning

Crimes – Self–Defense – No Duty to Retreat or Seek Safety by Escape

FOR the purpose of authorizing a person charged with a certain crime to assert a claim of self–defense even though the person failed to retreat or seek safety by escape; and generally relating to the defense of self–defense.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–209
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 762 – Senators Hooper, Astle, Colburn, Greenip, Harris, Jacobs, Mooney, and Stone

AN ACT concerning

Public Safety – Handgun Permits – Repeal of Finding Requirement

FOR the purpose of repealing the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a certain handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 763 – Senators Hooper, Colburn, Greenip, Hogan, Jacobs, and Kittleman

AN ACT concerning

Drugged Driving – Test – Police Officers

FOR the purpose of repealing a requirement that a certain test for drug or controlled dangerous substance content may only be requested, required, or directed by a police officer who has been or is being trained as a drug recognition expert or is participating in a certain training program; providing for the application of this Act; and generally relating to altering the qualification of a police officer who may request, require, or direct a certain test for drugged driving under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–205.1(a)(1)(i) and (iv)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–205.1(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 764 – Senator Dyson

AN ACT concerning

Higher Education – St. Mary’s College of Maryland – Procurement Authority

FOR the purpose of clarifying that St. Mary’s College of Maryland is exempt from certain provisions of State procurement law; clarifying that certain procurement policies and procedures of the College are subject to review and approval by the Board of Public Works and the Administrative, Executive, and Legislative Review Committee of the General Assembly; clarifying that certain procurement policies and procedures of the College shall promote certain purposes; and generally relating to the procurement authority of St. Mary’s College of Maryland.

BY repealing and reenacting, without amendments,
Article – Education
Section 12–112(a) and 14–109(b)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 14–405(f)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–203(e)(1), (2), and (3)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 765 – Senator Exum

EMERGENCY BILL

AN ACT concerning

Insurance – Notice – Premiums

FOR the purpose of establishing certain requirements for notice relating to premium amounts for renewal of workers' compensation insurance policies; altering certain requirements relating to the renewal of workers' compensation and commercial insurance policies; altering the circumstances under which an insurer must provide a reasonable estimate of a renewal policy premium; making this Act an emergency measure; providing for the application of this Act; and generally relating to certain requirements relating to notice and renewal of workers' compensation and commercial insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 766 – Senator Frosh

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

FOR the purpose of prohibiting a person from using, selling, manufacturing, or distributing for sale a certain dishwashing detergent that contains greater than a certain amount of phosphorus after a certain date; repealing certain obsolete language; and generally relating to phosphorus in dishwashing detergents.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1502
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1503
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Heather Young	The President and All Members	229

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 134)

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 2 – Delegate Kullen

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Calvert County – United Way of Calvert County

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the authorized uses of the grant; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA00 (AC)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 23 – Delegate Love (Chair, Anne Arundel County Delegation)

EMERGENCY BILL

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Anne Arundel County – Hancock’s Resolution Visitor’s Center

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to expand the authorized uses of a certain grant ~~to the Board of Directors of Friends of Hancock’s Resolution, Inc.~~ and to alter the grantee to be the County Executive and County Council of Anne Arundel County; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Chapter 46 of the Acts of the General Assembly of 2006
Section 1(3) Item ZA01 (O)

Read the first time and referred to the Committee on Budget and Taxation.

House Bill 26 – Delegates Lee, Barkley, Goldwater, Kaiser, McComas, Mizeur, and Niemann

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

FOR the purpose of altering a date by which the Task Force to Study Identity Theft is

required to make a certain report; providing for an alternate date for the termination of the Task Force; making this Act an emergency measure; and generally relating to the Task Force to Study Identity Theft.

BY repealing and reenacting, with amendments,
Chapter 241 of the Acts of the General Assembly of 2005
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 242 of the Acts of the General Assembly of 2005
Section 1 and 2

Read the first time and referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #1

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 100 – Senators Miller, Astle, Brinkley, Britt, Currie, DeGrange, Dyson, Garagiola, Hogan, Jacobs, Jones, Kasemeyer, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, Rosapepe, and Stone

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 121 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Credit for Adventure Sports Center, Inc. – Applicability

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 146 – Senator McFadden

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Safe Haven House for Youth and Families

(Amendment ID: SB0146/369831/1)

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 146
(First Reading File Bill)

On page 1, in line 7, after “Inc.” insert “; extending the deadline by which the grantee is required to present evidence to the Board of Public Works that a matching fund will be provided.”.

On page 2, in line 12, after “Act” insert “, AND THE GRANTEE HAS UNTIL JUNE 1, 2008, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 203 – Senators Stoltzfus and Colburn

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Wicomico County – Salisbury Area Chamber of Commerce

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

Senate Bill 251 – Senators Raskin, Forehand, and Madaleno

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Montgomery
County – Pyramid Atlantic**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 135)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #4

Senate Bill 57 – Senators Pinsky, Britt, Raskin, and Rosapepe

AN ACT concerning

**Education – Teachers – State and Local Aid Program for Certification by the
National Board for Professional Teaching Standards**

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 136)

The Bill was then sent to the House of Delegates.

Senate Bill 58 – Senators Pinsky, Britt, and Raskin

AN ACT concerning

**Study Commission to Explore the Expanded Application of State Stipends for
National Certification of Teachers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 137)

The Bill was then sent to the House of Delegates.

ABRAHAM LINCOLN’S BIRTHDAY ADDRESS

PRESENTED BY THE HONORABLE GEORGE C. EDWARDS

MR. PRESIDENT, PRESIDENT PRO TEM, DISTINGUISHED LADIES & GENTLEMEN OF THE SENATE AND GUESTS. I ONCE PRESENTED THE ANNUAL LINCOLN DAY ADDRESS IN THE HOUSE SO I’M VERY PLEASED AND HONORED TO PRESENT THE ANNUAL ADDRESS TO YOU TODAY. NOT MANY PEOPLE CAN SAY THEY HAVE DELIVERED THE ADDRESS IN BOTH THE HOUSE AND THE SENATE.

SOMETIMES WHEN I SPEAK TO A GROUP, I WILL GIVE THEM THE FOLLOWING QUIZ TO SEE IF THEY CAN FIGURE OUT WHO IT IS. IF YOU SOMETIMES GET DISCOURAGED, CONSIDER THIS FELLOW: HE DROPPED OUT OF GRADE SCHOOL. RAN A COUNTRY STORE. WENT BROKE. TOOK 15 YEARS TO PAY OFF HIS BILLS. TOOK A WIFE, UNHAPPY MARRIAGE. RAN FOR HOUSE. LOST TWICE. RAN FOR SENATE. LOST TWICE. DELIVERED SPEECH THAT BECAME A CLASSIC. AUDIENCE INDIFFERENT. ATTACKED DAILY BY THE PRESS AND DESPISED BY HALF THE COUNTRY. DESPITE ALL THIS, IMAGINE HOW MANY PEOPLE ALL OVER THE WORLD HAVE BEEN INSPIRED BY THIS AWKWARD RUMPLED, BROODING MAN WHO SIGNED HIS NAME SIMPLY, A. LINCOLN.

TODAY, WE OBSERVE THE ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN, THE 16TH PRESIDENT OF THE UNITED STATES OF AMERICA, WHO WAS BORN ON FEBRUARY 12TH 1809, TO THOMAS AND NANCY HANKS LINCOLN.

EVERYTHING THAT COULD BE SAID ABOUT LINCOLN HAS PROBABLY BEEN SAID, BUT WE SHOULD TAKE A MOMENT TO REFLECT ON ONE OF THE GREATEST LEADERS OF ALL TIME. BY REMEMBERING LINCOLN, WE CAN GAIN A BETTER INSIGHT INTO THE GREATNESS OF THIS MAN, WHICH WILL HELP ENABLE US TO BE BETTER PERSONS.

ABRAHAM LINCOLN CAME FROM HUMBLE ORIGINS AND THROUGH HARD WORK AND PERSEVERANCE HE WAS ABLE TO BECOME THE PERSON THAT HE WAS. AT THE AGE OF NINE HE LOST HIS BELOVED MOTHER AND WAS FORCED BY NECESSITY INTO DOING FARM WORK FOR HIS FATHER. AS MOST OF YOU ALL KNOW FARMING AT THAT TIME WAS MUCH TOUGHER AND LESS FINANCIALLY REWARDING THAN IT IS NOW. LINCOLN KNEW HE DIDN'T WANT TO BE A FARMER, WHILE HE PLOWED FIELDS HE OFTEN HAD A BOOK IN HIS HAND SO THAT HE COULD EDUCATE HIMSELF AND WORK AT THE SAME TIME.

HE WAS A CONSCIENTIOUS, HONEST, FRIENDLY, HARD WORKING AND MUCH MORE INDIVIDUAL. NOT WITHSTANDING HIS FRIENDLY EASY WAYS, HE HAD A CERTAIN NATURAL DIGNITY THAT DISCOURAGED FAMILIARITY AND COMMANDED PEOPLE'S RESPECT. LINCOLN HAD STRONG CONVICTIONS AND STOOD BY THEM. IN 1858, AS HE RAN FOR THE U.S. SENATE, HE MADE HIS MOST FAMOUS DECLARATION:

“A HOUSE DIVIDED AGAINST ITSELF CANNOT STAND: I BELIEVE THIS GOVERNMENT CANNOT ENDURE PERMANENTLY HALF-SLAVE AND HALF-FREE.”

LINCOLN IS KNOWN FOR MANY OTHER TIMELESS TRUTHS INCLUDING THE FOLLOWING: YOU CANNOT BRING ABOUT PROSPERITY BY DISCOURAGING THRIFT. YOU CANNOT STRENGTHEN THE WEAK BY WEAKENING THE STRONG. YOU CANNOT HELP THE POOR BY DESTROYING THE RICH. YOU CANNOT HELP SMALL MEN BY TEARING DOWN BIG MEN. YOU CANNOT LIFT THE WAGE EARNER BY PULLING DOWN THE WAGE PAYER. YOU CANNOT KEEP OUT OF TROUBLE BY SPENDING MORE THAN YOUR INCOME. YOU CANNOT FURTHER THE BROTHERHOOD OF MEN BY INCITING CLASS HATRED. YOU CANNOT ESTABLISH SOUND SECURITY ON BORROWED MONEY. YOU CANNOT BUILD CHARACTER AND COURAGE BY TAKING AWAY A MAN'S INITIATIVE AND INDEPENDENCE. YOU CANNOT HELP MEN PERMANENTLY BY DOING FOR THEM WHAT THEY COULD AND SHOULD DO FOR THEMSELVES.

PRESIDENTIAL CANDIDATE LINCOLN HAD APPARENTLY NEVER GIVEN A THOUGHT TO GROWING A BEARD UNTIL ABOUT OCTOBER 18, 1860, WHEN HE RECEIVED A LETTER FROM ELEVEN-YEAR OLD GRACE BEDELL OF WESTFIELD, NEW YORK, PROPOSING THAT HE GIVE UP SHAVING. SHE SAID “I'VE GOT FOUR BROTHERS AND PART OF THEM WILL VOTE FOR YOU ANYWAY, AND IF YOU WILL LET YOUR WHISKERS GROW, I WILL TRY TO GET THE REST OF THEM TO VOTE FOR YOU; YOU WOULD LOOK A GREAT DEAL BETTER FOR YOUR FACE IS SO THIN, ALL THE

LADIES LIKE WHISKERS AND THEY WOULD TEASE THEIR HUSBANDS TO VOTE FOR YOU AND THEN YOU WOULD BE PRESIDENT!”

AFTER RECEIVING THE LETTER ABRAHAM LINCOLN BECAME THE FIRST PRESIDENT TO WEAR A BEARD. NOW, NORMALLY ONE WOULD NOT CONSIDER LINCOLN AS A TREND-SETTER BUT HE WAS IN FACT BECAUSE 8 OUT OF THE NEXT 9 PRESIDENTS ELECTED WOULD ALSO GROW A BEARD.

ONE OF THE FINER QUALITIES OF ABRAHAM LINCOLN, THAT MAYBE WE SHOULD FOLLOW A LITTLE CLOSER HERE IN THE LEGISLATURE, WAS HIS ABILITY TO GET HIS POINT ACROSS USING LIMITED AMOUNTS OF WORDS.

THE BEST EXAMPLE OF THIS QUALITY IN LINCOLN IS THE GETTYSBURG ADDRESS – ONE OF, IF NOT THE MOST QUOTED SPEECHES IN AMERICAN HISTORY. ON NOVEMBER 19TH 1863, CROWDS GATHERED TO HEAR A TWO HOUR SPEECH BY A RENOWNED ORATOR BY THE NAME OF EDWARD EVERETT. EVERETT’S SPEECH WAS SUPPOSED TO GO DOWN IN HISTORY AS BEING THE GETTYSBURG ADDRESS; HOWEVER, THE 3 MINUTE SPEECH CONSISTING OF ONLY 269 WORDS DELIVERED BY ABRAHAM LINCOLN TRANSCENDED TIME AND IS STILL READ TODAY.

DURING HIS PRESIDENCY, LINCOLN EXERCISED VAST POWERS, THE IDEALS OF DEMOCRACY HAD BECOME SO MUCH A PART OF HIS NATURE THAT JUSTICE, GOOD SENSE, AND SUBORDINATION OF PERSONAL FEELINGS AND INTERESTS CHARACTERIZED HIS EVERY ACTION; HE EXHIBITED FAIRNESS, KINDNESS AND GOOD TEMPER IN THE FACE OF SLIGHTS, SLURS, AND POLITICAL AND PERSONAL MALEVOLENCE SUCH AS A FEW MEN COULD HAVE ENDURED.

ALMOST FROM THE MOMENT OF HIS DEATH, THE DRAMA OF HIS LIFE MADE HIM A LEGENDARY FIGURE AND HE IS LOOKED UPON AS A REPRESENTATIVE OF AMERICA AT ITS BEST.

PRESIDENT LYNDON B. JOHNSON, IS QUOTED AS SAYING “THERE IS A SINGULAR QUALITY ABOUT ABRAHAM LINCOLN WHICH SETS HIM APART FROM ALL OUR OTHER PRESIDENTS... A DIMENSION OF BROODING COMPASSION, OF LOVE FOR HUMANITY; A LOVE WHICH WAS IF ANYTHING, STRENGTHENED AND DEEPENED BY THE AGONY THAT DROVE LESSER MEN TO THE PROTECTIVE SHELTER OF CALLOUS INDIFFERENCE.”

AS SECRETARY STANTON SAID IN 1865 “NOW HE BELONGS TO THE AGES!” ANOTHER LINCOLN TRUTH: FROM A FRIEND WHATEVER YOU BE, BE A GOOD ONE! LET US REMEMBER ABRAHAM LINCOLN NOT AS JUST A

GREAT PRESIDENT, BUT AS A GREAT HUMAN BEING AND A GREAT AMERICAN AND LET US FOLLOW HIS EXAMPLE AS WE STRIVE TO DO WHAT WE CAN FOR THIS GREAT STATE AND COUNTRY.

THANK YOU.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 138)

ADJOURNMENT

At 8:55 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 13, 2007 in memory of Manual Ruiz.

Annapolis, Maryland
Tuesday, February 13, 2007
10:00 A.M. Session

The Senate met at 10:14 A.M.

Prayer by Father Joseph Girzone, retired priest and author of Joshua series, guest of Senator Stone.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 12, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 142)

INTRODUCTION OF BILLS

Senate Bill 767 – Senator Kasemeyer

AN ACT concerning

Family Law – Foster Care – Payment Rates

FOR the purpose of altering the monthly rate of payment for foster care in a single family home beginning in a certain fiscal year; authorizing certain adjustments to that rate; specifying that the monthly rate may be increased based on certain factors; repealing certain provisions relating to the payments of foster care for a child who needs certain special care; and generally relating to payment for foster care.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–527
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 768 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – White Rose Foundation
Service Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the White Rose Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

**Real Property – Ground Rents – Prohibition on Creation of Ground Rent Leases for
Residential Property**

(Amendment ID: SB0106/828172/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 106
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “Ground” in line 2 down through “for” in line 3 and substitute “Reversionary Interests in”; strike beginning with “creation” in line 4 down through “property” in line 6 and substitute “owner of a fee simple or leasehold estate in certain residential property from creating a reversionary interest in the property under a ground lease or a ground sublease under certain circumstances; providing for the application of this Act”; and in line 7, strike “rent”.

AMENDMENT NO. 2

On pages 1 and 2, strike beginning with “A” in line 17 on page 1 down through “CREATED” in line 2 on page 2 and substitute “THE OWNER OF A FEE SIMPLE OR LEASEHOLD ESTATE IN RESIDENTIAL PROPERTY THAT IS USED, INTENDED TO BE USED, OR AUTHORIZED TO BE USED FOR FOUR OR FEWER DWELLING UNITS MAY NOT CREATE A REVERSIONARY INTEREST IN THE PROPERTY UNDER A GROUND LEASE OR A GROUND SUBLEASE FOR A TERM OF YEARS RENEWABLE FOREVER SUBJECT TO THE PAYMENT OF A PERIODIC GROUND RENT”.

AMENDMENT NO. 3

On page 2, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any ground lease or ground sublease created before January 22, 2007.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

AN ACT concerning

Task Force to Study Prison Violence in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 70 – Senators Jones, Forehand, Kelley, and Stone

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0001/774535/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, Astle, Klausmeier, and Kramer”.

AMENDMENT NO. 2

On page 1, in line 10, after “Section” insert “1 and”; and after line 14, insert:

“1.

All elections shall be by ballot. [Every] EXCEPT AS PROVIDED IN SECTION 3 OF THIS ARTICLE, EVERY citizen of the United States, of the age of 18 years or upwards, who is a resident of the State as of the time for the closing of registration next preceding the election, shall be entitled to vote in the ward or election district in which [he] THE CITIZEN resides at all elections to be held in this State. A person once entitled to vote in any election district, shall be entitled to vote there until [he] THE PERSON shall have acquired a residence in another election district or ward in this State.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0001/713426/1)

BY: Senator Dyson

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 2, strike beginning with “WARDS,” in line 8 down through “ON” in line 9 and substitute “WARDS OR, DURING THE TWO WEEKS IMMEDIATELY PRECEDING AN ELECTION, ON NO MORE THAN 10 OTHER”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0001/103423/1)

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 1
(First Reading File Bill)

On page 2, in line 8, after “WARDS” insert “IN THEIR COUNTY OF RESIDENCE”.

The preceding amendment was read only.

Senator Della moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 143)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #5

Senate Bill 23 – Senators Conway, Britt, and Kelley

AN ACT concerning

Procurement – Small Business Reserve Program – ~~Sunset Extension~~ Modifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 40 Negative – 7 (See Roll Call No. 144)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 1 – Senators Middleton, Conway, Dyson, Hogan, ~~and Pugh~~
Pugh, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D and Pharmacy Assistance Programs

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 145)

The Bill was then sent to the House of Delegates.

Senate Joint Resolution 2 – Senators Middleton, Astle, Currie, Dyson, Hogan, McFadden, ~~and Pugh~~ Pugh, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pipkin

A Senate Joint Resolution concerning

Federal Reauthorization of the State Children’s Health Insurance Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 146)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 147)

ADJOURNMENT

At 10:53 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 14, 2007.

Annapolis, Maryland
Wednesday, February 14, 2007
10:00 A.M. Session

The Senate met at 10:21 A.M.

Prayer Senator Stoltzfus sang “God bless Maryland”.

“God bless our Maryland, State that we love, Stand beside her and guide her, through the night with the light from above.

From Western Mountains, to Baltimore City, to our beaches, white with foam.

God bless our Maryland, Our home sweet home, God bless our Maryland, Our home sweet home.”

The Journal of February 13, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Jacobs, Madaleno, Muse, and Stone be excused from today’s session.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 152)

INTRODUCTION OF BILLS

Senate Bill 769 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Caroline County – The Benedictine School

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Trustees of the Benedictine School Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 770 – Senator Colburn

AN ACT concerning

Milk Products – Farmstead Cheese Production – Pilot Study

FOR the purpose of establishing a milk processor – farmstead cheese producer permit; authorizing the holder of a milk processor – farmstead cheese producer permit to perform certain functions and to produce farmstead cheese; requiring the Department of Health and Mental Hygiene to issue only a certain number of milk processor – farmstead cheese producer permits; establishing certain qualifications for a certain milk processor – farmstead cheese producer permit; providing for the expiration date of a milk processor – farmstead cheese producer permit; exempting the sale of farmstead cheese from a certain prohibition on the sale of raw milk; defining a certain term; providing for the termination of this Act; and generally relating to a pilot study for the production of farmstead cheese.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–401, 21–410, 21–413, 21–416, 21–417, and 21–434

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 21–416.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 771 – Senators Stone, Della, Frosh, McFadden, and Pinsky

AN ACT concerning

Motor Vehicle Excise Tax Credit – Electric and Hybrid Vehicles

FOR the purpose of altering a certain restriction for eligibility for a credit against the motor vehicle excise tax for certain qualified electric vehicles and certain hybrid vehicles having an onboard rechargeable energy storage system; and generally relating to a credit against the motor vehicle excise tax for qualified electric and hybrid vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 772 – Senators Britt, Currie, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George’s County – State’s Attorney’s Office – Composition and Salaries

FOR the purpose of increasing the number of assistant State’s Attorney positions in the State’s Attorney’s office for Prince George’s County; increasing the maximum salaries of the deputy State’s Attorneys, the assistant State’s Attorneys, and the administrative assistant in the State’s Attorney’s office; and generally relating to the composition of and salaries in the office of the State’s Attorney for Prince George’s County.

BY repealing and reenacting, with amendments,
Article 10 – Legal Officials
Section 40(q)(2), (3), (4), and (7)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 773 – Senators Britt, Raskin, and Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – CASA Multi–Cultural Service Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of CASA of Maryland,

Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 774 – Senators Britt, Currie, Exum, Forehand, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Pugh, Raskin, Robey, and Zirkin

AN ACT concerning

Task Force on the HPV Vaccine

FOR the purpose of establishing a Task Force on the HPV Vaccine; providing for the membership and staffing of the Task Force; providing that the members of the Task Force may not receive compensation but are entitled to a certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force on the HPV Vaccine.

Read the first time and referred to the Committee on Rules.

Senate Bill 775 – Senator Pipkin

AN ACT concerning

Queen Anne's County – State's Attorney – Salary

FOR the purpose of altering the salary of the State's Attorney for Queen Anne's County; authorizing the State's Attorney to appoint one or more deputy State's Attorneys; specifying certain duties of the State's Attorney, a deputy State's Attorney, and an assistant State's Attorney; establishing that the State's Attorney is entitled to certain expenses for certain purposes; providing that this Act does not apply to the salary or compensation of the incumbent State's Attorney for Queen Anne's County; providing for a delayed effective date; and generally relating to the State's Attorney for Queen Anne's County.

BY repealing and reenacting, with amendments,
Article 10 – Legal Officials
Section 40(r)
Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 776 – Senator Mooney

AN ACT concerning

Income Tax – Credit for Hybrid and Electric Vehicles

FOR the purpose of providing for a credit against the State income tax for certain costs of certain motor vehicles purchased by an individual or corporation; establishing the basis of certain property for State income tax purposes; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain costs of certain motor vehicles.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 777 – Senator Stoltzfus

AN ACT concerning

Delmarva Advisory Council – Repeal

FOR the purpose of repealing provisions of law establishing Maryland’s membership on the Delmarva Advisory Council; eliminating the representative of the Delmarva Advisory Council from the membership of the Executive Board of the Rural Maryland Council; requiring the Department of Legislative Services to provide certain notice of the enactment of this Act; and generally relating to the Delmarva Advisory Council.

BY repealing

Article 32B – Delmarva Advisory Council

Section 1–101 through 1–111 and the article “Article 32B. Delmarva Advisory Council”

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing

Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY renumbering

Article 41 – Governor – Executive and Administrative Departments
Section 15–104(c)(2)(xiii) through (xxvii), respectively
to be Section 15–104(c)(2)(xii) through (xxvi), respectively
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 778 – Senator Pugh

AN ACT concerning

Job Skills Advancement Training Program

FOR the purpose of establishing a Job Skills Advancement Training Program in the Department of Labor, Licensing, and Regulation; establishing the purposes of the Program; requiring the Department to provide grants to local workforce investment boards to fund certain programs and services; requiring that the Program be funded in a certain manner; requiring the Department to establish and administer the Program and develop certain eligibility criteria; requiring the Department to ensure that a certain percentage of funds provided under the Program is utilized for certain purposes; requiring an applicant for a Program grant to apply to the Department in a certain manner; requiring the Department to evaluate applications, adopt certain evaluation standards, establish certain financial procedures and reporting mechanisms, establish certain data maintenance procedures, and assist in providing certain technical assistance; authorizing the Department to adopt certain regulations; requiring local workforce investment boards that receive grants under the Program to meet certain requirements; requiring certain approved programs to meet certain requirements; requiring the Department to submit a certain report on or before certain dates; establishing the intent of the General Assembly regarding funding for the Program; defining certain terms; and generally relating to the Job Skills Advancement Training Program.

BY repealing and reenacting, with amendments,

Article – Labor and Employment
Section 11–501 to be under the new part “Part I. General Provisions”

Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to

Article – Labor and Employment

Section 11–511 through 11–516 to be under the new part “Part II. Job Skills
Advancement Training Program”

Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 779 – Senator Pugh (By Request)

AN ACT concerning

Crimes – Victim and Witness Intimidation

FOR the purpose of expanding the categories of crimes for which a certain type of evidence is admissible at trial under certain circumstances; expanding the list of crimes applicable to certain provisions that provide a greater penalty if certain acts are committed against certain persons relating to the crimes; and generally relating to victim and witness intimidation.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–901

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 9–302, 9–303, and 9–305

Annotated Code of Maryland

(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 780 – Senators Currie, DeGrange, Hogan, Kasemeyer, and Kramer

AN ACT concerning

Postretirement Health Benefits Trust Fund – Clarification

FOR the purpose of specifying that certain funds shall be deposited into the Postretirement Health Benefits Trust Fund; limiting the amount to be paid for administrative expenses for operating the Postretirement Health Benefits Trust Fund; altering the time period when payments may be made from the Postretirement Health Benefits Trust Fund; altering the amount and the manner in which certain payments may be made from the Postretirement Health Benefits Trust Fund; repealing certain provisions that require assets of the Postretirement Health Benefits Trust Fund to be transferred to the General Fund under certain circumstances; altering the membership of the Blue Ribbon Commission to Study Retiree Health Care Funding Options; and generally relating to the Postretirement Health Benefits Trust Fund.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34–101 and 34–201
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 781 – Senator Conway

AN ACT concerning

State Board of Morticians – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Morticians in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; and requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(40)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 782 – Senators Conway, Jones, McFadden, and Pugh

AN ACT concerning

**Baltimore City Board of School Commissioners – Partially Elected Board
– Straw Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Baltimore City at the November general election of 2007 to determine the sense of the voters of Baltimore City on the issue of whether the Baltimore City Board of School Commissioners should be changed from a system of members appointed jointly by the Mayor of Baltimore City and the Governor to a mixed system composed of some members who are appointed by the Mayor of Baltimore City and the Governor and some members who are elected by the voters of Baltimore City; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Baltimore City.

Read the first time and referred to the Committee on Rules.

Senate Bill 783 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Chesterwye Center Addition

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Chesterwye Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 784 – Senators Rosapepe, Britt, and Pinsky

AN ACT concerning

Stormwater Management Act of 2007

FOR the purpose of requiring certain local governments to update certain zoning ordinances to allow for the implementation of certain environmental site design techniques in certain stormwater management practices; requiring the Department of the Environment to adopt regulations that establish a certain model ordinance or model regulation for certain purposes; requiring the Department to adopt regulations that specify certain criteria for certain stormwater management plans and certain stormwater control ordinances; requiring the Department to adopt regulations that specify certain environmental site design techniques as the primary method for managing stormwater under certain circumstances; requiring the Department to adopt regulations that establish a certain comprehensive process for approving certain grading and sediment control plans and certain stormwater management plans; requiring the Department, on or before a certain date, to review a certain fee system and establish a certain schedule of fees necessary to enforce certain provisions of law; defining certain terms; and generally relating to stormwater management.

BY adding to

Article – Environment

Section 4–201.1

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 4–202 and 4–203

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 785 – Senators Harris, Colburn, Hooper, Jacobs, Mooney, and Munson

AN ACT concerning

Higher Education – Tuition – Textbooks

FOR the purpose of requiring a governing board of a certain senior public higher education institution and a board of community college trustees, on or before a

certain date, to develop a plan to include in the tuition charged to a student who enrolls in the public senior higher education institution or community college the cost of all textbooks for the student; requiring a governing board or public senior higher education institution and a board of community college trustees to implement a certain plan on or before a certain date; prohibiting a governing board, a public senior higher education institution, or a board of community college trustees from requiring an enrolled student to purchase a textbook, the cost of which is not included in tuition charged to the student for the same academic year; defining certain terms; and generally relating to higher education, textbooks, and tuition.

BY adding to

Article – Education
Section 15–111
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education
Section 16–103(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education
Section 16–103(j)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 786 – Senators Harris, Rosapepe, and Zirkin

AN ACT concerning

Election Law – Absentee Ballots – Mailing Deadlines

FOR the purpose of requiring local boards of elections to send absentee ballots received at certain times by certain deadlines; repealing certain provisions allowing local boards of elections to send certain absentee ballots as soon as practicable under certain circumstances; and generally relating to the sending of absentee ballots.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9-306
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 787 – Senator Harris

AN ACT concerning

Stem Cell Research Commission – Subject to the State Open Meetings Law

FOR the purpose of requiring the Stem Cell Research Commission to be subject to the State Open Meetings Law; and generally relating to the Stem Cell Research Commission and the State Open Meetings Law.

BY repealing and reenacting, with amendments,
Article 83A – Department of Business and Economic Development
Section 5-2A-08(a)(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article 83A – Department of Business and Economic Development
Section 5-2B-04(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY adding to
Article 83A – Department of Business and Economic Development
Section 5-2B-04(k)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 788 – Senator Astle

AN ACT concerning

**Maryland Automobile Insurance Fund – Payment of Fees for Motor Vehicle
Records – Required**

FOR the purpose of requiring the Maryland Automobile Insurance Fund to pay to the

Motor Vehicle Administration a certain fee for motor vehicle records provided by the Administration to the Fund; and generally relating to fees payable by the Maryland Automobile Insurance Fund.

BY adding to

Article – Insurance

Section 20–305

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 789 – Senator Astle

AN ACT concerning

Maryland Automobile Insurance Fund – Authority of Commissioner to Impose Penalties and Restitution

FOR the purpose of authorizing the Maryland Insurance Commissioner to impose a certain penalty on the Maryland Automobile Insurance Fund for a violation of the Insurance Article; authorizing the Commissioner to require the Fund to make restitution to a certain person under certain circumstances; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 4–113(d)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–201

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 790 – Senator Astle

AN ACT concerning

**Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss
– Statement of Additional Optional Coverage**

FOR the purpose of repealing a requirement for an insurance producer at a certain time and in a certain manner to provide an applicant for homeowner's insurance with a certain notice about homeowner's insurance coverage for losses from flood; repealing certain provisions that deem an insurance producer to be in compliance with the notice requirement under certain circumstances; repealing a requirement for an insurance producer at a certain time and in a certain manner to provide an applicant for homeowner's insurance with a certain statement about additional optional coverage; repealing certain provisions that deem an insurance producer to be in compliance with the statement requirement under certain circumstances; providing that a certain statement does not create a private right of action; providing for the application of this Act; and generally relating to notices of coverage under homeowner's insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–206 and 19–207
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1)
OFFERED FROM THE FLOOR BY SENATOR BRINKLEY.

FLOOR AMENDMENT

(Amendment ID: SB0001/103423/1)

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 1
(First Reading File Bill)

On page 2, in line 8, after “WARDS” insert “IN THEIR COUNTY OF RESIDENCE”.

The preceding amendment was read only.

Senator Dyson moved, duly seconded, to make the Bill and Amendments a Special Order for February 15, 2007.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 35 – Senator Frosh

AN ACT concerning

Transportation – Highways – Federal Property

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: SB0217/773228/1)

BY: Senator Astle

AMENDMENTS TO SENATE BILL 217
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– Sunset Provisions”; in line 4, after “of” insert “repealing the authority of the Motor Vehicle Administration to issue certain special commemorative registration plates for a certain class of vehicles;”; in line 8, after “Plate;” insert “providing for the termination of a certain provision of this Act;”; in line 10, strike “without” and substitute “with”; and in line 12, strike “13–619.2(a)” and substitute “13–619.2”.

AMENDMENT NO. 2

On page 2, strike line 21 in its entirety; and in lines 22, 24, and 25, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

AMENDMENT NO. 3

On page 5, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation”;

and after line 13, insert:

“(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for an original or substitute registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

~~[(2) A Class B (for hire) vehicle;]~~

~~[(3)]~~ (2) A Class E (truck) vehicle with a manufacturer’s rated capacity of one ton or less;

[(4)] (3) A Class E (farm truck) vehicle;

[(5)] (4) A Class G (trailer) vehicle; or

[(6)] (5) A Class M (multipurpose) vehicle.

(c) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a registration plate under this section shall pay:

(i) When initially issued the registration plate, a one-time fee set by the Administration to recover the Administration's costs under this section; and

(ii) When initially issued the registration plate, and each time the registration plate is renewed, an additional fee set by the Administration to benefit the Maryland Agricultural Education Foundation, Inc.

(2) The additional fee collected under this section is not required for special registration of a vehicle that is exempt under § 13-903 of this title.

(3) No portion of the fee collected under this section may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

(d) The Administration shall consult with the Maryland Agricultural Education Foundation, Inc. on:

(1) The design of a registration plate to be issued under this section to honor Maryland agriculture;

(2) The setting of the fee to be charged under subsection (c)(1)(ii) of this section at a level intended to encourage the purchase of the registration plate issued under this section while providing a continuous revenue source to benefit the Foundation; and

(3) A schedule under which the Administration will transfer to the Foundation revenue collected on the Foundation's behalf.

(e) The Administration shall adopt regulations to govern the issuance of special registration plates under this section.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 4

On page 6, after line 2, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2007. It shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 398 of the Acts of the General Assembly of 2003, as amended by this Act. If that termination provision takes effect, Section 2 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act may not be interpreted to have any effect on that termination provision.”;

in line 3, strike “2.” and substitute “5.”; and in the same line, after “That” insert “, subject to Section 4 of this Act,”.

The preceding 4 amendments were read only.

Senator Greenip moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #3

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 137 – Senators Middleton, Colburn, Dyson, Edwards, Mooney, and Pipkin

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Eligibility for Enrollment and Participation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 156 – Senators Kelley, Colburn, Conway, Exum, Hooper, Jacobs, Jones, Miller, Mooney, and Rosapepe

AN ACT concerning

Insurers – Third Party Claimants – Notice of Payment to Claimant’s Attorney

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 165 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

(Amendment ID: SB0165/337771/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 165
(First Reading File Bill)

On page 1, in line 17, strike “and”.

On page 2, in line 5, after “designee;” insert:

“(5) The Secretary of the Environment, or the Secretary’s designee;”;

and in line 6, strike “(5)” and substitute “(6)”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 181 – Senator Middleton

AN ACT concerning

Oral Health Safety Net Program

(Amendment ID: SB0181/127677/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 181
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “solicit” insert “certain proposals;”; in the same line, strike “and” and substitute “requiring the Office to”; in the same line, after “grants” insert “and oversee the operation of the Program”; in line 6, after the first “to” insert “the limitations of”; strike beginning with “requiring” in line 6 down through “Program;” in line 7; in line 8, after the second “to” insert “the limitations of”; in line 10, after the first “to” insert “the limitations of”; in line 11, after “date” insert “each year”; in line 13, after “survey;” insert “requiring the Secretary of Health and Mental Hygiene to submit a certain report to the General Assembly under certain circumstances and on a certain date;”; and in line 17, strike “, inclusive,”.

AMENDMENT NO. 2

On page 2 in line 27, and on page 3 in line 18, in each instance, after “**TO**” insert “**THE LIMITATIONS OF**”.

On page 3, in lines 6 and 7, strike “**OR ORGANIZATIONS**”.

On page 4, in line 7, strike “**PROGRAM**” and substitute “**PROGRAM**”; in line 15, strike “**ESTABLISHED UNDER THIS SUBTITLE**”; and in line 22, strike “**JULY 31, 2008**” and substitute “**JUNE 30, 2009**”.

On page 5, in line 2, strike “**OF HEALTH AND MENTAL HYGIENE**”.

AMENDMENT NO. 3

On page 5, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) If the Governor does not provide the funding specified in § 13-2505(1) of the Health - General Article, as enacted by Section 1 of this Act, in the fiscal 2009 budget, the Secretary of Health and Mental Hygiene shall report, in accordance with § 2-1246 of the State Government Article, to the General Assembly the following:

(1) the annual cost to provide comprehensive oral health services in all programs funded by the Maryland Medical Assistance Program;

(2) the amount of State revenues spent on somatic health services related to the lack of comprehensive oral health care; and

(3) the number of dental providers in each jurisdiction in the State providing care to uninsured and under-insured residents, the number of residents served, and the dental providers' capacity to provide additional services.

(b) The report required under subsection (a) of this section shall be submitted to the General Assembly on the date that the fiscal 2009 budget bill is introduced.”;

and in line 5, strike “2.” and substitute “3.”.

The preceding 3 amendments were read only.

Senator Currie moved, duly seconded, to make the Bill and Amendments a Special Order for February 22, 2007.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 236 – Senators Kelley, Astle, Garagiola, and Klausmeier

AN ACT concerning

Life Insurance – Investment Accounts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 153)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #6

Senate Bill 100 – Senators Miller, Astle, Brinkley, Britt, Currie, DeGrange, Dyson, Garagiola, Hogan, Jacobs, Jones, Kasemeyer, Klausmeier, Kramer, McFadden, Munson, Peters, Robey, Rosapepe, and Stone

AN ACT concerning

Motor Vehicle Excise Tax – Active Duty Military Personnel Who Become Maryland Residents

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 154)

The Bill was then sent to the House of Delegates.

Senate Bill 121 – Senator Edwards

AN ACT concerning

Garrett County – Property Tax Credit for Adventure Sports Center, Inc. – Applicability

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 155)

The Bill was then sent to the House of Delegates.

Senate Bill 146 – Senator McFadden

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Safe Haven House for Youth and Families

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 156)

The Bill was then sent to the House of Delegates.

Senate Bill 203 – Senators Stoltzfus and Colburn

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Wicomico County – Salisbury Area Chamber of Commerce

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 157)

The Bill was then sent to the House of Delegates.

Senate Bill 251 – Senators Raskin, Forehand, and Madaleno

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Pyramid Atlantic

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 158)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 159)

ADJOURNMENT

At 10:48 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 15, 2007.

**Annapolis, Maryland
Thursday, February 15, 2007
10:00 A.M. Session**

The Senate met at 10:20 A.M.

Prayer by Reverend Byron P. Brought, Calvary United Methodist Church, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 14, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 162)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Dr. David A. Knapp	Senator Hogan	144

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 163)

INTRODUCTION OF BILLS

Senate Bill 791 – Senator Middleton

AN ACT concerning

Mental Health – Incarcerated Individuals with Mental Illness

FOR the purpose of requiring the Department of Public Safety and Correctional Services to provide certain access to a certain amount of medication to certain individuals under certain circumstances; requiring the Mental Hygiene Administration to compensate certain mental health providers for certain services; requiring the Governor to provide a certain appropriation in certain fiscal years for compensating certain providers for certain services; requiring the Governor to provide a certain appropriation in a certain fiscal year for hiring and training certain individuals for certain purposes; requiring the Department of Human Resources and the Department of Public Safety and Correctional Services to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Mental Hygiene Administration to develop a certain implementation plan for diverting certain individuals into certain mental health services; requiring the Mental Hygiene Administration to work with each core service agency in the State to develop a plan to enter into memoranda of understanding with local detention centers to establish a certain data sharing initiative; requiring the Mental Hygiene Administration to submit certain reports to certain committees of the General Assembly and to a certain workgroup on or before a certain date; requiring the Department of Public Safety and Correctional Services, in collaboration with the Motor Vehicle Administration, to develop a plan to provide departing inmates with a certain identification card; requiring the Department of Public Safety and Correctional Services to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to mental health treatment for incarcerated individuals.

BY adding to

Article – Correctional Services

Section 9–612

Annotated Code of Maryland

(1999 Volume and 2006 Supplement)

BY adding to

Article – Health – General

Section 10–814 and 15–104.1

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 792 – Senator Kelley

AN ACT concerning

Child Welfare – Reports of Children at Risk of Abuse or Neglect

FOR the purpose of requiring a person to notify the local department of social services or the appropriate law enforcement agency if the person has reason to believe that a child is at substantial risk of abuse or neglect because the child is living with, is regularly in the presence of, or is in the care or custody of a certain individual; providing certain exceptions; providing for the receipt and investigation of a report that a child is at substantial risk of abuse or neglect; requiring the local department or the appropriate law enforcement agency to take certain actions within a certain time period after receiving a report; requiring an investigation to be completed within a certain time period; authorizing and requiring the local department to take certain actions after completion of an investigation; authorizing the disclosure of reports or records concerning child abuse or neglect to certain persons providing treatment or care to a child who is the subject of a report of a substantial risk of abuse or neglect; making certain technical and conforming changes; and generally relating to reports and investigations regarding children at substantial risk of abuse or neglect.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 1–202(c)(1)(v)

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 6) of the Acts of the General Assembly of 2007)

BY adding to

Article – Family Law

Section 5–705.2 and 5–706.1

Annotated Code of Maryland

(2006 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–706.1, 5–707(b), 5–708, and 5–714(b) and (e)

Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 793 – Senators Mooney, Edwards, and Munson

AN ACT concerning

Crimes – Abduction of Children – Public Places

FOR the purpose of prohibiting a person from persuading or enticing, or aiding in persuading or enticing, a person under a certain age from a public place for

purposes of prostitution or certain sex-related crimes; prohibiting a person from secreting or harboring or aiding in secreting or harboring a person under a certain age taken from a public place in a certain manner; and generally relating to abducting children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–305
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 794 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Western Maryland Health System

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Western Maryland Health System, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 795 – Senator Middleton

AN ACT concerning

Health Care Expansion Program

FOR the purpose of expanding eligibility under the Maryland Medical Assistance Program to certain parents with certain income and certain adults with certain income, subject to certain limitations; establishing the Health Care Expansion Program in the Department of Health and Mental Hygiene; establishing the purpose of and funding for the Program; requiring the Department to develop and implement a certain Health Insurance Premium Subsidy Plan; requiring the Plan to provide subsidies for certain premium contributions made for coverage under the Limited Health Benefit Plan offered in the small group insurance market; establishing eligibility requirements for a premium subsidy under the Plan;

requiring the Secretary of Health and Mental Hygiene to determine the maximum number of premium subsidies that may be provided under the Plan based on certain criteria; requiring the Department to begin providing premium subsidies beginning at a certain time, subject to certain limitations; establishing the Health Care Expansion Program Fund; establishing the purpose and contents of the Fund; requiring the Department to administer the Fund; specifying the purposes for which the Fund may be used; providing that the investment of earnings in the Fund shall be credited to the Fund; requiring money from the Fund to supplement and not supplant funding for a certain program; providing that the Fund is subject to a certain audit; requiring the Department, in consultation with certain other entities, to develop and distribute certain brochures, pamphlets, or other materials; requiring the Department to adopt certain regulations; requiring a certain carrier, and authorizing other carriers, in the small group insurance market to offer a Limited Health Benefit Plan to a certain employee of a small employer who is not included as an employee under a health benefit plan and who is eligible for a certain premium subsidy; expanding the definition of a "health benefit plan" for purposes of the small group insurance market to include a health benefit plan issued to certain eligible employees; making conforming changes to certain provisions of law governing health benefit plans offered in the small group insurance market; requiring a carrier in the small group insurance market to offer a discounted rate to a small employer that provides a certain wellness program for certain employees; requiring the Limited Health Benefit Plan to include a certain coverage option; altering the conditions under which the Limited Health Benefit Plan is required or authorized to be offered to a small employer; requiring a certain carrier in the small group insurance market to issue a Limited Health Benefit Plan to certain individuals; imposing a certain surcharge on the income tax of certain individuals with income above certain levels in certain taxable years; providing that the surcharge does not apply under certain circumstances; providing for certain exceptions; requiring the revenues from the surcharge to be distributed to the Health Care Expansion Program Fund; requiring an employer to base withholding for certain employees on a certain number of exemptions under certain circumstances; repealing a certain termination date for the Limited Health Benefit Plan; repealing a certain requirement that the Maryland Insurance Administration develop a certain form; altering certain reporting requirements relating to the Limited Health Benefit Plan; defining certain terms; altering certain definitions; making stylistic changes; requiring the Department of Health and Mental Hygiene to seek approval from the federal Centers for Medicare and Medicaid Services of a waiver that would allow the State to use certain federal matching funds for a certain purpose; prohibiting the Department from implementing Medicaid eligibility for certain adults if the Department is denied a certain waiver; requiring the Department to forward a copy of a certain notice to the Department of Legislative Services; providing that certain provisions of this Act are null and void under certain circumstances; requiring the Comptroller to widely publicize certain requirements of this Act for a certain purpose; providing

for the effective dates of this Act; providing for the application of certain provisions of this Act; and generally relating to the small group insurance market and the Health Care Expansion Program.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 15–103(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article – Health – General
Section 15–701 through 15–707 to be under the new subtitle “Subtitle 7. Health
Care Expansion Program”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance
Section 15–1201(a), (c), (f)(1), (i), and (o) and 15–1301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance
Section 15–1201(e) and (f)(2), 15–1205(a), 15–1207(a), 15–1209, 15–1211, and
15–1212
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance
Section 15–1201(r)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General
Section 10–106.2
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–910(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 287 of the Acts of the General Assembly of 2004
Section 3, 4, and 5

Read the first time and referred to the Committee on Rules.

Senate Bill 796 – Cecil County Senators

AN ACT concerning

**Creation of a State Debt – Cecil County – Mount Harmon Plantation Education and
Discovery Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Mount Harmon, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 797 – Senators Stone and Gladden

AN ACT concerning

Business Regulation – Pet Cemeteries

FOR the purpose of prohibiting an owner of a pet cemetery from requiring a pet owner to purchase burial goods from the pet cemetery as a condition of authorizing the interment or inurnment of a pet; prohibiting an owner of a pet cemetery from charging a pet owner a fee for obtaining burial goods from a person other than the owner of the pet cemetery; requiring an owner of a pet cemetery that sells or offers to sell burial goods to the public to provide a certain price list under certain circumstances; requiring an owner of a pet cemetery to maintain certain records in a certain manner; requiring an owner of a pet cemetery to ensure the maintenance of the pet cemetery grounds and certain holding facilities; prohibiting an owner of a pet cemetery from entering into a contract for the sale or lease of pet cemetery

grounds, or using the grounds for certain purposes, unless certain conditions are met; requiring the owner of a pet cemetery to give certain notice to certain persons within a certain time period of the pet cemetery owner's intent to sell, lease, or use pet cemetery grounds for certain purposes; specifying the rights of certain persons that receive notice of the pet cemetery owner's intent to sell, lease, or use pet cemetery grounds for certain purposes; requiring the owner of a pet cemetery to relocate certain pet remains to a comparable site in a pet cemetery in the State under certain circumstances; providing that certain provisions of this Act do not apply to a pet cemetery that is sold or leased for a certain purpose; establishing a certain penalty; defining certain terms; and generally relating to the regulation of pet cemeteries.

BY adding to

Article – Business Regulation

Section 5A–101 through 5A–106 to be under the new title “Title 5A. Pet Cemeteries”

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 798 – Senator Stone (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Alcoholic Beverages – Transfer of Class D License for Marina

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to transfer one Class D beer, wine and liquor (on-sale) license in existence in election district 15 into election district 12 for use by a certain marina; providing for certain restrictions, qualifications, and conditions with respect to the license and the premises for which the license is to be transferred; and generally relating to alcoholic beverages licenses in Baltimore County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–204.8

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – Sunset Provisions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (4)
OFFERED FROM THE FLOOR BY SENATOR ASTLE.

FLOOR AMENDMENT

(Amendment ID: SB0217/773228/1)

BY: Senator Astle

AMENDMENTS TO SENATE BILL 217
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2 and 3, strike “– Sunset Provisions”; in line 4, after “of” insert “repealing the authority of the Motor Vehicle Administration to issue certain special commemorative registration plates for a certain class of vehicles;”; in line 8, after “Plate;” insert “providing for the termination of a certain provision of this Act;”; in line 10, strike “without” and substitute “with”; and in line 12, strike “13–619.2(a)” and substitute “13–619.2”.

AMENDMENT NO. 2

On page 2, strike line 21 in its entirety; and in lines 22, 24, and 25, strike “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, and “(4)”, respectively.

AMENDMENT NO. 3

On page 5, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Transportation”;

and after line 13, insert:

“(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for an original or substitute registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

~~[(2) A Class B (for hire) vehicle;]~~

~~[(3)]~~ (2) A Class E (truck) vehicle with a manufacturer’s rated capacity of one ton or less;

~~[(4)]~~ (3) A Class E (farm truck) vehicle;

~~[(5)]~~ (4) A Class G (trailer) vehicle; or

~~[(6)]~~ (5) A Class M (multipurpose) vehicle.

(c) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a registration plate under this section shall pay:

(i) When initially issued the registration plate, a one-time fee set by the Administration to recover the Administration’s costs under this section; and

(ii) When initially issued the registration plate, and each time the registration plate is renewed, an additional fee set by the Administration to benefit the Maryland Agricultural Education Foundation, Inc.

(2) The additional fee collected under this section is not required for special registration of a vehicle that is exempt under § 13-903 of this title.

(3) No portion of the fee collected under this section may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8-403 or § 8-404 of this article.

(d) The Administration shall consult with the Maryland Agricultural Education Foundation, Inc. on:

(1) The design of a registration plate to be issued under this section to honor Maryland agriculture;

(2) The setting of the fee to be charged under subsection (c)(1)(ii) of this section at a level intended to encourage the purchase of the registration plate issued under this section while providing a continuous revenue source to benefit the Foundation; and

(3) A schedule under which the Administration will transfer to the Foundation revenue collected on the Foundation's behalf.

(e) The Administration shall adopt regulations to govern the issuance of special registration plates under this section.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 4

On page 6, after line 2, insert:

"SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2007. It shall remain effective until the taking effect of the termination provision specified in Section 3 of Chapter 398 of the Acts of the General Assembly of 2003, as amended by this Act. If that termination provision takes effect, Section 2 of this Act shall be abrogated and of no further force and effect. Section 2 of this Act may not be interpreted to have any effect on that termination provision.";

in line 3, strike "2." and substitute "5."; and in the same line, after "That" insert ", subject to Section 4 of this Act,".

The preceding 4 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #4

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 66 – Senators Middleton, Dyson, and Miller

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

(Amendment ID: SB0066/567374/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 66
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “circumstances;” insert “prohibiting the Public Service Commission from setting or enforcing a certain termination date for the procurement of certain supply;”.

AMENDMENT NO. 2

On page 5, in line 13, after “(8)” insert “(I)”; strike line 19 in its entirety; in line 20, strike “(II)” and substitute “1.”; in line 22, strike “(III)” and substitute “2.”; in the same line, after “APPROPRIATE” insert “REVIEW FOR PRUDENT”; and after line 23, insert:

“(II) THE COMMISSION MAY NOT SET OR ENFORCE A TERMINATION DATE FOR THE PROCUREMENT OF SUPPLY THROUGH A MANAGED PORTFOLIO PREVIOUSLY APPROVED BY THE COMMISSION.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 119 – Senator Munson

AN ACT concerning

Deputy Medical Examiners – Investigative Fees

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Stone

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENT (1) OFFERED FROM THE FLOOR BY SENATOR BRINKLEY.

FLOOR AMENDMENT

(Amendment ID: SB0001/103423/1)

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 2, in line 8, after “WARDS” insert “IN THEIR COUNTY OF RESIDENCE”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 31 (See Roll Call No. 164)

FLOOR AMENDMENT

(Amendment ID: SB0001/283924/1)

BY: Senator Dyson

AMENDMENTS TO SENATE BILL 1

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “dates;” insert “providing that the provisions of certain Acts of the General Assembly may not take effect; repealing certain provisions of law;”.

AMENDMENT NO. 2

On page 2, after line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of Chapter 5 and Chapter 61 of the Acts of the General Assembly of 2006, as they relate to voting on days before the dates specified in the Maryland Constitution, which were struck down by the Maryland Court of Appeals (Lamone v. Capozzi, per curiam order issued August 2006), may not take effect even if this Act becomes effective.

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 10–301.1 and 10–302(b)(2) of Article – Election Law of the Annotated Code of Maryland be repealed.”;

and in lines 10 and 15, strike “2.” and “3.”, respectively, and substitute “4.” and “5.”, respectively.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0001/873823/1)

BY: Senator Kittleman

AMENDMENT TO SENATE BILL 1

(First Reading File Bill)

On page 2, in line 8, after “WARDS,” insert “CONTINGENT ON THE PRESENTATION OF A FORM OF IDENTIFICATION SPECIFIED BY LAW,”.

The preceding amendment was read only.

Senator Stoltzfus moved, duly seconded, to make the Bill and Amendments a Special Order for February 16, 2007.

The motion was rejected by a roll call vote as follows:

Affirmative – 14 Negative – 33 (See Roll Call No. 165)

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 17 Negative – 30 (See Roll Call No. 166)

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 167)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #7

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

AN ACT concerning

Task Force to Study Prison Violence in Maryland

Senator Gladden moved, duly seconded, to place **Senate Bill 69** back on second reading for the purpose of adding amendments.

The motion was adopted.

STATUS OF BILL: BILL ON SECOND READING AND OPEN TO AMENDMENTS.

Senator Munson moved, duly seconded, to make the Bill a Special Order for February 16, 2007.

The motion was adopted.

Senate Bill 70 – Senators Jones, Forehand, Kelley, and Stone

EMERGENCY BILL

AN ACT concerning

Task Force to Study Identity Theft

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 168)

The Bill was then sent to the House of Delegates.

Senate Bill 106 – Senator Della and the President (By Request – Administration) and Senators Conway, Frosh, Gladden, Jones, McFadden, Miller, and Pugh

EMERGENCY BILL

AN ACT concerning

**Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~
Reversionary Interests in Residential Property**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 169)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 170)

ADJOURNMENT

At 12:03 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 16, 2007 in memory of Walter Sondheim.

Annapolis, Maryland
Friday, February 16, 2007
11:00 A.M. Session

The Senate met at 11:15 A.M.

Prayer by The Reverend John Harrison, St. Mary's Church in Annapolis, guest of Senator Astle.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 15, 2007 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Miller be excused from today's session.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 174)

MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

February 16, 2007

The Honorable Thomas V. Mike Miller, Jr.
President
Maryland State Senate
State House
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, §13 of the Constitution of Maryland, I am pleased to submit the following appointment nominations for confirmation by the Maryland State Senate. These individuals bring exceptional knowledge and ability to the offices for which they have been nominated. I am confident they will provide the strength of experience and leadership to instill confidence among our citizens, and ensure we succeed in our goals for Marylanders.

I look forward to your favorable approval of these nominees. Thank you for your assistance and support.

Sincerely,

Martin O'Malley
Governor

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
AIRPORT ZONING APPEALS, BOARD OF	
Henry A. Mack, Jr. 311 Chestnut Road Linthicum Heights, Maryland 21090 32	Reappointment Anne Arundel County Remainder of a term of 4 years from July 1, 2006
Andrea M. Jones Horton 7715 East Classic Court Severn, Maryland 21061 32	Appointment Anne Arundel County Remainder of a term of 4 years from July 1, 2003 and for a term of 4 years from July 1, 2007
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
Nancy R. Brashear 108 Park Lane Thurmont, Maryland 21788 04	Appointment State/County Fairs 4 years from July 1, 2007
APPRENTICESHIP AND TRAINING COUNCIL	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
David W. Norfolk 583 Pasture Brook Road Severn, Maryland 21144 32	Appointment Employee Organization Remainder of a term of 4 years from July 1, 2006
ARCHAEOLOGY, ADVISORY COMMITTEE ON	
Marian C. Creveling 1707 Forestville Road Edgewater, Maryland 21037 30	Reappointment Historical Society 3 years from July 1, 2007
Robert D. Wall, Ph.D. 1602 Beechwood Avenue Catonsville, Maryland 21228 12	Reappointment Private Firm Providing Archaeological Services 3 years from July 1, 2007
ARCHITECTURAL REVIEW, STATE BOARD OF	
James E. Louviere, Sr. 9911 Markham Street Silver Spring, Maryland 20901 18	Reappointment Architect Remainder of a term of 4 years from July 1, 2006
Carol D. Macht 1409 Walnut Hill Lane Baltimore, Maryland 21204 42	Reappointment Landscape Architect Remainder of a term of 4 years from July 1, 2006
Edward A. Masek, Jr. 124 St. Andrews Road Severna Park, Maryland 21146 33	Reappointment Architect with Preservation Specialty Remainder of a term of 4 years from July 1, 2006
ARTS COUNCIL, MARYLAND STATE	
Abigail S. Hoffman, Esquire 1005 Fallscroft Way Lutherville, Maryland 21093 11	Appointment Member Remainder of a term of 3 years from July 1, 2006
COMMUNITY SERVICES REIMBURSEMENT RATE COMMISSION	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Jeannette M. Martin 218 Windridge Acres Court Silver Spring, Maryland 20905 14	Appointment No Provider Connection Remainder of a term of 3 years from October 1, 2005
CONTRACT APPEALS, MARYLAND STATE BOARD OF	
Michael J. Collins 608 Seena Road Baltimore, Maryland 21221 06	Reappointment Member Remainder of a term of 5 years from February 1, 2007
CORRECTIONAL STANDARDS, COMMISSION ON	
Maria T. Elmo, M.D. 5605 Greenspring Avenue Baltimore, Maryland 21209 41	Initial Appointment Mental Health or Medical Professional Term to expire June 30, 2007
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL FOR THE	
Marian V. Bland 2 Lydia Court Pikesville, Maryland 21208 11	Appointment DHMH Representative Remainder of a term of 3 years from October 1, 2006
DISTRICT COURT OF MARYLAND, DISTRICT SEVEN FOR ANNE ARUNDEL COUNTY	
The Honorable Robert C. Wilcox The Robert F. Sweeney District Court Building 251 Rowe Boulevard Annapolis, Maryland 21401 33	Reappointment Associate Judge 10 years from February 7, 2007
DISTRICT COURT OF MARYLAND, DISTRICT FOUR FOR CHARLES COUNTY	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
The Honorable Richard A. Cooper Courthouse P.O. Box 3070 200 Charles Street La Plata, Maryland 20646 28	Reappointment Associate Judge 10 years from February 7, 2007
ENVIRONMENTAL SERVICE BOARD OF DIRECTORS, MARYLAND	
Edward C. Adams, Jr. 1419B Sharon Acres Forest Hill, Maryland 21050 35	Appointment Public Sector 4 years from July 1, 2007
Leslie Jackson Jenkins, Esquire 3298 Huntington Circle Waldorf, Maryland 20602 28	Reappointment Public Sector Remainder of a term of 4 years from July 1, 2006
Joseph F. Snee, Jr., Esquire 1800 Angleside Road Fallston, Maryland 21047 35	Reappointment Private Sector 4 years from July 1, 2007
HEALTH AND MENTAL HYGIENE BOARD OF REVIEW, DEPARTMENT OF	
Joy C. Naden 20 Cross Keys Road Baltimore, Maryland 21210 41	Reappointment General Public Remainder of a term of 3 years from July 1, 2006
HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND	
Harrison B. Wetherill, Jr., Esquire 159 Owensville Road West River, Maryland 20778 30	Reappointment Member 4 years from July 1, 2007
Brien J. Poffenberger P.O. Box 633 Sharpsburg, Maryland 21782 02	Appointment Member 4 years from July 1, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Randall F. Vega 805 Glen Allen Drive Baltimore, Maryland 21229 41	Appointment Member Remainder of a term of 4 years from July 1, 2006
INDIAN AFFAIRS, COMMISSION ON	
David C. Holland P.O. Box 343 Marion Station, Maryland 21838 38	Reappointment Indian Community/ Indigenous Tribe 3 years from July 1, 2007
Guy G. Wells 201 South 6 th Street Denton, Maryland 21629 36	Reappointment Indian Community 3 years from July 1, 2007
Cornelius Allen Red Deer 3058 Mayfield Avenue Baltimore, Maryland 21213 45	Appointment Member Remainder of a term of 3 years from July 1, 2005
Virginia R. Busby 3174 Freestone Court Abingdon, Maryland 21009 07	Appointment Member Remainder of a term of 3 years from July 1, 2006
MORGAN STATE UNIVERSITY BOARD OF REGENTS	
Reverend Frances M. Draper 2406 Overland Avenue Baltimore, Maryland 21214 43	Reappointment Member 6 years from July 1, 2007
The Honorable Kweisi Mfume 10 East Lee Street Baltimore, Maryland 21202 46	Reappointment Member 6 years from July 1, 2007
William R. Roberts 3814 Inverness Drive Chevy Chase, Maryland 20815 18	Reappointment Member 6 years from July 1, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
General Johnnie E. Wilson, USA (Ret.) 2800 Eisenhower Avenue Suite 300 Alexandria, Virginia 22314	Reappointment Member 6 years from July 1, 2007
The Honorable Elijah E. Cummings United States House of Representatives 2235 Rayburn House Office Building Washington, DC 20515 44	Appointment Member Remainder of a term of 6 years from July 1, 2005
Donald E. Frieson 1800 Webster Street Baltimore, Maryland 21230 46	Appointment Member 6 years from July 1, 2007
PAROLE COMMISSION, MARYLAND	
Michael C. Blount P.O. Box 18839 Baltimore, Maryland 21206 45	Reappointment Member Remainder of a term of 6 years from January 1, 2007
Perry Sfikas 623 Umbra Street Baltimore, Maryland 21224 46	Reappointment Member Remainder of a term of 6 years from January 1, 2006
Nancy L. Murphy 6 Ben Woods Court Baltimore, Maryland 21228 12	Reappointment Member Remainder of a term of 6 years from January 1, 2007
POLICE TRAINING COMMISSION	
The Honorable David A. Goad 519 Louisiana Avenue Cumberland, Maryland 21502 01	Appointment Police Official/Western Region Remainder of a term of 3 years from June 1, 2006
PUBLIC SERVICE COMMISSION, MARYLAND	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Harold D. Williams 3 Falls Glen Court Parkton, Maryland 21120 05	Reappointment Member 5 years from July 1, 2007
Susanne Brogan, Esquire 125 Archwood Avenue Annapolis, Maryland 21401 30	Appointment Member Remainder of a term of 5 years from July 1, 2006
Steven B. Larsen, Esquire 10111 Parkwood Drive Bethesda, Maryland 20814 18	Appointment Member Remainder of a term of 5 years from July 1, 2003
RACING COMMISSION, MARYLAND	
John B. Franzone 8606 Marburgh Manor Drive Lutherville-Timonium, Maryland 21093 11	Reappointment Member Remainder of a term of 4 years from July 1, 2006
SEAFOOD MARKETING ADVISORY COUNCIL	
Susan L. Bringen 450 Knottwood Court Arnold, Maryland 21012 30	Reappointment Consumer 4 years from July 1, 2007
Roy P. Todd 2 Sunset Lane Cambridge, Maryland 21613 37	Reappointment Seafood Packer 4 years from July 1, 2007
Scott D. Fritze 1 South Washington Street 3 rd Floor Easton, Maryland 21601 37	Appointment Aquaculture Industry Term of 4 years from July 1, 2007
SOCIAL WORK EXAMINERS, STATE BOARD OF	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Cherie Cannon 7821 Emily's Way Greenbelt, Maryland 20770 22	Reappointment LCSW/Clinical Practice Remainder of a term of 4 years from July 1, 2006
Yvonne M. Perret 1116 Bedford Street Cumberland, Maryland 21502 01	Reappointment LCSW/Clinical Practice Term of 4 years from July 1, 2007
Judith Mayer Levy 6939 Copperbend Lane Baltimore, Maryland 21209 42	Appointment LCSW/Clinical Practice Term of 4 years from July 1, 2007
Loretta Y. Wall 8805 Stoneridge Circle # 304 Pikesville, Maryland 21208 11	Appointment LCSW Remainder of a term of 4 years from July 1, 2003 and for a term of 4 years from July 1, 2007
Thomas P. Smith 6712 Patterson Street Riverdale, Maryland 20737 22	Appointment LSW Remainder of a term of 4 years from July 1, 2006
SOUTHERN MARYLAND BOARD OF TRUSTEES, COLLEGE OF	
Charles R. Bailey, Jr., Esquire 3165 Hickory Ridge Road Dunkirk, Maryland 20754 27	Reappointment Member Remainder of a term of 5 years from July 1, 2005
MacArthur Jones 155 MacArthur Drive Huntingtown, Maryland 20639 27	Reappointment Member Remainder of a term of 5 years from July 1, 2005
James K. Raley, Jr. P.O. Box 582 Hollywood, Maryland 20636 29	Reappointment St. Mary's County Remainder of a term of 5 years from July 1, 2003

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Mary Maddox Krug, Esquire P.O. Box 133 Dunkirk, Maryland 20754 27	Appointment Member Remainder of a term of 5 years from July 1, 2006
Michael L. Middleton P.O. Box 2505 La Plata, Maryland 20646 28	Appointment Member 5 years from July 1, 2007
Dorothea Holt Smith 3365 Forest Road Waldorf, Maryland 20601 28	Appointment Member Remainder of a term of 5 years from July 1, 2003
Janice T. Walthour 20493 Partins Lane Lexington Park, Maryland 20653 29	Appointment St. Mary's County Remainder of a term of 5 years from July 1, 2005
STADIUM AUTHORITY, MARYLAND	
Frederick W. Puddester 20 Baldrige Road Annapolis, Maryland 21401 30	Appointment Member 4 years from July 1, 2007
Otis Rolley III 6700 Cross Country Boulevard Baltimore, Maryland 21215 41	Appointment Appointee of Mayor, City of Baltimore Remainder of a term of 4 years from July 1, 2004
STATIONARY ENGINEERS, STATE BOARD OF	
George E. Maloney 1914 Old New Windsor Road New Windsor, Maryland 21776 04	Appointment Stationary Engineer 3 years from July 1, 2007
UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Patricia S. Florestano, Ph.D. One Compromise Street Unit D Annapolis, Maryland 21401 30	Reappointment Member 5 years from July 1, 2007
Orlan M. Johnson, Esquire 14216 Dunwood Valley Drive Mitchellville, Maryland 20721 23	Reappointment Member 5 years from July 1, 2007
The Honorable C. Thomas McMillen 3900 Jumpers Hill Lane Ellicott City, Maryland 21042 09	Appointment Member Remainder of a term of 5 years from July 1, 2005
Barry P. Gossett 490 South River Landing Edgewater, Maryland 21037 30	Appointment Member Remainder of a term of 5 years from July 1, 2006
James L. Shea, Esquire 10909 Baronet Road Owings Mills, Maryland 21117 11	Appointment Member Remainder of a term of 5 years from July 1, 2006
Richard E. Scott, Jr. P.O. Box 114 Chesapeake Beach, Maryland 20732 27	Appointment Student Member 1 year from July 1, 2007
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF	
Bernadette Morrissey Wood 201 Wood Lane Centreville, Maryland 21617 36	Appointment Public Remainder of a term of 5 years from June 1, 2006
WORKERS COMPENSATION COMMISSION, STATE	
Patricia G. Adams, Esquire 1741 Point No Point Drive Annapolis, Maryland 21401 33	Appointment Member Remainder of a term of 12 years from February 1, 2006

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Kimberly Smith Ward, Esquire 12 Brucetown Court Catonsville, Maryland 21228 10	Appointment Member Remainder of a term of 12 years from February 1, 2004
Jeffrey T. Weinberg, Esquire 7115 Pheasant Cross Drive Baltimore, Maryland 21209 42	Appointment Member Remainder of a term of 12 years from July 1, 2006
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Sharon I. Pawlowski 1214 Hampton Road Annapolis, Maryland 21409 30	Reappointment Local Health Department 3 years from July 1, 2007
Helen J. Robinson 7800 Hanover Parkway # 102 Greenbelt, Maryland 20770 22	Reappointment National Camping Organization 3 years from July 1, 2007
Diane M. Sendlenski 10516 East Wind Way Columbia, Maryland 21044 12	Reappointment For Profit Camp Owner or Manager 3 years from July 1, 2007
ALLEGANY COUNTY BOARD OF ELECTIONS	
Georgia M. Martin 148 North Mechanic Street Cumberland, Maryland 21502 01	Appointment Democratic Member 4 years from the first Monday in June, 2007
Patricia E. Malloy 706 Washington Street Cumberland, Maryland 21502 01	Appointment Democratic Member 4 years from the first Monday in June, 2007
Lionel F. Baker, Sr. 15011 Paradise Street Midland, Maryland 21542 01	Appointment Democratic Substitute 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
ANNE ARUNDEL COMMUNITY COLLEGE BOARD OF TRUSTEES	
Courtney Lynn Tipton 5968 1 st Street Deale, Maryland 20751 33	Appointment Student Member 1 year from July 1, 2007
ANNE ARUNDEL COUNTY BOARD OF ELECTIONS	
K. Jill Barr, Esquire 639 Sean Drive Annapolis, Maryland 21401 33	Appointment Democratic Member 4 years from the first Monday in June, 2007
Barbara L. Fisher 1455 Pleasantville Drive Glen Burnie, Maryland 21061 31	Appointment Democratic Member 4 years from the first Monday in June, 2007
David M. Shade, Esquire 1762 Belle Court Millersville, Maryland 21108 33	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
BALTIMORE CITY BOARD OF ELECTIONS	
Armstead B.C. Jones, Sr. 2407 Lake Avenue Baltimore, Maryland 21213 45	Reappointment Republican Member 4 years from the first Monday in June, 2007
Eleanor K. Wang 5405 Falls Road Terrace Baltimore, Maryland 21210 41	Reappointment Republican Substitute 4 years from the first Monday in June, 2007
CARROLL COUNTY BOARD OF ELECTIONS	
Griffith Manahan 1694 Stone Chapel Road New Windsor, Maryland 21776 05	Reappointment Republican Member 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
David R. Peloquin 1038 Pinch Valley Road Westminster, Maryland 21158 05	Appointment Republican Substitute 4 years from the first Monday in June, 2007
CECIL COUNTY BOARD OF ELECTIONS	
Joan C. Byerly P.O. Box 190 Warwick, Maryland 21912 36	Appointment Democratic Member 4 years from the first Monday in June, 2007
Nelson K. Bolender 22 Highland Avenue Elkton, Maryland 21921 36	Appointment Democratic Member 4 years from the first Monday in June, 2007
Ulysses G. Demond III 102 Mill Lane North East, Maryland 21901 34	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Carolyn M. McDowell 328 Smith Road Rising Sun, Maryland 21911 34	Appointment Republican Member 4 years from the first Monday in June, 2007
Margaret M. Gagnon 42 Carpenter's Point Loop Perryville, Maryland 21903 34	Reappointment Republican Substitute 4 years from the first Monday in June, 2007
FREDERICK COUNTY BOARD OF ELECTIONS	
Mark P. Jeffers, Jr. 4908 Ed McClain Road Monrovia, Maryland 21770 04	Reappointment Democratic Member 4 years from the first Monday in June, 2007
Garold R. Hays 201 Cobble Way Walkersville, Maryland 21793 04	Appointment Democratic Member 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Earlene Hairston Thornton, Ed.D. 5503 Hines Road Frederick, Maryland 21701 03	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Mary Lou Green 3602 Petersville Road Knoxville, Maryland 21758 03	Reappointment Republican Member 4 years from the first Monday in June, 2007
Raymond E. Bentz 125 Cody Drive # 33 Thurmont, Maryland 21788 04	Appointment Republican Substitute 4 years from the first Monday in June, 2007
GARRETT COUNTY BOARD OF ELECTIONS	
Lois A. Martin 9605 Garrett Highway Oakland, Maryland 21550 01	Reappointment Republican Member 4 years from the first Monday in June, 2007
Paul L. Kolb 242 Sale Barn Road Accident, Maryland 21520 01	Appointment Republican Substitute 4 years from the first Monday in June, 2007
HOWARD COUNTY BOARD OF ELECTIONS	
Ann M. Balcerzak, Esquire 7303 Meadow Wood Way Clarksville, Maryland 21029 13	Appointment Democratic Member 4 years from the first Monday in June, 2007
Ethel B. Hill, Esquire 5129 West Running Brook Road Columbia, Maryland 21044 12	Appointment Democratic Member 4 years from the first Monday in June, 2007
Raymond M. Rankin 8333 Painted Rock Road Columbia, Maryland 21045 13	Appointment Democratic Substitute 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
MONTGOMERY COUNTY BOARD OF ELECTIONS	
Samuel L. Statland 3500 Saul Road Kensington, Maryland 20895 18	Reappointment Democratic Member 4 years from the first Monday in June, 2007
Mary M. Carter-Williams, Ph.D. 6511 Eastern Avenue Takoma Park, Maryland 20912 20	Appointment Democratic Member 4 years from the first Monday in June, 2007
John J. Sullivan, Esquire 5405 Greystone Street Chevy Chase, Maryland 20815 16	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
MONTGOMERY COLLEGE BOARD OF TRUSTEES	
Stephen Z. Kaufman, Esquire 19225 Dimona Drive Brookeville, Maryland 20833 14	Reappointment Member 6 years from July 1, 2007
Reginald M. Felton 5610 Wisconsin Avenue Unit 1103 Chevy Chase, Maryland 20815 16	Appointment Member 6 years from July 1, 2007
QUEEN ANNE'S COUNTY BOARD OF ELECTIONS	
William J. Rankin, Jr. 306 Cove Road Queenstown, Maryland 21658 36	Reappointment Republican Member 4 years from the first Monday in June, 2007
Jane G. Sparks 1731 Harbor Drive Chester, Maryland 21619 36	Appointment Republican Substitute 4 years from the first Monday in June, 2007
PRINCE GEORGE'S COMMUNITY COLLEGE BOARD OF TRUSTEES	

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
John Steinecke 704 Main Street Laurel, Maryland 20707 21	Reappointment Member 5 years from July 1, 2007
Felix Yeoman 11000 Forestgate Place Glenn Dale, Maryland 20769 22	Appointment Member 5 years from July 1, 2007
PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS	
Carl R. Ruble 6002 Brooke Jane Drive Clinton, Maryland 20735 27	Reappointment Democratic Member 4 years from the first Monday in June, 2007
E. Kenneth Barksdale, Jr. 3414 Aberdeen Street Suitland, Maryland 20746 24	Appointment Democratic Member 4 years from the first Monday in June, 2007
Linda M. Houston, Esquire 8705 Grasmere Court Ft. Washington, Maryland 26	Appointment Democratic Member 4 years from the first Monday in June, 2007
Kenneth Fox, Esquire 14102 Guardian Court Bowie, Maryland 20715 23	Appointment Democratic Member 4 years from the first Monday in June, 2007
Theresa Bournes Roebuck 6601 Oak Street Cheverly, Maryland 20785 47	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Patricia A. King, Esquire 5900 Forest Road Cheverly, Maryland 20785 47	Appointment Democratic Substitute 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Olivia D. Vaughns 1200 Fiji Avenue Highland Park, Maryland 20785 24	Appointment Republican Member 4 years from the first Monday in June, 2007
Francis J. DiSalvo, Sr. 9011 Rosaryville Road Upper Marlboro, Maryland 20772 27	Appointment Republican Substitute 4 years from the first Monday in June, 2007
PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS	
Earl J. Howard 3706 Baskerville Drive Mitchellville, Maryland 20721 24	Reappointment Member 3 years from June 1, 2007
Shaihi Mwalimu 9544 Victoria Drive Upper Marlboro, Maryland 20772 27	Reappointment Member 3 years from June 1, 2007
SAINT MARY'S COUNTY BOARD OF ELECTIONS	
Robert H. Goldsmith, Ph.D. 43745 Stephenson Drive Leonardtown, Maryland 20650 29	Reappointment Democratic Member 4 years from the first Monday in June, 2007
Rebecca J. Owens Wathen P.O. Box 67 Saint Inigoes, Maryland 20684 29	Appointment Democratic Member 4 years from the first Monday in June, 2007
Rose V. Frederick P.O. Box 22 Loveville, Maryland 20656 29	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Donald L. O'Neal P.O. Box 236 Great Mills, Maryland 20634 29	Reappointment Republican Member 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Noel T. Wood P.O. Box 14 Tall Timbers, Maryland 20690 29	Appointment Republican Substitute 4 years from the first Monday in June, 2007
SOMERSET COUNTY BOARD OF ELECTIONS	
Mary Lee Thomas Handy 28152 Holland Crossing Road Marion Station, Maryland 21838 38	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Sonja L. Paul 5790 Cedar Landing Drive Marion Station, Maryland 21838 38	Appointment Democratic Member 4 years from the first Monday in June, 2007
Milton William Ward 26348 Silver Lane Crisfield, Maryland 21817 38	Appointment Democratic Member 4 years from the first Monday in June, 2007
Emily B. Ent 11378 Hayman Drive Princess Anne, Maryland 21853 38	Reappointment Republican Member 4 years from the first Monday in June, 2007
Elton P. Maddox, Sr. 6626 Crisfield Highway Marion Station, Maryland 21838 38	Appointment Republican Substitute 4 years from the first Monday in June, 2007
SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS	
James E. East 33123 Costen Road Pocomoke City, Maryland 21851 38	Reappointment Democrat 2 years from June 1, 2007
John Wade 12034 Somerset Avenue Princess Anne, Maryland 21853 38	Appointment Democrat 2 years from June 1, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
TALBOT COUNTY BOARD OF ELECTIONS	
Walter Weldon Black, Jr. 8672 Misty Brook Way Easton, Maryland 21601 37	Appointment Democratic Member 4 years from the first Monday in June, 2007
Susan J. MacKinnon 105 Willows Avenue Oxford, Maryland 21654 37	Appointment Democratic Member 4 years from the first Monday in June, 2007
Mary-Beth S. Goll 814 Applewood Court Easton, Maryland 21601 37	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Kathryne K. Middleton 17 Plum Street Easton, Maryland 21601 37	Reappointment Republican Member 4 years from the first Monday in June, 2007
Venita L. Southworth 707 Lomax Street Easton, Maryland 21601 37	Appointment Republican Substitute 4 years from the first Monday in June, 2007
WASHINGTON COUNTY BOARD OF ELECTIONS	
Eileen W. Wiggins 18534 Kent Avenue Hagerstown, Maryland 21740 02	Reappointment Democratic Member 4 years from the first Monday in June, 2007
John R. Benchoff 20201 American Way Hagerstown, Maryland 21742 02	Appointment Democratic Member 4 years from the first Monday in June, 2007
Sharon L. Washington 125 Clarkson Avenue Hagerstown, Maryland 21740 02	Appointment Democratic Substitute 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
Colonel Clyde J. Tate, USA (Ret) 1101 Shalom Lane Hagerstown, Maryland 21742 02	Appointment Republican Member 4 years from the first Monday in June, 2007
Carroll H. Earp 20315 Ayoub Lane Hagerstown, Maryland 21742 02	Appointment Republican Substitute 4 years from the first Monday in June, 2007
WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS	
Charles F. Mades 17223 Cloverleaf Road Hagerstown, Maryland 21740 02	Appointment Democrat 6 years from June 1, 2007
WICOMICO COUNTY BOARD OF ELECTIONS	
Robert L. Gladden, Sr. 112 Glen Avenue Salisbury, Maryland 21804 38	Reappointment Democratic Member 4 years from the first Monday in June, 2007
Katrina A. Purnell 5762 Cairn Court Salisbury, Maryland 21801 37	Appointment Democratic Member 4 years from the first Monday in June, 2007
Darlene S. White 26908 Naticoke Road Salisbury, Maryland 21801 37	Appointment Democratic Substitute 4 years from the first Monday in June, 2007
Woodland B. Willing 31986 Shavx Road Salisbury, Maryland 21804 38	Reappointment Republican Member 4 years from the first Monday in June, 2007
Leonard S. Jett 7061 Cromwell Avenue Salisbury, Maryland 21804 38	Appointment Republican Substitute 4 years from the first Monday in June, 2007

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS REQUIRING CONFIRMATION 2007 SESSION OF THE MARYLAND GENERAL ASSEMBLY	
WORCESTER COUNTY BOARD OF ELECTIONS	
Hinson F. Finney 2317 Oak Hill Road Pocomoke City, Maryland 21851 38	Reappointment Democratic Member 4 years from the first Monday in June, 2007
Kay Ann Hickman #7-136th Street Seatime 902N Ocean City, Maryland 21842 38	Appointment Democratic Member 4 years from the first Monday in June, 2007
WOR-WIC COMMUNITY COLLEGE BOARD OF TRUSTEES	
William H. Kerbin 610 Homewood Drive Pocomoke City, Maryland 21851 38	Reappointment Member 6 years from July 1, 2007

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

INTRODUCTION OF BILLS

Senate Bill 799 – Senator Forehand

AN ACT concerning

REAL ID Act of 2005 – Implementation by Regulation or Policy – Prohibition

FOR the purpose of prohibiting the Department of Transportation or the Motor Vehicle Administration from adopting any regulation or instituting any policy to implement provisions of the federal REAL ID Act of 2005, unless the General Assembly enacts certain legislation; and generally relating to a prohibition against implementation of the federal REAL ID Act of 2005.

Read the first time and referred to the Committee on Rules.

Senate Bill 800 – Senator Jacobs

AN ACT concerning

**Drunk and Drugged Driving – Refusal to Take a Blood or Breath
Test – Prohibition**

FOR the purpose of prohibiting a person who is detained for certain alcohol– or drug–related driving offenses from knowingly refusing to take a certain blood or breath test if the person was detained previously for certain alcohol– or drug–related driving offenses and refused to take a certain blood or breath test; providing for certain criminal penalties; and generally relating to establishing a criminal offense of refusal to take a certain blood or breath test under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902 and 27–101(x)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Transportation
Section 21–902.2 and 27–101(aa)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 801 – Senator Pugh

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore
Museum of Art**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the authorized uses of a certain grant to the Board of Trustees of the Baltimore Museum of Art, Inc.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (A)

Read the first time and referred to the Committee on Rules.

Senate Bill 802 – Senator Pugh

AN ACT concerning

Released Inmates – Identification Card Pilot Program

FOR the purpose of requiring the Motor Vehicle Administration and the Department of Health and Mental Hygiene to adopt regulations for and establish a pilot program to provide certain identification cards to certain individuals released from correctional facilities in the State; requiring the regulations to establish a fee for the issuance of the identification card; establishing certain exceptions to the fee requirement; prohibiting a person from committing a fraud in applying for the identification card; prohibiting a person from committing a misrepresentation in applying for the identification card; prohibiting a person from committing a fraud in using the identification card; requiring the identification card to be of a size and design required by the regulations; requiring the identification card to contain certain information; establishing that the identification card may be used as legal identification for any purpose by the person to whom the card was issued; establishing that the identification card expires after a certain time period; requiring an identification card issued under this Act to be surrendered to the Administration under certain circumstances; authorizing the Administration to cancel an identification card issued under this Act under certain circumstances; requiring the Administration and the Department to adopt and publish certain regulations by a certain date; requiring the Administration and the Department to have the pilot program operational by a certain date; requiring the Administration and the Department to report to the General Assembly on or before a certain date on the results of the pilot program; and generally relating to a pilot program to provide identification cards to certain individuals released from correctional facilities in the State.

BY adding to

Article – Transportation

Section 12–302

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 803 – Senator Exum

AN ACT concerning

Creation of a State Debt – Prince George’s County – Palmer Park Boys and Girls Club

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Palmer Park Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 804 – Senators Edwards, Munson, and Stoltzfus

AN ACT concerning

Department of Health and Mental Hygiene – Respite Bed Study – Extension

FOR the purpose of extending the date by which the Department of Health and Mental Hygiene shall provide a certain report to certain committees of the General Assembly; and generally relating to a study of respite beds in the State by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Chapter 178 of the Acts of the General Assembly of 2004
Section 3

Read the first time and referred to the Committee on Rules.

Senate Bill 805 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Mission of Love

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Mission of Love, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 806 – Senator McFadden

AN ACT concerning

Baltimore City – Alcoholic Beverages Act of 2007

FOR the purpose of revising and restating certain alcoholic beverages provisions concerning the issuance and transfer of certain alcoholic beverages licenses in certain areas of Baltimore City; clarifying certain exemptions from the prohibitions against the issuance of new licenses and the transfer of licenses in certain areas of Baltimore City; clarifying that certain alcoholic beverages districts shall at all times be coterminous with certain legislative districts; updating certain obsolete references to certain districts, wards, and precincts; requiring the Board of Liquor License Commissioners to obtain criminal records of applicants for licenses from a certain agency and to forward certain fingerprints to a certain agency; authorizing each inspector of the Board to examine certain identification used as proof of age; defining a certain term; and generally relating to the issuance of new alcoholic beverages licenses and the transfer of alcoholic beverages licenses in Baltimore City.

BY repealing

Article 2B – Alcoholic Beverages
Section 9–204.1
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to

Article 2B – Alcoholic Beverages
Section 9–204.1, 10–103(b)(13)(xiv), and 15–112(d)(14)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 807 – Senator Dyson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Property Protection Act of 2007

FOR the purpose of proposing amendments to the Maryland Constitution to limit the condemnation of private property under certain circumstances; defining a certain term; generally relating to the laws authorizing private property to be taken for public use after payment of just compensation; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40, 40A, and 61

BY proposing an amendment to the Maryland Constitution
Article XI–B – City of Baltimore – Land Development and Redevelopment
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–C – Off–Street Parking
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–D – Port Development
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 808 – Senator Dyson

AN ACT concerning

**Legal Research Committee for the Chesapeake Ranch Estates Homeowners
Association**

FOR the purpose of establishing the Legal Research Committee for the Chesapeake Ranch Homeowners Association in Calvert County; providing for the membership, chair, and expenses of the Committee; specifying that the purposes of the Committee are to recommend ways by which the Homeowners Association may maintain certain covenants and agreements and explore its ability to collect resources to address infrastructure needs without assistance from local government; requiring the Committee to report its findings and recommendations to the Homeowners Association on or before a certain date; requiring a certain member of the Committee to perform a certain task; providing for the termination of this Act; and generally relating to the Legal Research Committee for the Chesapeake Ranch Estates Homeowners Association.

Read the first time and referred to the Committee on Rules.

Senate Bill 809 – Senators Rosapepe, Britt, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Klausmeier, Kramer, Madaleno, McFadden, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin

AN ACT concerning

Tuition Cap and College Opportunity Act of 2007

FOR the purpose of requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the Maryland Higher Education Commission to calculate, on or before a certain date each year, the funding guideline for the constituent institutions of the University System of Maryland and for Morgan State University; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; limiting, to no more than a certain percent for certain academic years, the amount of the annual increase in tuition that may be charged each academic year to a resident undergraduate student at certain public senior higher education institutions in Maryland; providing that a certain tuition limitation only applies if certain institutions receive a certain General Fund appropriation; declaring the intent of the General Assembly; defining certain terms; and generally relating to State support for and tuition at public senior higher education institutions in Maryland.

BY repealing and reenacting, with amendments,

Article – Education
Section 10–101
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education
Section 10–203(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY adding to

Article – Education
Section 11–108, 12–117, and 15–106.6
Annotated Code of Maryland

(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 810 – Senator Astle

AN ACT concerning

Public Service Commission – Authorization of Stock and Debt Transactions

FOR the purpose of providing that certain prior authorization by the Public Service Commission is not required for certain public service companies to assume or guarantee certain obligations or liabilities with respect to certain stocks, bonds, securities, notes, or other evidence of indebtedness, or to issue certain stocks, bonds, securities, notes, or other evidence of indebtedness; providing for the effective date of this Act; and generally relating to the authorization of stock and debt transactions by the Public Service Commission.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 5–203(b) and 6–101(a)

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

(As enacted by Chapter 5 of the Acts of the General Assembly of the First Special Session of 2006)

Read the first time and referred to the Committee on Rules.

Senate Bill 811 – Senators Colburn and Pipkin

AN ACT concerning

Bay Restoration Fund – Statewide Demonstration Projects

FOR the purpose of authorizing the use of certain Bay Restoration funds for certain demonstration projects in the State for the extension of sewer from a publicly owned wastewater facility under certain circumstances; and generally relating to the use of Bay Restoration funds.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a) and (b)(1)

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 812 – Senators Colburn and Pipkin

AN ACT concerning

Bay Restoration Fund – Eastern Shore Demonstration Projects

FOR the purpose of authorizing the use of certain Bay Restoration funds for certain demonstration projects in certain counties for the extension of sewer from a publicly owned wastewater facility under certain circumstances; and generally relating to the use of Bay Restoration funds.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a) and (b)(1)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)
Annotated Code of Maryland
(1996 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 813 – Senator Colburn

AN ACT concerning

Dorchester County – Appointment of Members of Fire Companies as Deputy Sheriffs

FOR the purpose of including Dorchester County in the list of counties in which the sheriff may appoint as deputy sheriffs certain members of certain fire companies to exercise the powers of deputy sheriffs at fires and while going to and from fires

and appoint as deputy sheriffs certain members of certain fire companies to exercise the powers of deputy sheriffs at certain events; and generally relating to the appointment of members of fire companies as deputy sheriffs in Dorchester County.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 7–301
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 7–302 and 7–303
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 814 – Senator Colburn

AN ACT concerning

Wicomico County – Liquor Control Board – Salaries

FOR the purpose of altering the annual salaries of the chairman and members of the Wicomico County Liquor Control Board; providing that this Act does not apply to the salary or compensation of the incumbent chairman or members of the Board; and generally relating to the Wicomico County Liquor Control Board.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–201(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(h)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 815 – Senator Rosapepe

AN ACT concerning

Anne Arundel County – Route 198 – Sunday Car Sales

FOR the purpose of authorizing, in a certain area within Anne Arundel County, a new or used car dealer to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or certificate of title for a motor vehicle on Sunday; and generally relating to car dealers in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 18–101(d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 816 – Senator Middleton

AN ACT concerning

Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001

FOR the purpose of amending the Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 257 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 817 – Senator Della

AN ACT concerning

Thoroughbred Racing – Restrictions on Night and Sunday Racing – Repeal

FOR the purpose of repealing certain restrictions on holding live thoroughbred racing at

night and on Sundays by mile thoroughbred racing licensees; repealing a certain restriction on holding Sunday racing by the Maryland State Fair and Agricultural Society, Inc.; and generally relating to thoroughbred racing.

BY repealing

Article – Business Regulation

Section 11–504

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 818 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – C & O Canal National Historical Park

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Chesapeake and Ohio Canal National Historical Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 819 – Senator Britt

AN ACT concerning

HIV and AIDS – Consent for Testing and Guidelines

FOR the purpose of requiring a certain form of consent for HIV testing; authorizing substitute consent if an individual is unable to provide a certain form of consent for HIV testing; requiring the AIDS Administration to convene a certain workgroup to review certain Centers for Disease Control and Prevention recommendations relating to HIV and AIDS; requiring the AIDS Administration to report to the Governor and General Assembly on or before a certain date; defining certain terms; and generally relating to HIV and AIDS consent for testing and guidelines.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–336
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 820 – Senator Britt

AN ACT concerning

**Prince George’s County Board of Education – Repeal of Requirement for a
Comprehensive Review**

FOR the purpose of repealing certain uncodified provisions of law relating to the conduct of a certain review of the Prince George’s County Board of Education by a consultant; and generally relating to a review of the Prince George’s County Board of Education.

BY repealing
Chapter 289 of the Acts of the General Assembly of 2002, as amended
by Chapter 344 of the Acts of the General Assembly of 2005
Section 17 and 18

Read the first time and referred to the Committee on Rules.

Senate Bill 821 – Senator Britt

AN ACT concerning

Agriculture – Confinement of Pigs During Pregnancy

FOR the purpose of prohibiting a person from tethering or confining a pregnant pig for a certain amount of time in a certain manner; providing certain exceptions to the prohibition; establishing certain penalties for a violation of this Act; establishing that each instance of tethering or confining a pig constitutes a separate offense; and generally relating to the prohibition against tethering or confining a pregnant pig.

BY adding to
Article – Agriculture
Section 3–404.1

Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 822 – Senator Britt

AN ACT concerning

Natural Resources – Steel Jawed Leghold Traps – Prohibition

FOR the purpose of prohibiting a person from using, setting, placing, or maintaining a steel jaw leghold trap for the purpose of trapping an animal; providing for the application of this Act; and generally relating to trapping and wildlife.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(o) and (p)
Annotated Code of Maryland
(2000 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 823 – Senators Britt, Forehand, Madaleno, Muse, Pugh, and Raskin

AN ACT concerning

Task Force to Promote Nonviolent and Peaceful Ways to Resolve Conflict

FOR the purpose of establishing a Task Force to Promote Nonviolent and Peaceful Ways to Resolve Conflict; establishing the membership of the Task Force; providing staff support for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to be reimbursed for certain expenses; providing for the duties of the Task Force; requiring the Task Force to issue its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to ways to promote nonviolent and peaceful ways to resolve conflict.

Read the first time and referred to the Committee on Rules.

Senate Bill 824 – Senator Middleton

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

FOR the purpose of extending the termination date of a certain program until a certain date; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 14–511
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 153 of the Acts of the General Assembly of 2002, as amended by Chapter
282 of the Acts of the General Assembly of 2005 and Chapter 345 of the
Acts of the General Assembly of 2006
Section 13

Read the first time and referred to the Committee on Rules.

Senate Bill 825 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – Orphans’ Court Judges – Powers

FOR the purpose of clarifying that a judge of the Orphans’ Court in Queen Anne’s County may do certain acts; and generally relating to the powers of a judge of the Orphans’ Court in Queen Anne’s County.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–106(f)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY adding to
Article – Estates and Trusts
Section 2–106(g)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–106(g) through (i)

Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 826 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – Stone House

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of the Historic Elk Landing Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 827 – Senator McFadden

AN ACT concerning

Baltimore City – Property Tax Credit – Inclusionary Housing

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the county property tax imposed on mixed-income rental residential developments that offer affordable units and are owned by certain owners; authorizing the Mayor and City Council of Baltimore City to provide, by law, for eligibility criteria for the tax credit, the amount and duration of the tax credit, certain regulations and procedures, and any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to property tax credits for inclusionary housing in Baltimore City.

BY adding to

Article – Tax – Property
Section 9-304(g)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 828 – Senator McFadden

AN ACT concerning

Healthy Families and Healthy Workplaces Act

FOR the purpose of requiring an employer to provide paid sick leave to an employee under certain circumstances; providing for the use of paid sick leave; requiring a certain employer to provide a certain amount of paid sick leave to an employee each year from the beginning of the employee's employment; requiring an employer to allow an employee to use certain paid sick leave beginning on a certain day; allowing an employer to require that an employee provide a certain notice; providing for a certain limitation; requiring a certain employee who uses certain paid sick leave for certain days to provide an employer with a certain certificate of illness or disability under certain circumstances; allowing an employee to accumulate certain paid sick leave; allowing an employee to carry over certain paid sick leave under certain circumstances; providing for the forfeiture of certain paid sick leave under certain circumstances; prohibiting an employer from taking certain actions against an employee under certain circumstances; requiring an employer to provide certain notification under certain circumstances; allowing that a certain employee may take a certain action; allowing an employee certain remedies under certain circumstances; allowing an employee to request that the Commissioner of Labor and Industry take certain actions against an employer under certain circumstances; limiting the time a certain action may be taken; allowing a court to award certain attorney's fees and costs under certain circumstances; allowing the Commissioner to bring a certain action; providing that a certain employer may be subject to a certain fine under certain circumstances; prohibiting an employer from disclosing certain information under certain circumstances; providing that certain provisions may not prohibit certain actions by employers; providing that the Commissioner adopt certain regulations; allowing the Commissioner to conduct a certain investigation under certain circumstances; defining a certain term; providing for the construction of this Act; and generally relating to paid sick leave for employees in the State.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 2–106(b) and 3–103
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

BY adding to
Article – Labor and Employment

Section 3–901 through 3–914 to be under the new subtitle “Subtitle 9. Sick Leave”
Annotated Code of Maryland
(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON RULES REPORT #2

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 709 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Talbot County – For All Seasons Mid Shore Center for Human Services

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 710 – Senators Conway, Dyson, Exum, Frosh, Gladden, Hogan, Kelley, and Pugh

AN ACT concerning

Affordable Housing – Enabling Authority for Counties and Municipalities

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 711 – Senators Gladden and Dyson

AN ACT concerning

Education – “Share the State Fair!” Matching Fund

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 712 – Senator Kittleman

AN ACT concerning

Workers' Compensation – Covered Employees – Benefits

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 713 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Special Class C Licensees – Distribution of Wristbands

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 714 – Senator Astle

AN ACT concerning

Health Insurance – Prohibited Discrimination and Rebates – Incentives for Participation in Wellness Programs and Other Exceptions

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 715 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 716 – Senator Greenip

AN ACT concerning

Income Tax – Expensing of Section 179 Property

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 717 – Senator Colburn

AN ACT concerning

Somerset County, Wicomico County, and Worcester County – Deer Hunting on Private Lands – Sundays

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 718 – Chair, Finance Committee

AN ACT concerning

Maryland Health Care Commission – Program Evaluation

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 719 – Chair, Finance Committee

AN ACT concerning

Health Services Cost Review Commission – Sunset Extension and Program Evaluation

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 720 – Senators Middleton, Exum, and Kelley (Unemployment Insurance Oversight Committee)

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings and the Committee on Finance:

Senate Bill 721 – Senator Stone

EMERGENCY BILL

AN ACT concerning

Homeowner's Insurance – Action for Bad Faith Settlement of or Bad Faith Failure to Settle a Claim

The bill was re-referred to the Committee on Judicial Proceedings and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 722 – Senators Conway, Della, Jones, McFadden, and Pugh

AN ACT concerning

Baltimore City – Sheriff’s Office – Compensation

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 723 – Senators Conway, Dyson, and Kelley

AN ACT concerning

Certified Social Workers–Clinical – Practice – Definition

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 724 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Brook Lane Health Services

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 725 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – Museum of Fine Arts

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 726 – Senators Rosapepe, Britt, Forehand, Frosh, Garagiola, Jones, Lenett, Peters, Pinsky, Raskin, Robey, and Zirkin

AN ACT concerning

Election Law – Maryland Student Voting Rights Act

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 727 – Senator Miller

AN ACT concerning

Creation of a State Debt – Prince George’s County – Courthouse – Duvall Wing

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 728 – Senators Middleton, Colburn, and Pipkin

AN ACT concerning

Creation of a State Debt – Talbot County – Rosie Parks Restoration Project

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 729 – Senator Kelley

AN ACT concerning

Maryland Medical Assistance Program – Atypical Antipsychotic Medication

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 730 – Senator Mooney

AN ACT concerning

Vehicle Laws – Traffic Control Signal Monitoring Systems and Speed Monitoring Systems – Defenses

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 731 – Senators Hooper, Astle, Brinkley, Colburn, Dyson, Edwards, Garagiola, Greenip, Haines, Harris, Jacobs, Kittleman, Middleton, Munson, Pipkin, Robey, Simonaire, and Stoltzfus

AN ACT concerning

Maryland Estate Tax – Exclusions for Family Farms Subject to Agricultural Preservation Easements

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 732 – Senator Kasemeyer

AN ACT concerning

Creation of a State Debt – Baltimore County – Maryland Food Bank

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 733 – Senator Edwards

AN ACT concerning

Vehicle Laws – Exceptional Milk Hauling Permit – Raw Liquid Milk

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 734 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Hammond–Harwood House

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 735 – Senators Exum, Britt, Della, Kelley, and Stone

AN ACT concerning

Health Care Disclosure Act

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 736 – Cecil County Senators

AN ACT concerning

Cecil County – Alcoholic Beverages – Sunday Sales for Class B and Class BLX Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 737 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – 4–H Animal Display Barn

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 738 – Senators Frosh and Garagiola

AN ACT concerning

Criminal Procedure – Offender Registry – Minors

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 739 – Senators Simonaire, Brinkley, Brochin, Colburn, Conway, Della, Edwards, Forehand, Frosh, Greenip, Haines, Harris, Hooper, Jacobs, Jones, Kittleman, Kramer, Lenett, Munson, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

Legislative Scholarships Integrity Act of 2007

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 740 – Senators Dyson and Middleton

AN ACT concerning

Patient Referrals – Group Practice – Radiology Services

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 741 – Senators Middleton, Astle, Della, Edwards, Exum, Garagiola, Kelley, Kittleman, Klausmeier, and Pugh

AN ACT concerning

Office of Cemetery Oversight – Sunset Extension and Program Evaluation

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 742 – Senator Klausmeier

AN ACT concerning

Swimming Pools – Automated External Defibrillator Programs

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 743 – Senator Della

AN ACT concerning

Creation of a State Debt – Baltimore City – Flag House and Star Spangled Banner Museum

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 744 – Senator Della

AN ACT concerning

Former Governors – Death Benefits – Surviving Spouses

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 745 – Howard County Senators

AN ACT concerning

Officer Pieter Lucas Act

Ho. Co. 14-07

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 746 – Senator Conway

AN ACT concerning

Human Immunodeficiency Virus – Test Counseling

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 747 – Senator Klausmeier

AN ACT concerning

Lead Risk Reduction – Acquisition of Property – Compliance Requirements

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 748 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Clay Street Revitalization

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 749 – Senator Pipkin

AN ACT concerning

**Health Insurance – Provider Contracts – Conditions of Participation
with Carriers**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 750 – Senators Pipkin, Della, Edwards, Hogan, Jacobs, and Kittleman**EMERGENCY BILL**

AN ACT concerning

**Queen Anne's County – Health Care Facilities Regulation – Licensing of
Freestanding Medical Facilities**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 751 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – Marlin K. Hoff Memorial Barn

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 752 – Senator Exum

AN ACT concerning

Workers' Compensation – Benefits for Dependents

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 753 – Senators Muse, Britt, Lenett, Peters, Pugh, Raskin, Robey, and Rosapepe

AN ACT concerning

Income Tax – Subtraction Modification – Retirement Income

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 754 – Senator Muse

AN ACT concerning

Vehicle Laws – Eluding a Police Officer – Offenses, Penalties, and Forfeiture

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 755 – Senator Gladden

AN ACT concerning

Ground Rents – Property Owned by Baltimore City – Reimbursement for Expenses – Notices

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 756 – Senator Gladden

AN ACT concerning

Health Occupations – Morticians – Exemption and Permit

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 757 – Senator Gladden

AN ACT concerning

Maryland Compassionate Use Act

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 758 – Senator Gladden

AN ACT concerning

Election Law – Task Force on Instant Voter Registration and Voting by Mail

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 766 – Senator Frosh

AN ACT concerning

Environment – Phosphorus – Dishwashing Detergent

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Joint Resolution be re-referred to the Committee on Judicial Proceedings:

Senate Joint Resolution 6 – Senators Exum, Britt, Conway, Frosh, Gladden, Jones, Madaleno, McFadden, Muse, and Pugh

A Senate Joint Resolution concerning

Slavery in Maryland

The bill was re-referred to the Committee on Judicial Proceedings.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

AN ACT concerning

Task Force to Study Prison Violence in Maryland

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

(Amendment ID: SB0069/963724/1)

BY: Senator Munson

AMENDMENT TO SENATE BILL 69

(Bill as Printed for Third Reading)

On page 2, in line 11, strike “one representative” and substitute “two representatives, one male and one female,”; in line 12, strike “is” and substitute “are”; and in the same line, strike “a worker” and substitute “workers”.

The preceding amendment was read and adopted.

FLOOR AMENDMENT

(Amendment ID: SB0069/263728/1)

BY: Senator Stoltzfus

AMENDMENT TO SENATE BILL 69
(Bill as Printed for Third Reading)

On page 2, in line 19, strike “and”; in line 21, after “group” insert “; and”

(vii) one intelligence lieutenant from the Division of Correction”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 175)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #8

Senate Bill 35 – Senator Frosh

AN ACT concerning

Transportation – Highways – Federal Property

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 176)

The Bill was then sent to the House of Delegates.

Senate Bill 137 – Senators Middleton, Colburn, Dyson, Edwards, Mooney, and Pipkin

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – Eligibility for Enrollment and Participation

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 177)

The Bill was then sent to the House of Delegates.

Senate Bill 156 – Senators Kelley, Colburn, Conway, Exum, Hooper, Jacobs, Jones, Miller, Mooney, and Rosapepe

AN ACT concerning

Insurers – Third Party Claimants – Notice of Payment to Claimant’s Attorney

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 178)

The Bill was then sent to the House of Delegates.

Senate Bill 165 – Senator Astle

AN ACT concerning

Task Force to Study the Boating Industry in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 179)

The Bill was then sent to the House of Delegates.

Senate Bill 236 – Senators Kelley, Astle, Garagiola, and Klausmeier

AN ACT concerning

Life Insurance – Investment Accounts

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 180)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 181)

ADJOURNMENT

At 11:41 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 19, 2007.

Annapolis, Maryland
Monday, February 19, 2007
8:00 P.M. Session

The Senate met at 8:08 P.M.

Prayer by The Reverend Daniel P. Leary, Jesus the Divine Wood, guest of Senator Miller.

The Journal of February 16, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 184)

INTRODUCTION OF BILLS

Senate Bill 829 – Senator Colburn

AN ACT concerning

Renewable Fuels – Production Credits – British Thermal Units

FOR the purpose of expanding certain production credits to include British Thermal Units that are produced from certain renewable resources; establishing certain application procedures for certification of the production credits; requiring a certain application to contain certain information; prohibiting the Renewable Fuels Incentive Board from paying for production credits after a certain date; establishing certain limits on the amount of production credits the Board may certify; requiring a claim for a certain production credit payment to include certain information; defining certain terms; and generally relating to production credits for renewable fuels.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–1501 and 10–1504 through 10–1506
Annotated Code of Maryland

(1999 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 830 – Senator Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of Easter Seals Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 831 – Senator Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Metropolitan Washington Ear
Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of The Metropolitan Washington Ear, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 832 – Senator Stoltzfus

AN ACT concerning

Creation of a State Debt – Somerset County – Teackle Mansion Restoration and Expansion

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Teackle Mansion, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 833 – Senator Stoltzfus

AN ACT concerning

**Worcester County – Fire and Explosive
Investigators – Authority**

FOR the purpose of providing that, under certain circumstances, a Worcester County fire and explosive investigator operating in Worcester County has the same authority as the State Fire Marshal and a full-time investigative and inspection assistant in the Office of the State Fire Marshal to make an arrest without a warrant and exercise certain powers of arrest; authorizing a Worcester County fire and explosive investigator to exercise certain authority while operating outside Worcester County under certain circumstances; authorizing the Worcester County Fire Marshal to limit certain authority of a fire and explosive investigator to make an arrest without a warrant or exercise certain powers of arrest; requiring the Worcester County Fire Marshal to express the limitation in writing; excluding a Worcester County fire and explosive investigator from the definition of “law enforcement officer” under the law relating to the Law Enforcement Officers’ Bill of Rights; including a Worcester County fire and explosive investigator in the definition of “police officer” in connection with provisions of law relating to the Maryland Police Training Commission and the authorized carrying of a handgun by a person engaged in law enforcement; defining certain terms; requiring the Maryland Police Training Commission to certify certain fire and explosive investigators as police officers under certain circumstances; and generally relating to the authority of Worcester County fire and explosive investigators.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–201(a)

Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–201(d)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–208
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–208.3
Annotated Code of Maryland
(2001 Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–201(a)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e)(2) and 3–201(e)(2)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 834 – Senator Rosapepe

AN ACT concerning

Education – Educational Excellence Awards – Eligibility Determination

FOR the purpose of prohibiting the Office of Student Financial Assistance from taking into consideration an applicant's receipt of certain tax credits for purposes of determining eligibility for an Educational Excellence Award; and generally

relating to determining an applicant's eligibility for an Educational Excellence Award.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–301
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–307
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 835 – Senators Muse, Gladden, Haines, Jacobs, Raskin, and Stone

AN ACT concerning

Judgments – Appeals – Supersedeas Bond

FOR the purpose of limiting the amount of a supersedeas bond required to stay the enforcement of a judgment in certain actions under certain circumstances; providing for a certain exception; providing for the application of this Act; and generally relating to supersedeas bonds.

BY adding to
Article – Courts and Judicial Proceedings
Section 12–301.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 836 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary's County – Shelter for Women and Children

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Leah's House, Inc. for

certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 837 – Senator Gladden

AN ACT concerning

Hospitals and Nursing Facilities – Health Care–Associated Infections Prevention and Control Program

FOR the purpose of requiring hospitals and nursing facilities to establish a certain health care–associated infections prevention and control program; requiring the Department of Health and Mental Hygiene, in consultation with certain groups and stakeholders, to develop a certain system regarding the reporting of certain health care–associated infections; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to hospitals and nursing facilities and health care–associated infections.

BY adding to

Article – Health – General

Section 19–308.9

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 838 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – ConneXions Community Leadership Academy

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Teacher Network, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 839 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Ernest Everett Just Monument

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of The Ernest Everett Just Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 840 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Fraternal Order of Police
Fallen Hero Memorial**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Fraternal Order of Police Lodge 89 Fallen Hero’s Memorial Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 841 – Carroll County Senators

AN ACT concerning

Carroll County – Education – Organization of Teachers and Other Personnel

FOR the purpose of altering the definition of a “public school employee” in Carroll County, as it relates to the organization or certificated employees, to include a supervisory noncertificated employee; providing that in Carroll County, beginning on a certain date, there may be no more than a certain number of units and all units shall be nonsupervisory units; and generally relating to the organization of teachers and other personnel in Carroll County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–401(d) and 6–505
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 842 – Carroll County Senators

AN ACT concerning

Property Tax Credit – Carroll County – Gateway Renovation

FOR the purpose of authorizing the governing body of Carroll County to grant, by law, a tax credit against the county property tax imposed on certain real property that is renovated, upgraded, or rehabilitated in designated areas of the county; authorizing the governing body of Carroll County, by law, to specify the geographic areas of the county, classes of owners, and types of improvements eligible for the credit, to establish the amount and duration of and eligibility criteria for the credit, and to provide for any other provision necessary to carry out the tax credit; providing for the application of this Act; and generally relating to authorization for a property tax credit in Carroll County for certain real property that is renovated, upgraded, or rehabilitated in designated areas of the county.

BY adding to
Article – Tax – Property
Section 9–308(d)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 843 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – Danele Shipley Memorial Arena

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Carroll County Agriculture Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 844 – Carroll County Senators

AN ACT concerning

Carroll County – Regulation of Pawnbrokers and Secondhand Precious Metal Object Dealers

FOR the purpose of authorizing the County Commissioners of Carroll County by ordinance to license and regulate pawnbrokers and secondhand precious metal object dealers for certain purposes; authorizing the County Commissioners to adopt certain ordinances; and generally relating to the regulation of pawnbrokers and secondhand precious metal object dealers in Carroll County.

BY adding to

The Public Local Laws of Carroll County

Section 6–105

Article 7 – Public Local Laws of Maryland

(2004 Edition and September 2006 Supplement, as amended)

Read the first time and referred to the Committee on Rules.

Senate Bill 845 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Alcoholic Beverages – Quota for Class A Licenses

FOR the purpose of establishing a certain quota of Class A beer, beer and light wine, and

beer, wine and liquor licenses for each election district in Carroll County; requiring the Board of License Commissioners to determine the population of each election district by using a certain report of the Carroll County Planning Commission; prohibiting a Class A license to be issued on or after a certain date under certain circumstances; providing that, for purposes of this Act, the renewal or transfer of a license is not a new license; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–207
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 846 – Senators Hooper, Colburn, and Jacobs

AN ACT concerning

Real Property – Mechanics’ Liens – Altering Scope and Percentage

FOR the purpose of altering the percentage of the value of a building used to determine whether a mechanic’s lien may be established for work done or materials furnished for or about the building; expanding the services for which a mechanic’s lien may be established; and generally relating to mechanics’ liens.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 9–102
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 847 – Senators Hooper, Colburn, Gladden, Harris, Jacobs, and Raskin

AN ACT concerning

Vehicle Laws – Driver’s License Renewals – Inmates

FOR the purpose of providing that a license held by an inmate in a correctional facility remains in full force and effect during the inmate’s term of confinement; providing that the license of a former inmate remains in effect for a certain period of time

after the inmate's release from confinement under certain circumstances; and generally relating to driver's license renewals.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 1–101(d) and (i)
Annotated Code of Maryland
(1999 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–115
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 848 – Senators Astle, Brinkley, Conway, DeGrange, Dyson, Edwards, Haines, Hooper, Jacobs, Klausmeier, Miller, Munson, Pipkin, Simonaire, and Stoltzfus

AN ACT concerning

Creation of a State Debt – Maryland Artificial Reef Initiative

FOR the purpose of authorizing the creation of a State Debt in the amount of \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the Coastal Conservation Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 849 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary's County – SMARTCO's Computer Technology Learning Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to Board of Directors of The Southern Maryland Applied Research and Technology Consortium, Inc. for certain development or

improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 850 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s Agriculture Service Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$750,000, the proceeds to be used as a grant to the Board of Supervisors of the St. Mary’s Soil Conservation District for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 851 – Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, and Middleton

AN ACT concerning

Physicians – Unauthorized Practice of Medicine – Penalty

FOR the purpose of making it a felony for certain persons to engage in, attempt to engage in, or offer to engage in the unauthorized practice of medicine; providing for certain penalties; and generally relating to the unauthorized practice of medicine.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 14–601
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–606

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 852 – Senators Hooper, Colburn, Gladden, Harris, Jacobs, and Klausmeier

AN ACT concerning

Income Tax – Credit for Motorized Shopping Carts

FOR the purpose of providing for certain credits against the State income tax for the purchase of certain motorized shopping carts under certain conditions; providing for certain limitations on the amount of the credit and the number of credits that may be claimed for each business location during the taxable year; providing that the credit may not exceed the lesser of a certain amount or the State income tax for that taxable year and that any unused credit may be carried over to another taxable year with certain limitations; defining certain terms; providing for the application and termination of this Act; and generally relating to a credit against the State income tax for the purchase of certain motorized shopping carts.

BY adding to

Article – Tax – General

Section 10–726

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 853 – Senators Pipkin, Della, and Rosapepe

AN ACT concerning

Maryland Energy Independence Act of 2007

FOR the purpose of requiring an electric company to operate its own peak-load or other generating facilities for a certain standard offer service load; requiring certain percentages of an electric company's standard offer service to be generated within the State over a certain period of time; requiring the Public Service Commission to determine a certain statewide level of electricity usage from a certain year by a certain date; requiring the Commission to establish a baseline electricity level from that statewide level; altering the criteria that the Commission must consider when acting on an application for a certificate of public convenience and necessity; requiring all electricity supplied for distribution in the State in excess of

certain amounts to be generated in the State; authorizing certain excess electricity to be offered for trade on a certain energy market; requiring the Commission to adopt certain regulations applicable to certain persons; requiring the Commission to review certain supply and demand levels and report to the Governor and General Assembly by a certain date each year; stating the findings of the General Assembly; requiring the Commission to review certain provisions and make certain recommendations to certain committees of the General Assembly on the occurrence of certain events; making the provisions of this Act severable; and generally relating to electricity generation in the State.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207(e), (g), and (h) and 7–510(c)(5)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY repealing
Article – Public Utility Companies
Section 7–207(f) and 7–510(c)(6)
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–510.1 and 7–510.2
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

BY renumbering
Article – Public Utility Companies
Section 7–510(c)(7) and (8), respectively
to be Section 7–510(c)(6) and (7), respectively
Annotated Code of Maryland
(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 854 – Senators Muse, Britt, Currie, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George’s County – Revenue Authority

FOR the purpose of providing that certain employees of the Revenue Authority of Prince

George's County are subject to the County personnel law; providing that certain employees of the Revenue Authority have the right to organize and bargain collectively and are subject to the County Labor Code with regard to collective bargaining for certain terms and conditions of employment; providing that the County Executive of Prince George's County shall be considered the employer of certain employees only for the purpose of collective bargaining for certain compensation issues and hours of work; providing that the Revenue Authority shall be considered the employer for certain employees for the purpose of collective bargaining for certain terms and conditions of employment; providing that certain required funding for a certain collective bargaining agreement negotiated by the Revenue Authority is subject to the approval of the County Executive; and generally relating to the Revenue Authority of Prince George's County.

BY adding to

The Public Local Laws of Prince George's County
Section 21A-112.01
Article 17 – Public Local Laws of Maryland
(2003 Edition, as amended)

Read the first time and referred to the Committee on Rules.

Senate Bill 855 – Senator Gladden

AN ACT concerning

**Creation of a State Debt – Baltimore City – Howard “Pete” Rawlings Hearing and
Speech Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of The Hearing and Speech Agency of Metropolitan Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 856 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Lyndhurst Recreational Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and City Council of Baltimore City for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 857 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Knowledge Is Power Program Academy

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of KIPP Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 858 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Clayworks

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of Baltimore Clayworks, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 859 – Senator Raskin

AN ACT concerning

Medicare Part D “Donut Hole” Tax Assistance Act

FOR the purpose of providing for a subtraction modification under the Maryland individual income tax for certain qualified prescription drug expenses; providing for a certain limit on the amount of the subtraction modification if an individual itemizes deductions; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain qualified prescription drug expenses.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

BY adding to

Article – Tax – General

Section 10–208(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 860 – Senators Pugh and McFadden

AN ACT concerning

Education – Compulsory Attendance – Age

FOR the purpose of clarifying that certain provisions of current law relating to compulsory attendance do not apply to certain children; requiring certain children under a certain age to attend a public school regularly during the entire school year unless certain conditions are met; raising the age to which a parent or guardian is responsible for a child’s attendance at school or certain authorized instruction; making technical corrections; and generally relating to the age of compulsory school attendance.

BY adding to

Article – Education

Section 7-301(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Education
Section 7-301(a), (c), (d), and (e)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 861 – Senator Pugh

AN ACT concerning

Task Force – Urban Senior Care Communities

FOR the purpose of establishing a Task Force to Study the Feasibility of Developing Urban Senior Care Communities; specifying the membership of the Task Force; specifying the duties of the Task Force; providing for the staffing of the Task Force; providing that members of the Task Force may receive reimbursement for certain expenses; requiring the Task Force to issue a certain report by a certain date to the Senate Finance Committee; providing for the termination of this Act; and generally relating to a Task Force on urban senior care communities.

Read the first time and referred to the Committee on Rules.

Senate Bill 862 – Senator Pugh

AN ACT concerning

Procurement – Minority Business Enterprise Program – Policy Statements

FOR the purpose of requiring the certification agency for the minority business enterprise program to ensure that units of State government implement a certain policy; specifying that a unit may award a contract only to a bidder or offeror who makes a good faith effort to meet certain minority business enterprise program goals; requiring a bidder or offeror to document its efforts to meet certain goals; requiring units to consider certain criteria in evaluating a bidder's or offeror's good faith efforts to obtain participation under certain contracts of socially and economically disadvantaged individuals or minority business enterprises; requiring a unit to make a fair and reasonable judgment about the effort of a contractor to meet a certain goal; specifying that if the contract price for a contract longer than a certain period is modified or amended by more than a certain

amount, a unit shall undertake a certain review and evaluation, make a certain determination, apply certain administrative sanctions if a contractor has failed to comply with certain requirements, and prepare and submit a certain report; requiring the Board of Public Works to engage the services of certain entities to evaluate and document certain efforts of certain entities to meet certain goals with regard to certain procurements for school construction and to issue a report of their findings and recommendations on or before a certain date; and generally relating to policies governing contractors' utilization of socially and economically disadvantaged individuals and minority business enterprises for certain procurement contracts.

BY adding to

Article – State Finance and Procurement
Section 14–306
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 863 – Senators Haines, Astle, Brinkley, Colburn, DeGrange, Della, Dyson, Edwards, Garagiola, Hooper, Jacobs, Kittleman, Kramer, Mooney, Munson, Pipkin, Stoltzfus, and Stone

AN ACT concerning

Vehicle Laws – Right-of-Way – Penalties for Failure to Yield

FOR the purpose of establishing that, if a person is convicted of failing to yield the right-of-way in violation of certain provisions of law and the violation contributes to an accident that results in serious bodily injury to another, the person is subject to a certain fine and the Motor Vehicle Administration is required to suspend the person's license for a certain period of time; establishing the fine and period of license suspension to which a person is subject if the person is convicted of failing to yield the right-of-way in violation of certain provisions of law and the violation contributes to an accident that results in the death of another; providing that the penalties established under this Act are in addition to other penalties provided by law; providing that a certain licensee may request a certain hearing; and generally relating to penalties for failure to yield the right-of-way.

BY adding to

Article – Transportation
Section 27–114
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 864 – Senator Middleton

AN ACT concerning

Voice Over Internet Protocol Service and Internet Protocol–Enabled Service

FOR the purpose of providing that the Public Service Commission does not have jurisdiction over certain voice over Internet protocol services and Internet protocol–enabled services; providing for the construction of this Act; defining certain terms; and generally relating to voice over Internet protocol service and Internet protocol–enabled service.

BY adding to

Article – Public Utility Companies

Section 8–601 and 8–602 to be under the new subtitle “Subtitle 6. Voice over Internet Protocol Service and Internet Protocol–Enabled Service”

Annotated Code of Maryland

(1998 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 865 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Mount Washington Outdoor Classroom

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Mount Washington Elementary Parent Teachers Organization, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 866 – Senator Conway

AN ACT concerning

Professional Counselors and Therapists – Definition of Appraisal

FOR the purpose of altering the definition of “appraisal” as it relates to the certification or licensing of professional counselors and therapists by repealing a certain provision that excludes selecting, administering, scoring, and interpreting certain instruments unless a licensed or certified professional counselor has completed certain training; and generally relating to the definition of “appraisal” and the certification and licensing of professional counselors and therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–101(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 54 – Delegate Elmore and Queen Anne’s County Delegation

AN ACT concerning

Somerset and Queen Anne’s Counties – Authorization to Harvest Seafood and Engage in the Seafood Industry

FOR the purpose of authorizing the governing bodies of Somerset County and Queen Anne’s County to adopt an ordinance, resolution, or regulation or take other action to authorize a person to engage in certain activities related to the seafood industry and to harvest seafood; clarifying that the governing body of the county in which the ordinance, resolution, or regulation will apply is required to hold a public hearing and obtain the written consent of the Secretary of Natural Resources before adopting a certain ordinance, resolution, or regulation; providing that an ordinance, resolution, or regulation, adopted by a governing body under this Act without written consent of the Secretary, is void; providing that in the event of a certain conflict, federal law, State law, or a certain written program guidance preempts a certain ordinance, resolution, or regulation adopted by a governing body under this Act; making conforming changes; and generally relating to the authority of the governing bodies of certain counties to authorize a person to

engage in certain activities related to the seafood industry and to harvest seafood.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 232
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 58 – The Speaker (By Request – Maryland Judiciary)

AN ACT concerning

Judgeships – Circuit and District Courts

FOR the purpose of altering the number of resident judges of the circuit courts in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; and generally relating to judgeships in the circuit courts and the District Court of Maryland.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 1–503(a)(15) and (b) and 1–603(b)(4) and (6)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Budget and Taxation.

House Bill 61 – Delegates Eckardt, Cane, Haddaway, Smigiel, and Sossi

AN ACT concerning

Mid–Shore Regional Council – Membership – Immunity

FOR the purpose of altering the number of voting members of the Mid–Shore Regional Council appointed by the governing bodies of Caroline, Dorchester, and Talbot counties; authorizing the bylaws of the Mid–Shore Regional Council to provide for additional public membership on the Council; and providing that the Mid–Shore Regional Council is immune from being sued.

BY repealing and reenacting, with amendments,

Article 20C – Mid–Shore Regional Council
Section 2–101
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 5–506.1
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 145 – Delegate Elmore

AN ACT concerning

Somerset County – Treasurer – Salary

FOR the purpose of altering the salary of the Treasurer of Somerset County; providing that this Act does not apply to the salary or compensation of the incumbent Treasurer of Somerset County; and generally relating to the salary of the Treasurer of Somerset County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 51(r)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 146 – Delegate Beitzel

AN ACT concerning

**Local Government – Garrett County Commissioners – Disposal of Surplus ~~Supplies~~
County Property**

FOR the purpose of authorizing the Board of County Commissioners of Garrett County to dispose of surplus supplies, equipment, or other personal property belonging to the county by recycling or disposal in the Garrett County landfill; and generally relating to the disposal of surplus county property in Garrett County.

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 11A(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 172 – Delegate McIntosh and the Speaker (By Request – Administration) and Delegates Beidle, Branch, Bromwell, Burns, Busch, Carter, V. Clagett, Conaway, DeBoy, Doory, Frank, Glenn, Hammen, Harrison, Haynes, Jennings, Jones, Kirk, Krysiak, Lafferty, Love, Malone, McHale, Minnick, Morhaim, Nathan–Pulliam, Niemann, Oaks, Olszewski, Robinson, Rosenberg, Schuler, Stein, Stukes, Tarrant, and Weir

EMERGENCY BILL

AN ACT concerning

Real Property – Ground Rents – Prohibition on Creation of ~~Ground Rent Leases for~~ Reversionary Interests in Residential Property

FOR the purpose of prohibiting, on or after a certain date, the ~~creation of a lease or sublease of a certain term and subject to the payment of a certain ground rent for certain residential property~~ owner of a fee simple or leasehold estate in certain residential property from creating a reversionary interest in the property under a ground lease or a ground sublease under certain circumstances; providing for the application of this Act; making this Act an emergency measure; and generally relating to ground ~~rent~~ leases for residential property.

BY adding to
Article – Real Property
Section 8–111.2
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

House Bill 187 – Delegate Rosenberg

AN ACT concerning

Estates and Trusts – Conservation Easement – Governing Instrument

FOR the purpose of clarifying that certain persons may donate a conservation easement on real property for a certain purpose if certain governing instruments authorize the donation; clarifying that a certain trustee or fiduciary may consent to a donation of a conservation easement on real property by a personal representative for a certain purpose if the governing instrument authorizes the donation; providing for the application of this Act; and generally relating to donation of conservation easements on real property.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 7–401(dd), 14–111(b), and 15–102(aa)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 371 – Senators Muse, Frosh, Pugh, and Rosapepe

AN ACT concerning

Interstate Compact for Juveniles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 495 – Senators Stone, Astle, Brochin, DeGrange, Della, Dyson, Forehand, Gladden, Haines, Harris, Hogan, Jacobs, Klausmeier, Madaleno, Middleton, Muse, Raskin, and Simonaire

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 185)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #9

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Stone~~ Stone, Astle, Klausmeier, and Kramer

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

Senate Bill 66 – Senators Middleton, Dyson, and Miller

EMERGENCY BILL

AN ACT concerning

Electric Cooperatives – Standard Offer Service Supply Contracts

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 186)

The Bill was then sent to the House of Delegates.

Senate Bill 119 – Senator Munson

AN ACT concerning

Deputy Medical Examiners – Investigative Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 187)

The Bill was then sent to the House of Delegates.

Senate Bill 217 – Senators Astle, Conway, Dyson, Frosh, Middleton, Pinsky, and Zirkin

AN ACT concerning

Vehicle Laws – Special and Commemorative Registration Plates – ~~Sunset Provisions~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 188)

The Bill was then sent to the House of Delegates.

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Stone~~ Stone, Astle, Klausmeier, and Kramer

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

Senator Brinkley moved, duly seconded, to make the Bill a Special Order for February 20, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 189)

ADJOURNMENT

At 8:33 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 20, 2007.

Annapolis, Maryland
Tuesday, February 20, 2007
10:00 A.M. Session

The Senate met at 10:15 A.M.

Prayer by Pastor Dallas Bumgarner, Elvaton Baptist Church, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 19, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 191)

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
University of Maryland College Park	Senator Rosapepe	293

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 192)

INTRODUCTION OF BILLS

Senate Bill 867 – Senator Kasemeyer

AN ACT concerning

Interest Rate on Tax Deficiencies and Refunds

FOR the purpose of altering the calculation of the annual interest rate that the Comptroller sets for tax deficiencies and refunds; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 13–604
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #3

House Bill 28 – ~~Delegate Morhaim~~ Delegates Morhaim, Walker, Benson, Costa, Donoghue, Kipke, Kullen, Mizeur, Montgomery, Pena–Melnyk, Riley, and Tarrant

AN ACT concerning

Procurement – Small Business Reserve Program – ~~Sunset Extension~~ Modifications

FOR the purpose of altering certain reporting requirements relating to procurements involving small businesses under the Small Business Reserve Program; continuing until a certain date the provisions of the State Procurement Law relating to ~~procurements from small businesses under~~ the Small Business Reserve Program; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501 through 14–505
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004
Section 2

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 201 – The Speaker and Delegates Hixson, Barve, Cardin, Doory, Ivey, N. King, ~~and Ross~~, Ross, Beidle, Benson, Branch, Bronrott, Cane, V. Clagett, Conway, Davis, Dumais, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Howard, Hucker, Jameson, Jones, Kaiser, Kirk, Krysiak, Lawton, Lee, Levi, Love, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena–Melnik, Pendergrass, Proctor, Ramirez, Rice, Sophocleus, Stukes, Tarrant, F. Turner, Valderrama, Waldstreicher, and Walker

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Authority to Establish Early Voting

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow voters to vote at certain polling places in certain locations and on certain days prior to certain election dates; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
 Article I – Elective Franchise
 Section 1 and 3

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 214 – Delegates Morhaim and Frush

AN ACT concerning

Health Care Decisions Act – “Patient’s Plan of Care” Form – Renaming

FOR the purpose of renaming the “Patient’s Plan of Care” form under the Health Care Decisions Act to be the “Instructions on Current Life–Sustaining Treatment Options” form; and generally relating to the renaming of the “Patient’s Plan of Care” form.

BY repealing and reenacting, with amendments,
 Article – Health – General
 Section 5–602(f), 5–608.1, and 19–344(f)(5)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–619(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

(As enacted by Chapter 223 of the Acts of the General Assembly of 2006)

Read the first time and referred to the Committee on Finance.

House Bill 216 – Delegates Morhaim, Anderson, Aumann, Beitzel, Benson, Bohanan, Bromwell, Burns, Cane, Cardin, Costa, DeBoy, Donoghue, Elliott, Frank, Hammen, Healey, Jennings, Jones, Kach, Kelly, Kipke, Kullen, Lafferty, Lawton, Malone, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnik, Pendergrass, Riley, Stein, Stull, Tarrant, Weir, and Weldon

AN ACT concerning

HIV Testing – ~~Prohibited Exposure – Victims~~ Forensic Scientist

FOR the purpose of ~~including a forensic scientist who works under the direction of a law enforcement agency within the list of possible victims of prohibited exposure to HIV;~~ including a forensic scientist who works under the direction of a law enforcement agency within the definition of a public safety worker required to test for HIV in the event of a certain exposure; and generally relating to ~~victims of prohibited~~ HIV exposure.

~~BY repealing and reenacting, with amendments,~~

~~Article – Criminal Procedure~~

~~Section 11–107~~

~~Annotated Code of Maryland~~

~~(2001 Volume and 2006 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Health – General

Section 18–338.3(a)(8)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 236 – Delegates Nathan–Pulliam, Benson, Eckardt, Hubbard, Morhaim, and Oaks

AN ACT concerning

Health Occupations – ~~Registered~~ Nurses – Dispensing Methadone

FOR the purpose of authorizing certain nurses to dispense methadone in a certain clinic licensed by the Department of Health and Mental Hygiene in accordance with certain regulations developed and adopted by the State Board of Nursing and the State Board of Pharmacy; and generally relating to nurses dispensing methadone.

BY adding to

Article – Health Occupations

Section 8–511

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #5

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 47 – Senators Stone, Frosh, Gladden, Pinsky, Raskin, and Rosapepe

AN ACT concerning

State Government – Administrative Procedure Act – Scope of Judicial Review

(Amendment ID: SB0047/988874/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 47

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “a contested case” and substitute “certain contested cases”.

AMENDMENT NO. 2

On page 2, in line 19, after “(VI)” insert “IN A CASE INVOLVING EMPLOYEE DISCIPLINE OR TERMINATION OF EMPLOYMENT:”

1.”;

in lines 20 and 22, strike “(VII)” and “(VIII)”, respectively, and substitute “2.” and “3.”, respectively; in line 21, after the semicolon, insert “OR”; and in line 25, strike “(IX)” and substitute “(VII)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 142 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Jury Selection and Service

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 143 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Real Property – Electronic Recording Pilot Program

(Amendment ID: SB0143/788176/1)

BY: Judicial Proceedings Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “certain” and substitute “or modify certain methods, procedures, and”.

AMENDMENT NO. 2

On page 2, in lines 11 and 12, strike “ANY TECHNICAL OR OTHER REQUIREMENTS” and substitute “OR MODIFY ANY METHOD, PROCEDURE, OR CLERICAL OR TECHNICAL REQUIREMENT”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 199 – Senator Forehand

AN ACT concerning

Family Law – Protective Orders – Duration of Final Order

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 219 – Senator Frosh

AN ACT concerning

Estates and Trusts – Donation of Conservation Easements

(Amendment ID: SB0219/118479/1)

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 219
(First Reading File Bill)

On page 1, in line 4, after “property” insert “for a certain purpose”; and in line 5, after “donation;” insert “clarifying that a certain trustee or fiduciary may consent to a donation of a conservation easement on real property by a personal representative for a certain purpose if the governing instrument authorizes the donation;”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 221 – Senator Frosh

AN ACT concerning

Maryland Condominium Act – Application and Preemption of Certain Laws

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 1 – Senators Miller, Conway, Dyson, McFadden, Kasemeyer, Middleton, Currie, Frosh, Britt, DeGrange, Exum, Forehand, Garagiola, Gladden, Hogan, Jones, Kelley, Lenett, Madaleno, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, ~~and Stone~~ Stone, Astle, Klausmeier, and Kramer

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Early Voting and Polling Places

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 16 (See Roll Call No. 193)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 194)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #10

Senate Bill 69 – Senators Jones, Conway, Exum, Gladden, and Kelley

SECOND PRINTING

AN ACT concerning

Task Force to Study Prison Violence in Maryland

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 3 (See Roll Call No. 195)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 196)

ADJOURNMENT

At 11:10 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 21, 2007.

Annapolis, Maryland
Wednesday, February 21, 2007
10:00 A.M. Session

The Senate met at 10:19 A.M.

Prayer by Rabbi Binyamin Biber, M.S.W., Machar, The Washington Congregation for Secular Humanistic Judaism, guest of Senator Raskin.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 20, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 200)

INTRODUCTION OF BILLS

Senate Bill 868 – Senators Haines, Brinkley, and Kittleman

AN ACT concerning

Carroll County – Bingo and Gaming Events – Qualified Organizations

FOR the purpose of repealing a certain requirement in Carroll County that restricts the conduct of bingo or gaming events in the county to qualified organizations that are located in the county; and generally relating to bingo and gaming events in Carroll County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–901(a) and (c) and 13–902(a)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 13–903(b) and 13–907(b)(2)
Annotated Code of Maryland
(2002 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 869 – Senator Gladden

AN ACT concerning

State Income Tax – Credit for Release of Ground Rent

FOR the purpose of allowing a credit against the State income tax for a certain individual or corporation holding a reversionary interest in a ground lease on residential real property as a landlord who releases a ground rent in accordance with this Act; requiring a landlord of certain property subject to a ground lease to provide a tenant, without the payment of certain consideration by the tenant, with a certain deed of redemption of ground rent and the original deed establishing the ground lease in order to claim a credit; providing that submission of the deed of redemption of ground rent and the original deed are conclusive proof of the release of a certain reversionary interest of the landlord and the vesting of a certain fee simple title in the property in the tenant; limiting the amount of the credit; requiring the Comptroller to adopt regulations, to carry out this Act; providing for the application of this Act; and generally relating to a credit against the State income tax for the release of a ground rent by a landlord.

BY adding to

Article – Tax – General
Section 10–726
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 870 – Senators Currie and Exum

AN ACT concerning

Creation of a State Debt – Prince George’s County – Suitland Technology Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Suitland Family and Life Development Corporation for certain development or improvement purposes;

providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 871 – Senator Currie

AN ACT concerning

**Prince George's County – Property Tax Credit – Kettering–Largo–Mitchellville
Boys and Girls Club**

FOR the purpose of requiring the governing body of Prince George's County to grant a property tax credit against the county property tax imposed on real property that is owned by the Kettering–Largo–Mitchellville Boys and Girls Club; providing for the application of this Act; and generally relating to a county property tax credit for property in Prince George's County owned by the Kettering–Largo–Mitchellville Boys and Girls Club.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–318(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 872 – Senator Astle

AN ACT concerning

Courts – Service of Process – Fees Collected By Sheriff

FOR the purpose of increasing certain fees for service of process of certain papers by a sheriff; establishing a certain fee for service of a paper originating from a foreign court; and generally relating to fees collected by a sheriff for service of process.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–402
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 873 – Senators Garagiola and Peters

AN ACT concerning

Task Force to Study State Assistance to Veterans

FOR the purpose of extending the date by which the members of the Task Force to Study State Assistance to Veterans must be appointed; extending the dates by which the Task Force must report its interim and final findings and recommendations to certain officials; extending the termination date of the Task Force; clarifying language; and generally relating to the Task Force to Study State Assistance to Veterans.

BY repealing and reenacting, with amendments,
Chapter 290 of the Acts of the General Assembly of 2006
Section 3 and 5

Read the first time and referred to the Committee on Rules.

Senate Bill 874 – Senator Pugh

AN ACT concerning

Baltimore City – New Shiloh Multipurpose Center Loan of 2001

FOR the purpose of amending the Baltimore City – New Shiloh Multipurpose Center Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Baltimore City – New Shiloh Multipurpose Center Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 297 of the Acts of the General Assembly of 2001
Section 1

Read the first time and referred to the Committee on Rules.

Senate Bill 875 – Senator Garagiola

AN ACT concerning

Surplus Lines Insurance – Date of Filing Affidavit

FOR the purpose of altering the date by which a certain affidavit for surplus lines insurance must be filed with the Maryland Insurance Commissioner; and generally relating to surplus lines insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 3–307
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 876 – Senator Stone

AN ACT concerning

**Education – Suspected Child Abuse by Employee or Independent Contractor –
Notice to Nonpublic Schools**

FOR the purpose of providing that certain provisions relating to the disclosure of a report or record of suspected child abuse to public schools be made applicable to private schools; designating which individuals in nonpublic schools are to receive certain reports or records; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the disclosure of reports or records of suspected child abuse.

BY repealing and reenacting, with amendments,
Article 88A – Department of Human Resources
Section 6(b)(2)(vii)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 1–202(a)
Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of
2007)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–202(c)(1)(vii)

Annotated Code of Maryland
(As enacted by Chapter _____ (S.B. 6) of the Acts of the General Assembly of
2007)

Read the first time and referred to the Committee on Rules.

Senate Bill 877 – Senator Stone

AN ACT concerning

**Income Tax – Subtraction Modification for Retirement Income – Rollovers to
Individual Retirement Accounts**

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain retirement income under certain circumstances; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 878 – Senator Brochin

AN ACT concerning

Criminal Law – Lawful Interception of Communications – Additional Crimes

FOR the purpose of adding the commission of assault in the first degree and the attempt to commit certain offenses to the offenses for which it is lawful under certain circumstances for an investigative or law enforcement officer or another person acting at the prior direction and under the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of the offense; and generally relating to the interception of communications.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)(2)(i)

Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)(2)(ii)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 879 – Senator Pinsky

AN ACT concerning

Hospitals – Safe Patient Lifting

FOR the purpose of requiring hospitals to establish a safe patient lifting committee composed of certain members on or before a certain date; requiring the committee to establish a safe patient lifting policy on or before a certain date; requiring the committee to consider certain factors while developing a safe patient lifting policy; defining certain terms; and generally relating to the safe lifting of hospital patients.

BY adding to
Article – Health – General
Section 19–377 to be under the new part “Part X. Safe Patient Lifting”
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 880 – Senator Zirkin

AN ACT concerning

Marriage – Performance of Ceremony – Retired Clerk of Court

FOR the purpose of authorizing a retired clerk of the circuit court of a county to perform a marriage ceremony in this State; authorizing the county administrative judge of the circuit court to designate when and where the retired clerk may perform a marriage ceremony and the form of marriage ceremony to be recited by the retired clerk; and generally relating to marriage ceremonies.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 2–101(a) and (c)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–406(a)(2) and (f)
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 881 – Senators Harris and Zirkin

AN ACT concerning

No–Fault Cerebral Palsy Insurance Fund

FOR the purpose of establishing certain procedures to be followed if the response to a claim against a health care provider for damage due to a medical injury includes an assertion that the claim is subject to certain other procedures relating to birth–related neurological impairments; altering the purposes of the Maryland Health Care Provider Rate Stabilization Fund to include paying certain medical expenses of individuals with birth–related neurological impairments; requiring a certain portion of the Medical Assistance Program Account to be used to pay these expenses; requiring disbursements from the Medical Assistance Program Account to be made to the No–Fault Cerebral Palsy Insurance Fund in a certain amount; establishing the No–Fault Cerebral Palsy Insurance Fund to pay certain expenses of claimants who are diagnosed as having a birth–related neurological impairment under certain circumstances; requiring the Director of the Fund to administer the Fund; requiring the Director to be appointed by and serve at the pleasure of the Maryland Insurance Commissioner; providing that the Fund is a special, nonlapsing fund; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; requiring the Insurance Commissioner to adopt certain regulations; providing that the Fund consists of revenue distributed to the Fund from the Medical Assistance Program Account, interest and other income, and certain other money; authorizing the Fund to be used only to pay claims under the Fund and the costs of administering the Fund; establishing that the rights and remedies under the Fund exclude all other rights and remedies for birth–related neurological impairments under certain circumstances; establishing that filing a civil action for a birth–related neurological impairment is not precluded under certain circumstances; establishing procedures for the

determination of coverage under the Fund; establishing procedures to appeal a certain determination of coverage to a certain arbitration panel; providing for an appeal of the determination of the arbitration panel to a certain circuit court; establishing procedures for certain payments from the Fund in certain amounts under certain circumstances; prohibiting compensation for legal services in connection with claims under the Fund except under certain circumstances; requiring the Director to report all claims under the Fund to the State Board of Physicians for a certain determination; requiring medical professional liability insurers to identify in rate filings any savings that result from the Fund and to decrease rates to reflect that savings; defining certain terms; providing for the application of this Act; and generally relating to an insurance fund for children with birth-related neurological impairments.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–04(a)
Annotated Code of Maryland
(2006 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–802 and 19–807
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY adding to
Article – Insurance
Section 19–901 through 19–911 to be under the new subtitle “Subtitle 9.
No–Fault Cerebral Palsy Insurance Fund”
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 882 – Senator Della

AN ACT concerning

Medical System Corporation – Board of Directors – Membership

FOR the purpose of removing the Executive Director of the Maryland Institute for Emergency Medical Services Systems as a voting member of the Board of Directors of the Medical System Corporation; and generally relating to membership on the Board of Directors of the Medical System Corporation.

BY repealing and reenacting, with amendments,
Article – Education
Section 13–304
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 883 – Senators Conway, Dyson, Exum, Frosh, Gladden, and Kelley

AN ACT concerning

Ground Leases – Redemption – Preferred Interest Rate Loans

FOR the purpose of altering the purposes of the Maryland Home Financing Program to include making preferred interest rate loans for the redemption of ground leases under certain circumstances; authorizing the terms of loans that are set by the Department of Housing and Community Development under the Program to include certain deferred payments; exempting loans made under this Act from certain income limits; requiring an applicant for a loan under this Act to meet certain qualifications; authorizing the Department to set a maximum amount for a loan under this Act; and generally relating to preferred interest rate loans for the redemption of ground leases.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–804, 4–806(c), and 4–807(d)
Annotated Code of Maryland
(2006 Volume)

BY adding to
Article – Housing and Community Development
Section 4–810(d) and 4–815(f)(4)
Annotated Code of Maryland
(2006 Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 884 – Senator Mooney

AN ACT concerning

SECOND PRINTING

Vehicle Laws – Traffic Control Signal Monitoring Systems and Speed Monitoring Systems – Points and Insurance

FOR the purpose of repealing a prohibition on certain violations recorded by a traffic control signal monitoring system or a speed monitoring system being considered moving violations for purposes of assessing certain points and being considered in the provision of motor vehicle insurance coverage; providing that certain points are to be assessed after imposition of a certain civil penalty; repealing a certain prohibition on an insurer considering a certain violation recorded by a traffic control signal monitoring system or a speed monitoring system for purposes of reclassifying an insured in a classification that entails a higher premium; and generally relating to violations recorded by traffic control signal monitoring systems and speed monitoring systems.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–215(e) and 11–318(e)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402, 21–202.1(i), and 21–809(h)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–202(h), 21–202.1(c), and 21–809(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 885 – Senator Dyson

AN ACT concerning

State Ethics Commission – Regulated Lobbyist – Fees

FOR the purpose of altering the fee that a regulated lobbyist must pay each time the lobbyist files a certain registration form with the State Ethics Commission; and generally relating to the registration of regulated lobbyists.

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–703(a) and (d)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15 703(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 886 – Senator Dyson

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Calvert County – Old
Wallville School**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the authorized uses of a certain grant to the Board of Directors of the Friends of the Old Wallville School, Inc.

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item ZA01 (Y)

Read the first time and referred to the Committee on Rules.

Senate Bill 887 – Senator Astle

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Maryland Hall for the Creative
Arts**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Hall for the Creative Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the

issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 888 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Light House Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Annapolis Area Ministries, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 889 – Senator Astle

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Board of License Commissioners –
Inspectors**

FOR the purpose of altering the annual salaries of the chairman and other members of the Board of License Commissioners of Anne Arundel County; altering the annual salaries and monthly expenses of the part-time chief inspector and part-time inspectors of the Board; altering the annual salary of the attorney for the Board; authorizing the Board to increase the number of part-time inspectors; providing that this Act does not apply to the salary or compensation of the incumbent chairman or other members of the Board; and generally relating to the members and employees of the Board of License Commissioners of Anne Arundel County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–109(c) and 15–112(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 890 – Anne Arundel County Senators

AN ACT concerning

Anne Arundel County – Mental Health Advisory Committee

FOR the purpose of authorizing the governing body in Anne Arundel County to designate Anne Arundel County Mental Health Agency, Inc. as the mental health advisory committee for Anne Arundel County; providing for an exception to the membership requirements for a mental health advisory committee in Anne Arundel County; and generally relating to mental health advisory committees.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–308 and 10–309(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 891 – Senator Astle

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2004 – Anne Arundel County –
Carrie Weedon Science Center**

FOR the purpose of altering the authorized uses of a certain grant to the Board of Directors of the Carrie Weedon Science Center Foundation, Inc.

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter
432 of the Acts of the General Assembly of 2004
Section 13(3)(ii) Item A

Read the first time and referred to the Committee on Rules.

Senate Bill 892 – Senator Astle

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Children’s Theatre of Annapolis

FOR the purpose of authorizing the creation of a State Debt not to exceed \$225,000, the proceeds to be used as a grant to the Board of Directors of the Children's Theatre of Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 893 – Senator Astle

AN ACT concerning

Maryland Health Insurance Plan – Plan Independence, Board Composition, and Regulation

FOR the purpose of removing the Maryland Health Insurance Plan from the Maryland Insurance Administration; providing that the Plan is an independent unit of the State government; altering the composition of the Board of Directors of the Plan; authorizing the Executive Director of the Plan to employ certain staff; repealing a certain exemption of the Board from certain State personnel laws; requiring the Board to develop a certain master plan document; requiring the Board to file the master plan document with the Maryland Insurance Commissioner and provide the document to a member, at no charge, on request of the member; requiring the Board to develop a certain certificate of coverage; requiring the Board to update the certificate of coverage under certain circumstances; requiring the Board to provide the most recent version of the certificate of coverage to certain persons under certain circumstances; requiring the Board to make the most recent version of the certificate of coverage available on the Plan's website; requiring the Board to provide notice of a change to the certificate of coverage to certain persons; specifying the circumstances under which the Board may make changes to a certain benefit package; providing for the effective date of a change to a certain benefit package; requiring the Board to submit a certain report to certain committees of the General Assembly on or before a certain date each year; providing that if there is a conflict between a provision of the master plan document and a provision of the certificate of coverage a certain provision will control; requiring the Plan to comply with the terms of certain written representations or authorizations under certain circumstances; requiring the contract between the Board and the Plan Administrator to require the Administrator to comply with certain provisions of law; providing that the Plan is not subject to certain laws; requiring the Commissioner to regulate the Plan; requiring the Plan and the Board of Directors of the Plan to comply with certain provisions of law; providing that certain provisions of this Act do not limit the

authority of the Commissioner to impose certain penalties or take certain action under certain circumstances; authorizing the Commissioner to require the Plan to make certain restitution to certain individuals under certain circumstances; prohibiting the Commissioner from imposing a fine or administrative penalty on the Plan; requiring an entity contracted with the Plan and certain health care providers to comply with certain provisions of law under certain circumstances; requiring the Commissioner to provide a copy of an adopted examination report or the results of certain reviews to the Board and to make recommendations for any corrective action to be taken by the Board; requiring the Board to determine the steps necessary to implement corrective action; requiring certain moneys to be deposited into the Maryland Health Insurance Plan Fund; requiring the Maryland Insurance Administration to provide fiscal and personnel services to the Plan at no charge during a certain fiscal year; making a certain stylistic change; providing for the application of this Act; and generally relating to the Maryland Health Insurance Plan.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–502, 14–503, 14–505, and 14–506(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Insurance

Section 14–509

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 894 – Senator Pugh

AN ACT concerning

Creation of a State Debt – Baltimore City – The Trinity Family Life Center

FOR the purpose of authorizing the creation of a State Debt in the amount of \$430,000, the proceeds to be used as a grant to the Board of Directors of The Trinity Family Life Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the loan proceeds or the matching fund from being used for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 895 – Senator DeGrange

AN ACT concerning

Public Safety Employees Killed in the Performance of Duties – Helicopter Pilots and Aviation Maintenance Technicians – Death Benefits

FOR the purpose of defining the term “rescue squad member” as it relates to eligibility for certain death benefits and funeral expenses so as to include certain helicopter pilots and aviation maintenance technicians; and generally relating to death benefits for public safety employees killed in the performance of duties.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–202
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 896 – Senator Britt

AN ACT concerning

Creation of a State Debt – Prince George’s County – Colmar Manor Municipal Center

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,100,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Colmar Manor for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 897 – Senator Britt

AN ACT concerning

Creation of a State Debt – Prince George’s County – Safe Passage Emergency Shelter

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Family Crisis Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 898 – Senator Britt

AN ACT concerning

Maryland Commission for Autoimmune Disease Information and Research

FOR the purpose of creating the Maryland Commission for Autoimmune Disease Information and Research in the Department of Health and Mental Hygiene; providing for the membership of the Commission; providing for reimbursement for certain expenses of members of the Commission; providing that a commissioner who fails to attend a certain number of meetings during a certain time period is considered to have resigned; requiring the Commission to elect a chair and vice chair; authorizing the Commission to appoint certain officers; requiring the Secretary of Health and Mental Hygiene to designate certain staff; establishing the duties of the Commission; authorizing the Commission to accept certain funds under certain circumstances; requiring the Commission to submit a certain report to the Governor and the General Assembly on or before a certain date each year; establishing an Autoimmune Disease Information and Research Fund; providing for the administration, purpose, funding, and status of the Fund; specifying certain powers and duties of the Secretary; providing for the termination of this Act; and generally relating to the Maryland Commission for Autoimmune Disease Information and Research.

BY adding to

Article – Health – General

Section 13–2501 through 13–2509 to be under the new subtitle “Subtitle 25.
Maryland Commission for Autoimmune Disease Information and
Research”

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 7 – Senator Astle

A Senate Joint Resolution concerning

Financial Literacy Education for Students in Maryland Public Schools

FOR the purpose of urging county boards of education to integrate the principles of basic personal finance into the curriculum and instruction established for their local school system; urging county boards of education to implement certain standards as part of a student's eligibility to graduate from a public high school and receive a high school diploma; and generally relating to financial literacy education for students in Maryland public schools.

Read the first time and referred to the Committee on Rules.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #6

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

Senate Bill 61 – Senators Brochin, Forehand, and Stone

AN ACT concerning

Evidence – Separate Act of Sexual Misconduct Involving a Minor – Admissibility

Senator Frosh moved, duly seconded, to make the Bill and Report a Special Order for February 22, 2007.

The motion was adopted.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
Sarah Smith	The President and All Members	167

Alan W. Hammond	The President and All Members	205
Susan Adele Casler	The President and All Members	206
Andrea L. Jackson	The President and All Members	207
Michelle Lee Dressel	The President and All Members	208
Barbara Redgate	The President and All Members	209
Tamra Baurys	The President and All Members	210
Kenneth B. Fischer	The President and All Members	211
Gail Dillaway	The President and All Members	212
Lorraine Anders	The President and All Members	213
Mark Carl Sunkel	The President and All Members	214
Lisa M. Bender	The President and All Members	215
Susan Jones Healy	The President and All Members	216
Brooke Kuhl-McClelland	The President and All Members	217
Lisa Marie Orem	The President and All Members	218
Robert Dahlin	The President and All Members	219
Denise Dunn	The President and All Members	220
Honey Michele Voermann	The President and All Members	221
Andrew Todd	The President and All Members	222
Stephanie B. Flick	The President and All Members	223
Lisa Kline	The President and All Members	224
Nancy Souders	The President and All Members	225
Diana D. Churchman	The President and All Members	226

Michelle M. Hammond

The President and All
Members

227

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 201)

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #6

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 103 – The President (By Request – Administration) and Senator Frosh

AN ACT concerning

Maryland Clean Cars Act of 2007

(Amendment ID: SB0103/778371/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 103

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “and” and substitute “, in consultation with”; in line 4, after “Administration” insert a comma; strike beginning with “authorizing” in line 6 down through “years;” in line 7; in line 9, after “requirements;” insert “prohibiting the Department or any other State agency from adopting a regulation that requires the sale or use of certain gasoline;”; in the same line, after “authorizing” insert “and requiring”; in line 14, after “circumstances;” insert “authorizing the Department, in consultation with the Administration, to adopt regulations to exempt certain motor vehicles from the program; requiring the Administration to note exemptions for certain motor vehicles on the title of the motor vehicle;”; in line 15, after “provisions;” insert “requiring the Department to submit a certain report to the Administrative, Executive, and Legislative Review Committee on or before a certain date each year; establishing a Maryland Clean Car and Energy Policy Task Force; specifying the chair, membership, staffing, and duties of the Task Force; requiring the Task Force to make legislative recommendations; requiring the Task Force to provide a certain annual report to the Governor and the General Assembly;”; in line 16, after “extent;” insert “providing for the termination of certain provisions of this Act;”; and in line 20, strike “2-1106” and substitute “2-1108”.

AMENDMENT NO. 2

On page 2, in line 18, strike “CONJUNCTION” and substitute “CONSULTATION”.

On page 3, in line 23, strike “A” and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A”.

On page 4, in line 2, strike “SHALL” and substitute “MAY”; in the same line, after “NEW” insert “MOTOR VEHICLES OR”; strike beginning with “, IF” in line 4 down through “ACT” in line 5; in line 7, strike “MAY” and substitute “SHALL”; in line 18, strike “VEHICLES” and substitute “VEHICLE”; and in line 19, strike “OF” and substitute “ON”.

On page 6, in line 19, strike “and” and substitute “, in consultation with”; in line 19, after “Administration” insert a comma; and in line 20, strike “jointly”.

AMENDMENT NO. 3

On page 3, after line 5, insert:

“(D) THE DEPARTMENT OR ANY OTHER STATE AGENCY MAY NOT ADOPT A REGULATION UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF LAW THAT REQUIRES THE SALE OR USE OF CALIFORNIA REFORMULATED GASOLINE IN THE STATE.”

AMENDMENT NO. 4

On page 4, after line 27, insert:

“2-1107.

ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT, TO THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW COMMITTEE FOR THE COMMITTEE’S REVIEW, A LIST AND SUMMARY OF ALL CHANGES TO THE CALIFORNIA MOTOR VEHICLE EMISSIONS STANDARDS AND COMPLIANCE REQUIREMENTS PROPOSED OR ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD IN THE PRIOR 12 MONTHS.”

AMENDMENT NO. 5

On page 5, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment2-1108.

(A) THERE IS A MARYLAND CLEAN CAR AND ENERGY POLICY TASK FORCE.

(B) THE TASK FORCE SHALL BE COMPOSED OF:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE TO SERVE AS A COCHAIR;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE TO SERVE AS A COCHAIR;

(3) THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES, OR A DESIGNEE OF THE SECRETARY;

(4) THE SECRETARY OF THE DEPARTMENT OF THE ENVIRONMENT, OR A DESIGNEE OF THE SECRETARY;

(5) THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, OR A DESIGNEE OF THE SECRETARY;

(6) THE SECRETARY OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, OR A DESIGNEE OF THE SECRETARY;

(7) A REPRESENTATIVE OF THE MARYLAND ENERGY RESOURCE CENTER; AND

(8) A REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE.

(C) A MEMBER OF THE TASK FORCE MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK FORCE BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

(D) THE TASK FORCE SHALL MEET AT THE TIMES AND PLACES THAT THE COCHAIRS DETERMINE.

(E) THE TASK FORCE SHALL:

(1) STUDY:

(I) THE ACTIVITIES OF NEIGHBORING STATES, RELATING TO VEHICLE EMISSION STANDARDS;

(II) REGULATORY ACTIONS BY THE STATE OF CALIFORNIA AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY RELATED TO VEHICLE EMISSION STANDARDS; AND

(III) EMERGING ENERGY TECHNOLOGIES;

(2) REVIEW STATE ENERGY POLICIES AND CONSIDER PROPOSALS AND STRATEGIES TO DEVELOP ALTERNATIVE VEHICLE FUELS AND EFFICIENCY MEASURES THAT WOULD IMPROVE THE STATE’S AIR QUALITY;

(3) MAKE LEGISLATIVE RECOMMENDATIONS; AND

(4) PREPARE A REPORT SUMMARIZING THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE.

(F) THE TASK FORCE SHALL SUBMIT THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR.

(G) THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE STAFF TO THE TASK FORCE.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 6

On page 6, in line 18, strike “2.” and substitute “4.”; after line 21, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That in adopting regulations under Title 2, Subtitle 11 of the Environment Article, as enacted by Section 1 of this Act, the Department of the Environment, in consultation with the Motor Vehicle Administration, shall:

(a) Consult with all stakeholders, including representatives of the State’s automotive industry;

(b) Consider the implementation efforts of each state bordering the State that have adopted the California Low Emissions Vehicle Program; and

(c) Consider the needs of individuals with visual impairments.”;

in lines 22 and 25, strike “3.” and “4.”, respectively, and substitute “6.” and “7.”, respectively; and in line 26, after “2007.” insert “Section 2 of this Act shall remain effective for a period of 3 years and 7 months and, at the end of December 31, 2010, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 6 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 157 – Senators Kelley, Conway, Exum, Frosh, Hooper, Jacobs, Jones, Muse, Pugh, Raskin, and Stone

AN ACT concerning

Public Safety – Eyewitness Identification – Written Policies

(Amendment ID: SB0157/658670/1)

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 157

(First Reading File Bill)

On page 1, in the sponsor line, strike “Jacobs,”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #5

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 39 – Senator Pipkin

AN ACT concerning

Maryland Port Administration – Transfer to Department of Business and Economic Development

(Amendment ID: SB0039/337675/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 39

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Transfer” in line 2 down through “Development” in line 3 and substitute “Strategic Plan and Membership”; strike beginning with “transferring” in line 4 down through “changes;” in line 21 and substitute “requiring the Maryland Economic Development Commission to incorporate the Maryland Port Administration strategic plan when developing a strategic plan for economic development; increasing the membership of the Maryland Port Commission to include the Secretary of Business and Economic Development as a nonvoting ex officio member; clarifying language;”; and after line 22, insert:

“BY repealing and reenacting, without amendments,

Article 83A – Department of Business and Economic Development

Section 1–201 and 1–202(a) and (b)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 83A – Department of Business and Economic Development

Section 1–202(c)

Annotated Code of Maryland

(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 6–201(a) and (b)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 6–201(c) and (f)

Annotated Code of Maryland

(2001 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 23 and 24 and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 83A – Department of Business and Economic Development

1–201.

There is a Maryland Economic Development Commission in the Department of Business and Economic Development.

1–202.

(a) The Commission shall have the general purpose of establishing economic development policy in the State and overseeing the Department’s efforts to attract, retain, and support the creation of businesses and jobs.

(b) The Commission shall:

(1) Develop and update a strategic plan for economic development in the State;

(2) Recommend to the Governor program and spending priorities necessary to implement the strategic plan;

(3) Approve Department regulations pertaining to financing programs prior to their adoption;

(4) Review the allocation of financing incentives;

(5) Participate in marketing the State and encouraging new businesses to locate in Maryland;

(6) Raise private sector contributions and funds to supplement economic development programs and financial incentives to business;

(7) Carry out any other economic development activities at the request of the Governor; and

(8) Exercise those powers granted to the Commission by this title or any other provision of law.

(c) In developing a strategic plan for economic development, the Commission shall [seek]:

(1) SEEK ideas and advice from each region of the State; AND

(2) INCORPORATE THE MARYLAND PORT ADMINISTRATION STRATEGIC PLAN DEVELOPED FOR THE HELEN DELICH BENTLEY PORT OF BALTIMORE.

Article – Transportation

6–201.

(a) There is a Maryland Port Commission.

(b) The Commission shall:

(1) Establish policies directed toward improving the competitive position of the ports of Maryland within the international port industry;

(2) Adopt regulations for the operation of the Administration in a competitive manner within the port industry;

(3) Exercise those powers granted to the Commission and to the Maryland Port Administration by this title or by any other provision of law;

(4) Unless otherwise directed by the Secretary, serve as the board of directors of any private operating company created under this title; and

(5) In carrying out the provisions of this subtitle, seek information and advice from port labor and management groups.

(c) (1) The Commission shall consist of 7 VOTING members, 6 of whom shall be appointed by the Governor with the advice and consent of the Senate and the 7th shall be the Secretary of Transportation who shall be the Chairman of the Commission.

(2) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT SHALL SERVE AS A NONVOTING EX OFFICIO COMMISSION MEMBER.

(f) The Commission shall meet at a time and place designated by the Chairman of the Commission. The Commission shall meet as often as its duties require, but not less than quarterly. Attendance by 4 VOTING members shall constitute a quorum.”.

On pages 2 through 15, strike in their entirety the lines beginning with line 1 on page 2 through line 7 on page 15, inclusive.

On page 15, in line 8, strike “13.” and substitute “2.”.

The preceding amendment was read only.

Senator Conway moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 104 – The President (By Request – Administration) and Senators Garagiola, Gladden, Hogan, Miller, and Rosapepe

AN ACT concerning

Maryland Life Sciences Advisory Board

(Amendment ID: SB0104/847375/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 104
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in lines 12 and 13, strike “, ONE” and substitute “;”

(I) ONE”;

in line 13, after “**SECRETARY**” insert “; **AND**”

(II) ONE OF WHOM SHALL BE A REPRESENTATIVE OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, DESIGNATED BY THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION;

in line 16, strike “14” and substitute “**13**”; in line 20, after “BUSINESSES” insert “**LOCATED IN THE STATE**”; in line 21, strike “COLLEGES OR UNIVERSITIES” and substitute “**INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THE STATE, ONE OF WHICH SHALL REPRESENT A COMMUNITY COLLEGE**”; in the same line, strike “AND”; in line 22, strike “THREE” and substitute “**ONE SHALL HAVE GENERAL BUSINESS MARKETING EXPERIENCE IN A LIFE SCIENCES BUSINESS LOCATED IN THE STATE; AND**”

(5) ONE;

in the same line, strike “MEMBERS” and substitute “**A MEMBER**”; and in line 23, after “(D)”, insert “**THE COMPOSITION OF THE ADVISORY BOARD SHALL REFLECT THE RACE AND GENDER DIVERSITY OF THE POPULATION OF THE STATE.**”

(E)’.

AMENDMENT NO. 2

On page 3, in lines 1, 8, 11, 13, and 15, strike “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “**(F)**”, “**(G)**”, “**(H)**”, “**(I)**”, and “**(J)**”, respectively; in line 22, after “(4)” insert “**PROMOTING COLLABORATION AND COORDINATION AMONG RESEARCH INSTITUTIONS OF HIGHER EDUCATION IN THE STATE;**”

(5)’;

and in line 25, strike “(5)” and substitute “**(6)**”.

On page 4, in line 1, strike “(6)” and substitute “**(7)**”; and after line 3, insert:

“(K) IN PERFORMING ITS DUTIES, THE ADVISORY BOARD SHALL GIVE DUE CONSIDERATION TO THE BUSINESS, SCIENTIFIC, MEDICAL, AND ETHICAL ASPECTS OF THE LIFE SCIENCES INDUSTRY.”

The preceding 2 amendments were read only.

Senator Harris moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 262 – Senators Klausmeier and Della

AN ACT concerning

Consent Provisions – Minors – Mental or Emotional Disorder

(Amendment ID: SB0262/587773/1)

BY: Finance Committee

AMENDMENT TO SENATE BILL 262
(First Reading File Bill)

On page 2, in line 9, after “(b)” insert “**(1)**”; in the same line, strike “Without” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, WITHOUT**”; and after line 14, insert:

“(2) IF A PSYCHOLOGIST IS ON A TREATMENT TEAM FOR A MINOR THAT IS HEADED BY A PHYSICIAN, THE PHYSICIAN HEADING THE TREATMENT TEAM SHALL DECIDE WHETHER A PARENT, GUARDIAN, OR CUSTODIAN OF THE MINOR OR THE SPOUSE OF THE PARENT SHOULD RECEIVE INFORMATION ABOUT TREATMENT NEEDED BY THE MINOR OR PROVIDED TO THE MINOR UNDER THIS SECTION.”

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 263 – Senators Klausmeier, Astle, Exum, and Pinsky

AN ACT concerning

Health Insurance – Carrier Provider Panels – Nonphysician Specialists

(Amendment ID: SB0263/677772/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 263
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “term;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 17, after “TREAT” insert “OR PROVIDE HEALTH CARE SERVICES FOR”; and in line 18, after “DISEASE” insert “IN A MANNER THAT IS WITHIN THE SCOPE OF THE LICENSE OR CERTIFICATION OF THE HEALTH CARE PROVIDER”.

On page 4, in line 16, after “specialized” insert “HEALTH CARE SERVICES OR”; in line 19, after “treat” insert “OR PROVIDE HEALTH CARE SERVICES FOR”; in line 22, after “treat” insert “OR PROVIDE HEALTH CARE SERVICES FOR”; and in line 27, after “treatment” insert “OR HEALTH CARE SERVICES”.

AMENDMENT NO. 3

On page 5, after line 2, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or after October 1, 2007.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 367 – Senators Astle, Edwards, Garagiola, Kelley, Kittleman, Klausmeier, Middleton, and Pugh

AN ACT concerning

Credit Regulation – Debt Management Services

Senator Mooney moved, duly seconded, to make the Bill and Report a Special Order for February 22, 2007.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 399 – Senators Pipkin, Astle, Della, and Middleton

AN ACT concerning

Business Regulation – State Amusement Ride Safety Advisory Board

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 202)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #11

Senate Bill 371 – Senators Muse, Frosh, Pugh, and Rosapepe

AN ACT concerning

Interstate Compact for Juveniles

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 203)

The Bill was then sent to the House of Delegates.

Senate Bill 495 – Senators Stone, Astle, Brochin, DeGrange, Della, Dyson, Forehand, Gladden, Haines, Harris, Hogan, Jacobs, Klausmeier, Madaleno, Middleton, Muse, Raskin, and Simonaire

AN ACT concerning

Education – Nonpublic Schools – Notification of School Administration of Enrollee with Criminal Record

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 204)

The Bill was then sent to the House of Delegates.

QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 205)

ADJOURNMENT

At 11:19 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 22, 2007.

Annapolis, Maryland
Thursday, February 22, 2007
10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Doctor Wilmer Frazier, Saint John African Methodist Episcopal Zion Church, guest of Senator Greenip.

(For Prayer see Exhibit A of Appendix III)

The Journal of February 21, 2007 was read and approved.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 207)

INTRODUCTION OF BILLS

Senate Bill 899 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Tudor Hall

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the St. Mary’s County Historical Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 900 – Senator Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – Duvall Field Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the College Park Boys and Girls Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 901 – Senators Conway, Frosh, and Pinsky

AN ACT concerning

Chesapeake Bay Green Fund

FOR the purpose of establishing a Chesapeake Bay Green Fund beginning on a certain date; providing for the uses of the Fund; requiring a person to provide certain information to a local government under certain circumstances; prohibiting a local government from granting certain permits until a person pays a certain fee; establishing an Impervious Surface Fee, beginning on a certain date, for certain development inside or outside priority funding areas; authorizing the Fee to be reduced under certain circumstances; exempting certain government-sponsored projects from being subject to the Fee; requiring certain government-sponsored projects to meet certain mitigation requirements; requiring local governments to compile and submit certain information to a certain committee; providing for the administration, collection, and enforcement of the Fee; requiring the Comptroller to deposit the Fee in the Fund; authorizing the State Central Collection Unit to collect certain delinquent accounts under certain circumstances; requiring the Comptroller to adopt certain regulations by a certain date; prohibiting money in the Fund from reverting or being transferred to the General Fund; requiring that any unspent funds remain in the Fund; requiring the Comptroller to distribute the Fund to certain units of State government and the Chesapeake Bay Trust for certain purposes; authorizing units of State government and the Trust that receive certain allocations from the Fund to utilize a certain amount for certain administrative purposes; establishing a Chesapeake Bay Green Fund Oversight and Accountability Committee; providing for the membership and terms of the Committee; specifying the terms of the initial members of the Committee; requiring units of State government and the Trust to provide certain

information to the Committee annually on or before a certain date; requiring the Committee to meet a certain minimum number of times a year; requiring the Committee to establish and review certain performance benchmarks; requiring the Committee to monitor certain financial and accountability measures; requiring the Committee to submit certain reports annually on or before a certain date; requiring the Committee to make and submit a certain report every 3 years; requiring the Department of Natural Resources to provide staff for the Committee; requiring the Department of the Environment, in consultation with the Department of Natural Resources and the Department of Planning, to adopt certain regulations by a certain date; defining certain terms; and generally relating to a dedicated funding source for Chesapeake Bay restoration.

BY adding to

Article – Natural Resources

Section 8–2201 through 8–2205 to be under the new subtitle “Subtitle 22. Chesapeake Bay Green Fund”

Annotated Code of Maryland

(2000 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 902 – Senator Middleton

AN ACT concerning

Public Health – Mercury–Free Vaccines – Requirements

FOR the purpose of requiring certain individuals to be vaccinated with certain vaccines containing certain amounts of mercury on or after a certain date unless certain vaccines are not readily available or appropriate; and generally relating to requirements for mercury–free vaccines.

BY adding to

Article – Health – General

Section 18–110

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 903 – Senator Currie

AN ACT concerning

Creation of a State Debt – Capital Area Food Bank

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Capital Area Food Bank, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 904 – Senator Dyson

AN ACT concerning

Consumer Protection – Personal Information Protection Act

FOR the purpose of requiring a certain business to destroy or arrange for the destruction of records that contain certain personal information in a certain manner; requiring a certain business that compiles, maintains, or makes available certain personal information of an individual residing in the State to implement and maintain certain security procedures and practices; requiring certain businesses that compile, maintain, or make available certain records that include certain personal information of an individual residing in the State to notify certain individuals of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; authorizing notification to be given in a certain manner; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that certain provisions of this Act do not relieve a certain business from a duty to comply with certain other requirements of federal, State, or local law; providing that compliance with a federal or State law is deemed compliance with this Act with regard to the subject matter of that law under certain circumstances; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; establishing a private right of action for an individual affected by a violation of this Act; defining certain terms; and generally relating to the protection of personal information owned or leased by businesses or included in records compiled, maintained, or made available by businesses.

BY adding to

Article – Commercial Law

Section 14–3501 through 14–3506 to be under the new subtitle “Subtitle 35. Maryland Personal Information Protection Act”

Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 905 – Carroll County Senators

AN ACT concerning

Carroll County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$80,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency-related equipment, buildings, and other facilities of volunteer fire departments in the County, to finance the payment of contributions to the Carroll County Pension Plan, to finance the payment of contributions to other postemployment benefits provided by the County, to finance the payment of contributions to the length of service program for members of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

Read the first time and referred to the Committee on Rules.

Senate Bill 906 – Senators Brinkley and Mooney

AN ACT concerning

Creation of a State Debt – Frederick County – Harry Grove Stadium Renovation

FOR the purpose of authorizing the creation of a State Debt not to exceed \$2,000,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

Senate Bill 907 – Senators Currie, Hogan, and McFadden

AN ACT concerning

Budget Accountability – Master Plans – Submission

FOR the purpose of requiring county boards of education to submit comprehensive master plans to the State Department of Education on or before a certain date and at a certain time thereafter; clarifying that comprehensive master plans extend for a certain period of time; and generally relating to the submission of comprehensive master plans by county boards of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–401
Annotated Code of Maryland
(2006 Replacement Volume)

Read the first time and referred to the Committee on Rules.

Senate Bill 908 – Senator Astle

AN ACT concerning

Anne Arundel County – Tax on Short–Term Automobile Rentals

FOR the purpose of authorizing Anne Arundel County to impose a sales and use tax on certain rentals of automobiles under certain circumstances; providing that the tax does not apply to the rental of certain replacement vehicles under certain circumstances; defining a certain term; and generally relating to authorization for Anne Arundel County to impose a sales and use tax on certain rentals of

automobiles under certain circumstances.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–602
Annotated Code of Maryland
(2005 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 11–102(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2006 Supplement)

Read the first time and referred to the Committee on Rules.

Senate Bill 909 – Senators Garagiola, Astle, Brinkley, Conway, Currie, Forehand, Frosh, Hogan, Kittleman, McFadden, Middleton, Miller, and Peters

AN ACT concerning

Creation of a State Debt – Pentagon Memorial

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Pentagon Memorial Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

INTRODUCTION OF JOINT RESOLUTIONS

Senate Joint Resolution 8 – Senators Klausmeier, Astle, Brochin, Dyson, and Middleton

A Senate Joint Resolution concerning

Federal Legislation Regarding Medicare Part D

FOR the purpose of urging the Maryland Congressional Delegation and the President of the United States to enact legislation to simplify premiums, deductibles, copayments, and formularies in plans made available to Medicare beneficiaries, to

eliminate the coverage gap in the Medicare Part D prescription drug benefit, and to repeal the parts of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 that prevent the Secretary of Health and Human Services from negotiating lower drug prices with pharmaceutical companies on behalf of Medicare beneficiaries; and generally relating to federal legislation regarding Medicare Part D.

Read the first time and referred to the Committee on Rules.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS #4

House Bill 13 – Delegate Elmore

AN ACT concerning

Somerset County – County Commissioners and Members of the County Roads Board – Salaries

FOR the purpose of increasing the salaries of the County Commissioners for Somerset County and the members of the County Roads Board of Somerset County; establishing a salary for the President of the County Commissioners for Somerset County and the President of the County Roads Board; providing that this Act does not apply to the salary or compensation of the incumbent County Commissioners, President of the County Commissioners, members of the County Roads Board, or President of the County Roads Board; and generally relating to the salaries of the County Commissioners for Somerset County, the President of the County Commissioners for Somerset County, members of the County Roads Board of Somerset County, and the President of the County Roads Board of Somerset County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Somerset County
Section 2–101 and 9–104(a)
Article 20 – Public Local Laws of Maryland
(2003 Edition and 2006 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

House Bill 131 – ~~The Speaker (By Request – Administration) and Delegates Bobo, Delegate Bobo and the Speaker (By Request – Administration) and Delegates~~ Busch, V. Claggett, Feldman, Frush, Gaines, Haynes, Heller, Lawton, Lee, Malone, McIntosh, Niemann, Taylor, ~~and F. Turner~~ F. Turner, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Benson, Branch, Bronrott, Cane, Cardin, Davis, Gilchrist, Glenn, Gutierrez, Guzzone, Hammen, Harrison, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lafferty, Levi, Love, Manno, Mizeur, Montgomery, Morhaim, Olszewski, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Rice, Rosenberg, Ross, Schuh, Schuler, Simmons, Stein, Stukes, Tarrant, Valderrama, Waldstreicher, and Walker

AN ACT concerning

Maryland Clean Cars Act of 2007

FOR the purpose of requiring the Department of the Environment ~~and the~~, in consultation with the Motor Vehicle Administration, to establish by regulation and maintain a certain low emissions vehicle program applicable to certain vehicles by a certain date; authorizing a modification concerning the applicability of the program to vehicles of certain model years; requiring ~~the Administration and~~ the Department to establish certain motor vehicle emissions standards and certain compliance requirements; prohibiting the Department or any other State Agency from adopting a regulation that requires the sale or use of certain gasoline; authorizing the adoption of certain regulations; authorizing the Department to work with certain jurisdictions for certain purposes; prohibiting the Administration from titling, registering, or transferring the registration of certain vehicles under certain circumstances; exempting a certain zero-emission vehicle from certain emissions testing and inspection requirements; extending the termination of a certain exemption for qualified hybrid vehicles from certain emissions testing and inspection requirements; requiring the Administration and the Secretary to adopt certain regulations; providing that a qualified hybrid vehicle is not required to submit to a certain exhaust emissions test and emissions equipment and misfueling inspection until a certain time after the vehicle was first registered in the State; ~~prohibiting~~ authorizing the Department, in consultation with the Administration, to prohibit certain acts related to certain vehicles or vehicle engines under certain circumstances; providing for the application of certain enforcement and penalty provisions; requiring the Department to submit a certain report to the Administrative, Executive, and Legislative Review Committee on or before a certain date each year; defining certain terms; requiring the Department, in consultation with the Administration, to consult with certain stakeholders and consider the needs of certain individuals in adopting regulations under this Act; specifying that certain provisions of federal law apply to a certain extent; requiring the Department to enter into a certain contract to conduct a certain study; requiring the Department to submit a certain report on or before a certain date; providing for

the effective date of certain provisions of this Act; and generally relating to the establishment of a low emissions vehicle program.

BY adding to

Article – Environment

Section 2–1101 through ~~2–1106~~ 2–1107 to be under the new subtitle “Subtitle 11.
Low Emissions Vehicle Program”

Annotated Code of Maryland

(1996 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–110 ~~and 13–406~~, 13–406, and 23–202(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 23–206.3

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY adding to

Article – Transportation

Section 23–206.4

Annotated Code of Maryland

(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Chapter 273 of the Acts of the General Assembly of 2003, as amended by Chapter
370 of the Acts of the General Assembly of 2005

Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III – Full Text of 2007 Resolutions)

Recipient	Sponsor	Resolution No.
The Maryland Chapters of Delta Sigma Theta Sorority, Inc.	Senator Pugh	295

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 208)

Recipient	Sponsor	Resolution No.
The Students of Towson University	Senators Brochin and Klausmeier	163

Read and adopted by a roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 209)

Recipient	Sponsor	Resolution No.
Cal Ripken, Jr.	The President and All Members	287

Read and adopted.

Recipient	Sponsor	Resolution No.
The Friendly High School Patriots	Senator Muse	306

Read and adopted by a roll call vote as follows:

Affirmative – 35 Negative – 0 (See Roll Call No. 210)

THE COMMITTEE ON RULES REPORT #3

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 759 – Senators Dyson, Conway, and Gladden

AN ACT concerning

State Board of Pharmacy – Wholesale Drug Distribution – Permit Requirements

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 760 – Senator Middleton

AN ACT concerning

Telephone Companies – Competitive Services – Tariffs – Exception

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 761 – Senators Hooper, Astle, Colburn, Greenip, Harris, Jacobs, Kittleman, and Mooney

AN ACT concerning

Crimes – Self-Defense – No Duty to Retreat or Seek Safety by Escape

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 762 – Senators Hooper, Astle, Colburn, Greenip, Harris, Jacobs, Mooney, and Stone

AN ACT concerning

Public Safety – Handgun Permits – Repeal of Finding Requirement

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 763 – Senators Hooper, Colburn, Greenip, Hogan, Jacobs, and Kittleman

AN ACT concerning

Drugged Driving – Test – Police Officers

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 764 – Senator Dyson

AN ACT concerning

Higher Education – St. Mary’s College of Maryland – Procurement Authority

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 765 – Senator Exum**EMERGENCY BILL**

AN ACT concerning

Insurance – Notice – Premiums

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 767 – Senator Kasemeyer

AN ACT concerning

Family Law – Foster Care – Payment Rates

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 768 – Senator Currie

AN ACT concerning

**Creation of a State Debt – Prince George’s County – White Rose Foundation
Service Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 769 – Senator Colburn

AN ACT concerning

Creation of a State Debt – Caroline County – The Benedictine School

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 770 – Senator Colburn

AN ACT concerning

Milk Products – Farmstead Cheese Production – Pilot Study

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 771 – Senators Stone, Della, Frosh, McFadden, and Pinsky

AN ACT concerning

Motor Vehicle Excise Tax Credit – Electric and Hybrid Vehicles

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 772 – Senators Britt, Currie, Muse, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – State's Attorney's Office – Composition and Salaries

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 773 – Senators Britt, Raskin, and Rosapepe

AN ACT concerning

Creation of a State Debt – Prince George’s County – CASA Multi-Cultural Service Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 774 – Senators Britt, Currie, Exum, Forehand, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Pugh, Raskin, Robey, and Zirkin

AN ACT concerning

Task Force on the HPV Vaccine

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 775 – Senator Pipkin

AN ACT concerning

Queen Anne’s County – State’s Attorney – Salary

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 776 – Senator Mooney

AN ACT concerning

Income Tax – Credit for Hybrid and Electric Vehicles

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 777 – Senator Stoltzfus

AN ACT concerning

Delmarva Advisory Council – Repeal

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 778 – Senator Pugh

AN ACT concerning

Job Skills Advancement Training Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 779 – Senator Pugh (By Request)

AN ACT concerning

Crimes – Victim and Witness Intimidation

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 780 – Senators Currie, DeGrange, Hogan, Kasemeyer, and Kramer

AN ACT concerning

Postretirement Health Benefits Trust Fund – Clarification

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 781 – Senator Conway

AN ACT concerning

State Board of Morticians – Sunset Extension and Program Evaluation

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 782 – Senators Conway, Jones, McFadden, and Pugh

AN ACT concerning

**Baltimore City Board of School Commissioners – Partially Elected Board
– Straw Ballot**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 783 – Senator Pipkin

AN ACT concerning

Creation of a State Debt – Queen Anne’s County – Chesterwye Center Addition

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 784 – Senators Rosapepe, Britt, and Pinsky

AN ACT concerning

Stormwater Management Act of 2007

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 785 – Senators Harris, Colburn, Hooper, Jacobs, Mooney, and Munson

AN ACT concerning

Higher Education – Tuition – Textbooks

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 786 – Senators Harris, Rosapepe, and Zirkin

AN ACT concerning

Election Law – Absentee Ballots – Mailing Deadlines

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 787 – Senator Harris

AN ACT concerning

Stem Cell Research Commission – Subject to the State Open Meetings Law

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 788 – Senator Astle

AN ACT concerning

Maryland Automobile Insurance Fund – Payment of Fees for Motor Vehicle Records – Required

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 789 – Senator Astle

AN ACT concerning

Maryland Automobile Insurance Fund – Authority of Commissioner to Impose Penalties and Restitution

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 790 – Senator Astle

AN ACT concerning

Homeowner's Insurance – Insurance Producers – Notice of Coverage for Flood Loss – Statement of Additional Optional Coverage

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 791 – Senator Middleton

AN ACT concerning

Mental Health – Incarcerated Individuals with Mental Illness

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 792 – Senator Kelley

AN ACT concerning

Child Welfare – Reports of Children at Risk of Abuse or Neglect

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 793 – Senators Mooney, Edwards, and Munson

AN ACT concerning

Crimes – Abduction of Children – Public Places

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 794 – Senator Edwards

AN ACT concerning

Creation of a State Debt – Western Maryland Health System

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 795 – Senator Middleton

AN ACT concerning

Health Care Expansion Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 796 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – Mount Harmon Plantation Education and Discovery Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 797 – Senators Stone and Gladden

AN ACT concerning

Business Regulation – Pet Cemeteries

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 798 – Senator Stone (By Request – Baltimore County Administration)

AN ACT concerning

Baltimore County – Alcoholic Beverages – Transfer of Class D License for Marina

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 799 – Senator Forehand

AN ACT concerning

REAL ID Act of 2005 – Implementation by Regulation or Policy – Prohibition

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 800 – Senator Jacobs

AN ACT concerning

**Drunk and Drugged Driving – Refusal to Take a Blood or Breath
Test – Prohibition**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 801 – Senator Pugh

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Baltimore City – Baltimore
Museum of Art**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 802 – Senator Pugh

AN ACT concerning

Released Inmates – Identification Card Pilot Program

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 803 – Senator Exum

AN ACT concerning

Creation of a State Debt – Prince George’s County – Palmer Park Boys and Girls Club

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 804 – Senators Edwards, Munson, and Stoltzfus

AN ACT concerning

Department of Health and Mental Hygiene – Respite Bed Study – Extension

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 805 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Mission of Love

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 806 – Senator McFadden

AN ACT concerning

Baltimore City – Alcoholic Beverages Act of 2007

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 807 – Senator Dyson

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Property Protection Act of 2007

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 808 – Senator Dyson

AN ACT concerning

Legal Research Committee for the Chesapeake Ranch Estates Homeowners Association

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 809 – Senators Rosapepe, Britt, Brochin, Colburn, Conway, Currie, DeGrange, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Jones, Kelley, Klausmeier, Kramer, Madaleno, McFadden, Middleton, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin

AN ACT concerning

Tuition Cap and College Opportunity Act of 2007

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 810 – Senator Astle

AN ACT concerning

Public Service Commission – Authorization of Stock and Debt Transactions

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 811 – Senators Colburn and Pipkin

AN ACT concerning

Bay Restoration Fund – Statewide Demonstration Projects

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 812 – Senators Colburn and Pipkin

AN ACT concerning

Bay Restoration Fund – Eastern Shore Demonstration Projects

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 813 – Senator Colburn

AN ACT concerning

Dorchester County – Appointment of Members of Fire Companies as Deputy Sheriffs

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 814 – Senator Colburn

AN ACT concerning

Wicomico County – Liquor Control Board – Salaries

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 815 – Senator Rosapepe

AN ACT concerning

Anne Arundel County – Route 198 – Sunday Car Sales

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 816 – Senator Middleton

AN ACT concerning

Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 817 – Senator Della

AN ACT concerning

Thoroughbred Racing – Restrictions on Night and Sunday Racing – Repeal

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 818 – Senators Munson, Mooney, and Edwards

AN ACT concerning

Creation of a State Debt – Washington County – C & O Canal National Historical Park

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 819 – Senator Britt

AN ACT concerning

HIV and AIDS – Consent for Testing and Guidelines

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 820 – Senator Britt

AN ACT concerning

Prince George's County Board of Education – Repeal of Requirement for a Comprehensive Review

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 822 – Senator Britt

AN ACT concerning

Natural Resources – Steel Jawed Leghold Traps – Prohibition

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 823 – Senators Britt, Forehand, Madaleno, Muse, Pugh, and Raskin

AN ACT concerning

Task Force to Promote Nonviolent and Peaceful Ways to Resolve Conflict

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 824 – Senator Middleton

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 825 – Senator Pipkin

AN ACT concerning

Queen Anne's County – Orphans' Court Judges – Powers

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 826 – Cecil County Senators

AN ACT concerning

Creation of a State Debt – Cecil County – Stone House

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 827 – Senator McFadden

AN ACT concerning

Baltimore City – Property Tax Credit – Inclusionary Housing

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 828 – Senator McFadden

AN ACT concerning

Healthy Families and Healthy Workplaces Act

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 829 – Senator Colburn

AN ACT concerning

Renewable Fuels – Production Credits – British Thermal Units

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 830 – Senator Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals
Inter-Generational Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 831 – Senator Raskin

AN ACT concerning

**Creation of a State Debt – Montgomery County – Metropolitan Washington Ear
Facility**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 832 – Senator Stoltzfus

AN ACT concerning

**Creation of a State Debt – Somerset County – Teackle Mansion Restoration and
Expansion**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 833 – Senator Stoltzfus

AN ACT concerning

**Worcester County – Fire and Explosive
Investigators – Authority**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 834 – Senator Rosapepe

AN ACT concerning

Education – Educational Excellence Awards – Eligibility Determination

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 835 – Senators Muse, Gladden, Haines, Jacobs, Raskin, and Stone

AN ACT concerning

Judgments – Appeals – Supersedeas Bond

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 836 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – Shelter for Women and Children

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 837 – Senator Gladden

AN ACT concerning

Hospitals and Nursing Facilities – Health Care–Associated Infections Prevention and Control Program

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 838 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – ConneXions Community Leadership Academy

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 839 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Ernest Everett Just Monument

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 840 – Senator Currie

AN ACT concerning

Creation of a State Debt – Prince George’s County – Fraternal Order of Police Fallen Hero Memorial

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 841 – Carroll County Senators

AN ACT concerning

Carroll County – Education – Organization of Teachers and Other Personnel

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 842 – Carroll County Senators

AN ACT concerning

Property Tax Credit – Carroll County – Gateway Renovation

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 843 – Carroll County Senators

AN ACT concerning

Creation of a State Debt – Carroll County – Danele Shipley Memorial Arena

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 844 – Carroll County Senators

AN ACT concerning

Carroll County – Regulation of Pawnbrokers and Secondhand Precious Metal Object Dealers

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 845 – Carroll County Senators

EMERGENCY BILL

AN ACT concerning

Carroll County – Alcoholic Beverages – Quota for Class A Licenses

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 846 – Senators Hooper, Colburn, and Jacobs

AN ACT concerning

Real Property – Mechanics' Liens – Altering Scope and Percentage

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Judicial Proceedings:

Senate Bill 847 – Senators Hooper, Colburn, Gladden, Harris, Jacobs, and Raskin

AN ACT concerning

Vehicle Laws – Driver's License Renewals – Inmates

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 848 – Senators Astle, Brinkley, Conway, DeGrange, Dyson, Edwards, Haines, Hooper, Jacobs, Klausmeier, Miller, Munson, Pipkin, Simonaire, and Stoltzfus

AN ACT concerning

Creation of a State Debt – Maryland Artificial Reef Initiative

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 849 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – SMARTCO’s Computer Technology Learning Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 850 – Senator Dyson

AN ACT concerning

Creation of a State Debt – St. Mary’s County – St. Mary’s Agriculture Service Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

Senate Bill 851 – Senators Lenett, Colburn, Dyson, Klausmeier, Madaleno, and Middleton

AN ACT concerning

Physicians – Unauthorized Practice of Medicine – Penalty

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 852 – Senators Hooper, Colburn, Gladden, Harris, Jacobs, and Klausmeier

AN ACT concerning

Income Tax – Credit for Motorized Shopping Carts

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 853 – Senators Pipkin, Della, and Rosapepe

AN ACT concerning

Maryland Energy Independence Act of 2007

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Finance:

Senate Bill 854 – Senators Muse, Britt, Currie, Peters, Pinsky, and Rosapepe

AN ACT concerning

Prince George's County – Revenue Authority

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 855 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Howard “Pete” Rawlings Hearing and Speech Facility

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 856 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Lyndhurst Recreational Center

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 857 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Knowledge Is Power Program Academy

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules recommended the following Bill be re-referred to the Committee on Budget and Taxation:

Senate Bill 858 – Senator Gladden

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Clayworks

The bill was re-referred to the Committee on Budget and Taxation.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 64 – Senator Middleton

AN ACT concerning

Young Farmers Advisory Board – Termination Date – Repeal

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 128 – Senators Raskin, Britt, Della, Forehand, Garagiola, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Robey, Rosapepe, Simonaire, and Zirkin

AN ACT concerning

Education – Public Schools – Constitution Day and Citizenship Day and Civic Responsibility for Students

(Amendment ID: SB0128/894733/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 128
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, and Harris”; in line 5, strike “requiring” and substitute “authorizing”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, strike “and” and substitute a comma; and in line 9, after “vote” insert “, and efforts to reinforce certain curricula”.

AMENDMENT NO. 2

On page 2, in line 14, strike “SHALL” and substitute “MAY”; in line 19, strike “SHALL” and substitute “MAY”; in line 22, strike “AND”; and in line 24, after “VOTE” insert “; AND”

(III) EFFORTS TO REINFORCE EXISTING CURRICULA”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 147 – Chair, Anne Arundel County Senators

AN ACT concerning

**Housing and Community Development – Radium Pilot Grant Program – Sunset
Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 174 – Senator Edwards

AN ACT concerning

Environment – Mining – Security

(Amendment ID: SB0174/604736/1)

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 174
(First Reading File Bill)

On page 2, strike beginning with “AUTHORIZED” in line 24 down through “STATE” in line 25 and substitute “PHYSICALLY LOCATED IN THE STATE OR THAT OTHERWISE SUBJECTS ITSELF TO THE JURISDICTION OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND”; and in lines 27 and 32, in each instance, strike “AUTHORIZED TO DO BUSINESS in the State” and substitute “PHYSICALLY LOCATED IN THE STATE OR THAT OTHERWISE SUBJECTS ITSELF TO THE JURISDICTION OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND”.

On page 3, in line 27, strike “AUTHORIZED TO DO BUSINESS IN THE STATE” and substitute “THAT IS PHYSICALLY LOCATED IN THE STATE OR THAT OTHERWISE SUBJECTS ITSELF TO THE JURISDICTION OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND”.

On page 4, in lines 19 and 23, in each instance, strike “AUTHORIZED TO DO BUSINESS IN the State” and substitute “PHYSICALLY LOCATED IN THE STATE OR THAT OTHERWISE SUBJECTS ITSELF TO THE JURISDICTION OF THE U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #6

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 52 – Senators Forehand, Frosh, Britt, and Della

AN ACT concerning

Consumer Protection – Consumer Reporting Agencies – Consumer Reports – Security Freezes

(Amendment ID: SB0052/857771/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 52

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4 and 5, strike “all or part of”; in line 7, after “of” insert “business”; in line 9, after “report;” insert “establishing an exception for a certain consumer reporting agency to the requirement to place a security freeze on a consumer report;”; in line 11, strike “provide” and substitute “release a consumer’s consumer report or”; in the same line, after “information” insert “contained”; in the same line, after “in” insert “, or derived from,”; strike beginning with “requiring” in line 12 down through “circumstances;” in line 14; in line 17, after “of” insert “business”; in the same line, after “consumer;” insert “requiring a consumer reporting agency to temporarily lift a security freeze within a certain number of minutes after receiving a request from a consumer after a certain date and under certain circumstances;”; in line 20, after “freeze” insert “except for certain reasonable fees for placing, temporarily lifting, or removing a security freeze”; in the same line, after “exception” insert “that prohibits the charging of fees by a consumer reporting agency to a consumer who presents a certain police report to the consumer reporting agency”; strike beginning with “authorizing” in line 22 down through “penalties;” in line 23 and substitute “providing that the exclusive remedy for a violation of a certain provision of this Act shall be to file a certain complaint with the Commissioner of Financial Regulation;”; and strike beginning with “making” in line 24 down through “change;” in line 25.

On page 2, strike lines 1 through 5, inclusive; and in line 8, strike “14-1202.1” and substitute “14-1212.1”.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with line 14 on page 2 down through line 7 on page 3 and substitute “14-1212.1”.

On page 3, in line 15, strike “ALL OR ANY PART OF”; in line 16, after “INFORMATION” insert “CONTAINED IN, OR”; in the same line, after “FROM” insert a comma; in line 19, after “(B)” insert “(I)”; and in lines 21 and 26, strike “(1)” and “(2)”, respectively, and substitute “(I)” and “(II)”, respectively.

On page 4, in lines 1, 3, 6, 9, 12, 14, 17, 19, 21, and 23, strike “(3)”, “(4)”, “(5)”, “(6)”, “(I)”, “(II)”, “(III)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, “(VI)”, “1.”, “2.”, “3.”, “(VII)”, “(VIII)”, and “(IX)”, respectively; in line 22, strike “OR”; in line 25, after “CONSUMER” insert “; OR”

(X) TO THE EXTENT NOT PROHIBITED BY OTHER STATE LAW, A PERSON FOR THE PURPOSE OF SETTING OR ADJUSTING AN INSURANCE RATE, ADJUSTING AN INSURANCE CLAIM, OR UNDERWRITING AN INSURANCE RISK.

(2) THIS SECTION DOES NOT APPLY TO:

(I) A CHECK SERVICES OR FRAUD PREVENTION SERVICES COMPANY THAT ISSUES:

1. REPORTS ON INCIDENTS OF FRAUD; OR

2. AUTHORIZATIONS FOR THE PURPOSE OF APPROVING OR PROCESSING NEGOTIABLE INSTRUMENTS, ELECTRONIC FUNDS TRANSFERS, OR SIMILAR PAYMENT METHODS;

(II) A DEPOSIT ACCOUNT INFORMATION SERVICE COMPANY THAT ISSUES REPORTS REGARDING ACCOUNT CLOSURES DUE TO FRAUD, SUBSTANTIAL OVERDRAFTS, AUTOMATED TELLER MACHINE ABUSE, OR SIMILAR NEGATIVE INFORMATION REGARDING A CONSUMER TO INQUIRING BANKS OR OTHER FINANCIAL INSTITUTIONS FOR USE ONLY IN REVIEWING A CONSUMER REQUEST FOR A DEPOSIT ACCOUNT AT THE INQUIRING BANK OR FINANCIAL INSTITUTION; OR

(III) A CONSUMER REPORTING AGENCY DATABASE OR FILE THAT CONSISTS ENTIRELY OF CONSUMER INFORMATION CONCERNING, AND USED SOLELY FOR:

- 1. CRIMINAL RECORD INFORMATION;**
- 2. PERSONAL LOSS HISTORY INFORMATION;**
- 3. FRAUD PREVENTION OR DETECTION;**
- 4. EMPLOYMENT SCREENING; OR**
- 5. TENANT SCREENING**”;

in line 27, strike “ALL OR PART OF”; and in line 28, after “BY” insert “CERTIFIED”.

On page 5, strike beginning with “BY” in line 1 down through “(III)” in line 2; in line 4, strike “(IV)” and substitute “(III)”; in line 9, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, A”; in line 10, after “5” insert “BUSINESS”; in line 12, strike “3” and substitute “5”; after line 23, insert:

“(5) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CONSUMER REPORTING AGENCY IS NOT REQUIRED TO PLACE A SECURITY FREEZE ON A CONSUMER REPORT IF THE CONSUMER REPORTING AGENCY:

1. ACTS ONLY AS A RESELLER OF CREDIT INFORMATION BY ASSEMBLING AND MERGING INFORMATION CONTAINED IN A DATABASE OF ANOTHER CONSUMER REPORTING AGENCY OR MULTIPLE CONSUMER REPORTING AGENCIES; AND

2. DOES NOT MAINTAIN A PERMANENT DATABASE OF CREDIT INFORMATION FROM WHICH NEW CONSUMER REPORTS ARE PRODUCED.

(II) A CONSUMER REPORTING AGENCY THAT ACTS AS A RESELLER OF CREDIT INFORMATION SHALL HONOR A SECURITY FREEZE PLACED ON A CONSUMER REPORT BY ANOTHER CONSUMER REPORTING AGENCY.”;

in line 25, strike “PROVIDE” and substitute “RELEASE A CONSUMER’S CONSUMER REPORT OR”; in the same line, after “INFORMATION” insert “CONTAINED”; and in the same line, after “IN” insert “, OR DERIVED FROM,”.

AMENDMENT NO. 3

On page 6, strike in their entirety lines 8 through 15, inclusive; in line 16, after “TO” insert “TEMPORARILY LIFT A SECURITY FREEZE TO”; in line 21, strike “, BY” and substitute “OR”; and in the same line, after “TELEPHONE” insert “AS DESIGNATED BY THE CONSUMER REPORTING AGENCY”.

On page 7, in line 8, after “(2)” insert “(I)”; in line 9, after “SUBSECTION” insert “;”;

1.”;

in the same line, after “3” insert “BUSINESS”; and in line 10, after “REQUEST” insert “;
OR”;

2. AFTER JANUARY 31, 2009, WITHIN 15 MINUTES AFTER THE CONSUMER’S REQUEST IS RECEIVED BY THE CONSUMER REPORTING AGENCY IF THE REQUEST IS:

A. MADE THROUGH AN ELECTRONIC CONTACT METHOD CHOSEN BY THE CONSUMER REPORTING AGENCY; AND

B. RECEIVED BY THE CONSUMER REPORTING AGENCY BETWEEN 6:00 A.M. AND 9:30 P.M. EASTERN STANDARD TIME.

(II) A CONSUMER REPORTING AGENCY IS NOT REQUIRED TO TEMPORARILY LIFT A SECURITY FREEZE WITHIN THE TIME PROVIDED IN SUBPARAGRAPH (I)2 OF THIS PARAGRAPH IF:

1. THE CONSUMER FAILS TO MEET THE REQUIREMENTS OF PARAGRAPH (1)(III) OF THIS SUBSECTION; OR

2. THE CONSUMER REPORTING AGENCY’S ABILITY TO TEMPORARILY LIFT THE SECURITY FREEZE WITHIN THE TIME PROVIDED IN SUBPARAGRAPH (I)2 OF THIS PARAGRAPH IS PREVENTED BY:

A. AN ACT OF GOD, INCLUDING FIRE, EARTHQUAKE, HURRICANE, STORM, OR SIMILAR NATURAL DISASTER OR PHENOMENON;

B. AN UNAUTHORIZED OR ILLEGAL ACT BY A THIRD PARTY, INCLUDING TERRORISM, SABOTAGE, RIOT, VANDALISM, LABOR STRIKE OR DISPUTE THAT DISRUPTS OPERATIONS, OR SIMILAR OCCURRENCE;

C. A DISRUPTION OF OPERATIONS CAUSED BY ELECTRICAL FAILURE, UNANTICIPATED DELAY IN EQUIPMENT OR REPLACEMENT PART DELIVERY, COMPUTER HARDWARE OR SOFTWARE FAILURE INHIBITING RESPONSE TIME, OR SIMILAR DISRUPTION;

D. A GOVERNMENTAL ACTION, INCLUDING EMERGENCY ORDER OR JUDICIAL OR LAW ENFORCEMENT ACTION;

E. A REGULARLY SCHEDULED MAINTENANCE OF, OR UPDATE TO, THE CONSUMER REPORTING AGENCY'S CONSUMER REPORTING SYSTEM THAT OCCURS OTHER THAN DURING NORMAL BUSINESS HOURS; OR

F. A COMMERCIALY REASONABLE MAINTENANCE OF, OR REPAIR TO, THE CONSUMER REPORTING AGENCY'S CONSUMER REPORTING SYSTEM THAT IS UNEXPECTED OR UNSCHEDULED”;

and strike beginning with “TELEPHONE” in line 12 down through “MEDIA,” in line 16 and substitute “**THE MEANS OF COMMUNICATION AUTHORIZED UNDER THIS SECTION**”.

AMENDMENT NO. 4

On page 8, in line 6, strike “(G)(2)” and substitute “(H)(2)”; strike in their entirety lines 9 and 10 and substitute:

“(2) IF A CONSUMER WANTS TO REMOVE A SECURITY FREEZE FROM THE CONSUMER'S CONSUMER REPORT, THE CONSUMER SHALL:

(I) CONTACT THE CONSUMER REPORTING AGENCY BY MAIL OR TELEPHONE AS DESIGNATED BY THE CONSUMER REPORTING AGENCY, BY ELECTRONIC MAIL IF A SECURE ELECTRONIC MAIL CONNECTION IS MADE AVAILABLE BY THE CONSUMER REPORTING AGENCY, OR OVER THE INTERNET IF A SECURE WEBSITE IS MADE AVAILABLE BY THE CONSUMER REPORTING AGENCY;

(II) REQUEST THAT THE SECURITY FREEZE BE REMOVED; AND

(III) PROVIDE THE FOLLOWING TO THE CONSUMER REPORTING AGENCY:”;

in lines 11 and 12, strike “(I)” and “(II)”, respectively, and substitute “**1.**” and “**2.**”, respectively; in line 16, after “3” insert “**BUSINESS**”; and strike beginning with “\$5” in line 21 down through “PASSWORD” in line 26 and substitute “**:**”;

(I) \$10 FOR EACH PLACEMENT, TEMPORARY LIFT, OR REMOVAL OF A SECURITY FREEZE; AND

(II) AN ADDITIONAL \$5 FOR A TEMPORARY LIFT UNDER SUBSECTION (E)(2)(I)2 OF THIS SECTION.

(3) NOTWITHSTANDING PARAGRAPH (2) OF THIS SUBSECTION, A CONSUMER REPORTING AGENCY MAY NOT CHARGE A FEE TO A CONSUMER WHO, AT THE TIME OF A REQUEST TO PLACE, TEMPORARILY LIFT, OR REMOVE A SECURITY FREEZE, PRESENTS TO THE CONSUMER REPORTING AGENCY A POLICE REPORT

ALLEGING THAT THE CONSUMER IS A VICTIM OF IDENTITY THEFT UNDER § 8-301 OF THE CRIMINAL LAW ARTICLE".

AMENDMENT NO. 5

On page 9, in line 2, strike "**§ 14-1202.1**" and substitute "**§ 14-1212.1**"; in line 4, strike "**AT NO CHARGE TO YOU**"; in lines 4, 6, 11, 16, 18, 21, and 25, in each instance, strike "**CREDIT**" and substitute "**CONSUMER**"; in line 5, after "**RELEASING**" insert "**YOUR CONSUMER REPORT OR**"; in line 6, after "**INFORMATION**" insert "**CONTAINED**"; in the same line, after "**IN**" insert "**, OR DERIVED FROM,**"; in line 11, after the second "**BY**" insert "**CERTIFIED**"; in line 12, strike "**BY TELEPHONE,**"; in line 16, after "**5**" insert "**BUSINESS**"; and in line 17, strike "**3**" and substitute "**5**".

On page 10, in lines 2, 3, 5, and 15, in each instance, strike "**CREDIT**" and substitute "**CONSUMER**"; in line 5, after "**LIFT**" insert "**OR REMOVE**"; in the same line, after "**3**" insert "**BUSINESS**"; in line 6, after "**RECEIVED.**" insert "**AFTER JANUARY 31, 2009, A CONSUMER REPORTING AGENCY MUST COMPLY WITH A REQUEST TO TEMPORARILY LIFT A SECURITY FREEZE ON A CONSUMER REPORT WITHIN 15 MINUTES AFTER A REQUEST IS RECEIVED BY THE CONSUMER REPORTING AGENCY UNDER CERTAIN CIRCUMSTANCES SPECIFIED IN LAW.**"; after line 13, insert:

"A CONSUMER REPORTING AGENCY MAY CHARGE A REASONABLE FEE NOT EXCEEDING \$10 FOR EACH PLACEMENT, TEMPORARY LIFT, OR REMOVAL OF A SECURITY FREEZE. A CONSUMER REPORTING AGENCY MAY CHARGE AN ADDITIONAL REASONABLE FEE NOT EXCEEDING \$5 FOR A TEMPORARY LIFT OF A SECURITY FREEZE MADE WITHIN 15 MINUTES AFTER A REQUEST IS RECEIVED. HOWEVER, A CONSUMER REPORTING AGENCY MAY NOT CHARGE A FEE TO A CONSUMER WHO, AT THE TIME OF A REQUEST TO PLACE, TEMPORARILY LIFT, OR REMOVE A SECURITY FREEZE, PRESENTS TO THE CONSUMER REPORTING AGENCY A POLICE REPORT ALLEGING THAT THE CONSUMER IS A VICTIM OF IDENTITY THEFT.";

in line 18, strike "**ACTIVITIES.**" and substitute "**ACTIVITIES.**"; strike in their entirety lines 19 through 21, inclusive; strike beginning with "**VIOLATES**" in line 22 down through "**CONSUMER'S**" in line 23 and substitute "**ERRONEOUSLY RELEASES A**"; in the same line, after "**REPORT**" insert "**SUBJECT TO A SECURITY FREEZE**"; in the same line, after "**INFORMATION**" insert "**CONTAINED**"; in the same line, after "**IN**" insert "**, OR DERIVED FROM,**"; in line 24, strike "**CONSUMER'S**"; in the same line, after "**REPORT**" insert "**SUBJECT TO A SECURITY FREEZE**"; in line 25, strike the first "**THE**" and substitute "**DISCOVERING OR BEING NOTIFIED OF THE ERRONEOUS**"; in the same line, before "**CONSUMER**" insert "**AFFECTED**"; in the same line, after "**CONSUMER**" insert "**IN WRITING**"; in line 27, strike "**SPECIFIC**" and substitute "**NATURE OF THE**"; in line 28, strike "**NAME AND ADDRESS OF**" and substitute "**CONTACT INFORMATION FOR**"; and in the same line, after the second "**THE**" insert "**CONSUMER REPORT OR THE**".

On pages 10 and 11, strike in their entirety the lines beginning with line 30 on page 10 through line 12 on page 11, inclusive, and substitute:

“(M) THE EXCLUSIVE REMEDY FOR A VIOLATION OF § 14-1212.1(E)(2)(I)2 OF THIS SUBTITLE SHALL BE A COMPLAINT FILED WITH THE COMMISSIONER UNDER § 14-1217 OF THIS SUBTITLE.”

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

Senate Bill 269 – Senator Conway

AN ACT concerning

**Maryland Health Care Commission – Racial and Ethnic Variations Data –
Nondiscrimination in Health Insurance**

(Amendment ID: SB0269/787271/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 269
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway, Exum, Garagiola, Kelley, Middleton, and Pugh”; strike lines 2 and 3 in their entirety and substitute:

“Health Insurance – Collection of Racial and Ethnic Data – Nondiscrimination”;

strike beginning with “requiring” in line 4 down through “facilities;” in line 8 and substitute “authorizing certain entities that provide health insurance to make an inquiry about race and ethnicity under certain circumstances, and subject to certain limitations;”; in line 8, strike “variations”; in line 11, strike “variations”; in line 12, after “data” insert “by health insurers”; and strike in their entirety lines 13 through 23, inclusive.

On page 2, in line 1, strike “repealing and reenacting, with amendments,” and substitute “adding to”; in line 3, strike “19-706(ggg)” and substitute “19-706(jjj)”; and after line 5, insert:

“BY repealing and reenacting, without amendments,
Article – Insurance
Section 27-501(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27-501(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 14 on page 2 through line 26 on page 5, inclusive, and substitute:

“19-706.

(JJJ) (1) THE PROVISIONS OF § 27-914 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

(2) FOR PURPOSES OF § 27-914(C) OF THE INSURANCE ARTICLE, §§ 4-113, 4-114, 27-501, AND 27-505 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

Article – Insurance

27-501.

(a) (1) An insurer or insurance producer may not cancel or refuse to underwrite or renew a particular insurance risk or class of risk for a reason based wholly or partly on race, color, creed, sex, or blindness of an applicant or policyholder or for any arbitrary, capricious, or unfairly discriminatory reason.

(2) Except as provided in this section, an insurer or insurance producer may not cancel or refuse to underwrite or renew a particular insurance risk or class of risk except by the application of standards that are reasonably related to the insurer’s economic and business purposes.

(b) (1) An insurer may not require special conditions, facts, or situations as a condition to its acceptance or renewal of a particular insurance risk or class of risks in an arbitrary, capricious, unfair, or discriminatory manner based wholly or partly on race, creed, color, sex, religion, national origin, place of residency, blindness, or other physical handicap or disability.

(2) Actuarial justification may be considered with respect to sex.

(c) (1) [An] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN insurer or insurance producer may not make an inquiry about race, creed, color, or national origin in an insurance form, questionnaire, or other manner of requesting general information that relates to an application for insurance.

(2) SUBJECT TO § 27-914 OF THIS TITLE, A HEALTH INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH MAINTENANCE ORGANIZATION MAY MAKE AN INQUIRY ABOUT RACE AND ETHNICITY IN AN INSURANCE FORM, QUESTIONNAIRE, OR OTHER MANNER REQUESTING GENERAL INFORMATION FOR THE EVALUATION OF QUALITY OF CARE OUTCOMES AND PERFORMANCE MEASUREMENTS, INCLUDING THE COLLECTION OF INFORMATION REQUIRED UNDER § 19-134 OF THE HEALTH – GENERAL ARTICLE.”.

On page 6, strike beginning with “RACIAL” in line 2 down through “ARTICLE” in line 3 and substitute “RACE OR ETHNICITY DATA”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

Senate Bill 281 – Senators Middleton, Dyson, and Pugh

AN ACT concerning

**Department of Health and Mental Hygiene – Family Health Administration –
Maryland Medbank Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:
Senate Bill 103 – The President (By Request – Administration) and Senator Frosh

AN ACT concerning

Maryland Clean Cars Act of 2007

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (6) AND THE FAVORABLE REPORT.

(Amendment ID: SB0103/778371/1)

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 103
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “and” and substitute “, in consultation with”; in line 4, after “Administration” insert a comma; strike beginning with “authorizing” in line 6 down through “years;” in line 7; in line 9, after “requirements;” insert “prohibiting the Department or any other State agency from adopting a regulation that requires the sale or use of certain gasoline;”; in the same line, after “authorizing” insert “and requiring”; in line 14, after “circumstances;” insert “authorizing the Department, in consultation with the Administration, to adopt regulations to exempt certain motor vehicles from the program; requiring the Administration to note exemptions for certain motor vehicles on the title of the motor vehicle;”; in line 15, after “provisions;” insert “requiring the Department to submit a certain report to the Administrative, Executive, and Legislative Review Committee on or before a certain date each year; establishing a Maryland Clean Car and Energy Policy Task Force; specifying the chair, membership, staffing, and duties of the Task Force; requiring the Task Force to make legislative recommendations; requiring the Task Force to provide a certain annual report to the Governor and the General Assembly;”; in line 16, after “extent;” insert “providing for the termination of certain provisions of this Act;”; and in line 20, strike “2–1106” and substitute “2–1108”.

AMENDMENT NO. 2

On page 2, in line 18, strike “CONJUNCTION” and substitute “CONSULTATION”.

On page 3, in line 23, strike “A” and substitute “EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A”.

On page 4, in line 2, strike “SHALL” and substitute “MAY”; in the same line, after “NEW” insert “MOTOR VEHICLES OR”; strike beginning with “, IF” in line 4 down through “ACT” in line 5; in line 7, strike “MAY” and substitute “SHALL”; in line 18, strike “VEHICLES” and substitute “VEHICLE”; and in line 19, strike “OF” and substitute “ON”.

On page 6, in line 19, strike “and” and substitute “, in consultation with”; in line 19, after “Administration” insert a comma; and in line 20, strike “jointly”.

AMENDMENT NO. 3

On page 3, after line 5, insert:

“(D) THE DEPARTMENT OR ANY OTHER STATE AGENCY MAY NOT ADOPT A REGULATION UNDER THIS SUBTITLE OR ANY OTHER PROVISION OF LAW THAT REQUIRES THE SALE OR USE OF CALIFORNIA REFORMULATED GASOLINE IN THE STATE.”.

AMENDMENT NO. 4

On page 4, after line 27, insert:

“2-1107.

ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT, TO THE ADMINISTRATIVE, EXECUTIVE, AND LEGISLATIVE REVIEW COMMITTEE FOR THE COMMITTEE’S REVIEW, A LIST AND SUMMARY OF ALL CHANGES TO THE CALIFORNIA MOTOR VEHICLE EMISSIONS STANDARDS AND COMPLIANCE REQUIREMENTS PROPOSED OR ADOPTED BY THE CALIFORNIA AIR RESOURCES BOARD IN THE PRIOR 12 MONTHS.”.

AMENDMENT NO. 5

On page 5, before line 1, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2-1108.

(A) THERE IS A MARYLAND CLEAN CAR AND ENERGY POLICY TASK FORCE.

(B) THE TASK FORCE SHALL BE COMPOSED OF:

(1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE PRESIDENT OF THE SENATE TO SERVE AS A COCHAIR;

(2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE TO SERVE AS A COCHAIR;

(3) THE SECRETARY OF THE DEPARTMENT OF NATURAL RESOURCES, OR A DESIGNEE OF THE SECRETARY;

(4) THE SECRETARY OF THE DEPARTMENT OF THE ENVIRONMENT, OR A DESIGNEE OF THE SECRETARY;

(5) THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, OR A DESIGNEE OF THE SECRETARY;

(6) THE SECRETARY OF THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, OR A DESIGNEE OF THE SECRETARY;

(7) A REPRESENTATIVE OF THE MARYLAND ENERGY RESOURCE CENTER; AND

(8) A REPRESENTATIVE OF THE UNIVERSITY OF MARYLAND BIOTECHNOLOGY INSTITUTE.

(C) A MEMBER OF THE TASK FORCE MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE TASK FORCE BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS AS PROVIDED IN THE STATE BUDGET.

(D) THE TASK FORCE SHALL MEET AT THE TIMES AND PLACES THAT THE COCHAIRS DETERMINE.

(E) THE TASK FORCE SHALL:

(1) STUDY:

(i) THE ACTIVITIES OF NEIGHBORING STATES, RELATING TO VEHICLE EMISSION STANDARDS;

(II) REGULATORY ACTIONS BY THE STATE OF CALIFORNIA AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY RELATED TO VEHICLE EMISSION STANDARDS; AND

(III) EMERGING ENERGY TECHNOLOGIES;

(2) REVIEW STATE ENERGY POLICIES AND CONSIDER PROPOSALS AND STRATEGIES TO DEVELOP ALTERNATIVE VEHICLE FUELS AND EFFICIENCY MEASURES THAT WOULD IMPROVE THE STATE'S AIR QUALITY;

(3) MAKE LEGISLATIVE RECOMMENDATIONS; AND

(4) PREPARE A REPORT SUMMARIZING THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE.

(F) THE TASK FORCE SHALL SUBMIT THE FINDINGS AND RECOMMENDATIONS OF THE TASK FORCE TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31 OF EACH YEAR.

(G) THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE STAFF TO THE TASK FORCE.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

AMENDMENT NO. 6

On page 6, in line 18, strike "2." and substitute "4."; after line 21, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That in adopting regulations under Title 2, Subtitle 11 of the Environment Article, as enacted by Section 1 of this Act, the Department of the Environment, in consultation with the Motor Vehicle Administration, shall:

(a) Consult with all stakeholders, including representatives of the State's automotive industry;

(b) Consider the implementation efforts of each state bordering the State that have adopted the California Low Emissions Vehicle Program; and

(c) Consider the needs of individuals with visual impairments.";

in lines 22 and 25, strike “3.” and “4.”, respectively, and substitute “6.” and “7.”, respectively; and in line 26, after “2007.” insert “Section 2 of this Act shall remain effective for a period of 3 years and 7 months and, at the end of December 31, 2010, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0103/678473/1)

BY: Senator Frosh

AMENDMENT TO SENATE BILL 103 (First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Frosh” and substitute “Senators Frosh, Britt, Brochin, Conway, Garagiola, Gladden, Jones, Kelley, Kramer, Lenett, Madaleno, Muse, Peters, Pinsky, Pugh, Raskin, Rosapepe, and Zirkin”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 39 – Senator Pipkin

AN ACT concerning

Maryland Port Administration – Transfer to Department of Business and Economic Development

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0039/337675/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 39 (First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Transfer” in line 2 down through “Development” in line 3 and substitute “Strategic Plan and Membership”; strike beginning with “transferring” in line 4 down through “changes;” in line 21 and substitute “requiring the Maryland Economic Development Commission to incorporate the Maryland Port Administration strategic plan when developing a strategic plan for economic development; increasing the membership of the Maryland Port Commission to include the Secretary of Business and Economic Development as a nonvoting ex officio member; clarifying language;”; and after line 22, insert:

“BY repealing and reenacting, without amendments,

Article 83A – Department of Business and Economic Development
Section 1–201 and 1–202(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article 83A – Department of Business and Economic Development
Section 1–202(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation
Section 6–201(a) and (b)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 6–201(c) and (f)
Annotated Code of Maryland
(2001 Replacement Volume and 2006 Supplement)”.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 23 and 24 and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 83A – Department of Business and Economic Development1–201.

There is a Maryland Economic Development Commission in the Department of Business and Economic Development.

1–202.

(a) The Commission shall have the general purpose of establishing economic development policy in the State and overseeing the Department’s efforts to attract, retain, and support the creation of businesses and jobs.

(b) The Commission shall:

(1) Develop and update a strategic plan for economic development in the State;

(2) Recommend to the Governor program and spending priorities necessary to implement the strategic plan;

(3) Approve Department regulations pertaining to financing programs prior to their adoption;

(4) Review the allocation of financing incentives;

(5) Participate in marketing the State and encouraging new businesses to locate in Maryland;

(6) Raise private sector contributions and funds to supplement economic development programs and financial incentives to business;

(7) Carry out any other economic development activities at the request of the Governor; and

(8) Exercise those powers granted to the Commission by this title or any other provision of law.

(c) In developing a strategic plan for economic development, the Commission shall [seek]:

(1) SEEK ideas and advice from each region of the State; AND

(2) INCORPORATE THE MARYLAND PORT ADMINISTRATION STRATEGIC PLAN DEVELOPED FOR THE HELEN DELICH BENTLEY PORT OF BALTIMORE.

Article – Transportation

6-201.

(a) There is a Maryland Port Commission.

(b) The Commission shall:

(1) Establish policies directed toward improving the competitive position of the ports of Maryland within the international port industry;

(2) Adopt regulations for the operation of the Administration in a competitive manner within the port industry;

(3) Exercise those powers granted to the Commission and to the Maryland Port Administration by this title or by any other provision of law;

(4) Unless otherwise directed by the Secretary, serve as the board of directors of any private operating company created under this title; and

(5) In carrying out the provisions of this subtitle, seek information and advice from port labor and management groups.

(c) (1) The Commission shall consist of 7 VOTING members, 6 of whom shall be appointed by the Governor with the advice and consent of the Senate and the 7th shall be the Secretary of Transportation who shall be the Chairman of the Commission.

(2) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT SHALL SERVE AS A NONVOTING EX OFFICIO COMMISSION MEMBER.

(f) The Commission shall meet at a time and place designated by the Chairman of the Commission. The Commission shall meet as often as its duties require, but not less than quarterly. Attendance by 4 VOTING members shall constitute a quorum.”.

On pages 2 through 15, strike in their entirety the lines beginning with line 1 on page 2 through line 7 on page 15, inclusive.

On page 15, in line 8, strike “13.” and substitute “2.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 104 – The President (By Request – Administration) and Senators Garagiola, Gladden, Hogan, Miller, and Rosapepe

AN ACT concerning

Maryland Life Sciences Advisory Board

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

(Amendment ID: SB0104/847375/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 104
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in lines 12 and 13, strike “, ONE” and substitute “:

(I) ONE”;

in line 13, after “SECRETARY” insert “; AND

(II) ONE OF WHOM SHALL BE A REPRESENTATIVE OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION, DESIGNATED BY THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION”;

in line 16, strike “14” and substitute “13”; in line 20, after “BUSINESSES” insert “LOCATED IN THE STATE”; in line 21, strike “COLLEGES OR UNIVERSITIES” and substitute “INSTITUTIONS OF HIGHER EDUCATION LOCATED IN THE STATE, ONE OF WHICH SHALL REPRESENT A COMMUNITY COLLEGE”; in the same line, strike “AND”;

line 22, strike “THREE” and substitute “ONE SHALL HAVE GENERAL BUSINESS MARKETING EXPERIENCE IN A LIFE SCIENCES BUSINESS LOCATED IN THE STATE; AND

(5) ONE”;

in the same line, strike “MEMBERS” and substitute “A MEMBER”; and in line 23, after “(D)”, insert “THE COMPOSITION OF THE ADVISORY BOARD SHALL REFLECT THE RACE AND GENDER DIVERSITY OF THE POPULATION OF THE STATE.

(E)”.

AMENDMENT NO. 2

On page 3, in lines 1, 8, 11, 13, and 15, strike “(E)”, “(F)”, “(G)”, “(H)”, and “(I)”, respectively, and substitute “(F)”, “(G)”, “(H)”, “(I)”, and “(J)”, respectively; in line 22, after “(4)” insert “PROMOTING COLLABORATION AND COORDINATION AMONG RESEARCH INSTITUTIONS OF HIGHER EDUCATION IN THE STATE;

(5)”;

and in line 25, strike “(5)” and substitute “(6)”.

On page 4, in line 1, strike “(6)” and substitute “(7)”; and after line 3, insert:

“(K) IN PERFORMING ITS DUTIES, THE ADVISORY BOARD SHALL GIVE DUE CONSIDERATION TO THE BUSINESS, SCIENTIFIC, MEDICAL, AND ETHICAL ASPECTS OF THE LIFE SCIENCES INDUSTRY.”

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

(Amendment ID: SB0104/153829/1)

BY: Senator Harris

AMENDMENT TO SENATE BILL 104, AS AMENDED
(First Reading File Bill)

On page 2 of the bill, in line 12, strike “**15**” and substitute “**16**”.

On page 1 of the Finance Committee AMENDMENT (SB0104/847375/1), in line 7 of, strike “**13**” and substitute “**14**”; in line 13, strike “**AND**” and substitute:

“(5) ONE SHALL HAVE EXPERTISE IN THE FIELD OF BIOMEDICAL ETHICS AS IT RELATES TO RELIGION; AND”;

and in line 14, strike “**(5)**” and substitute “**(6)**”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15 Negative – 32 (See Roll Call No. 211)

FLOOR AMENDMENT

(Amendment ID: SB0104/883223/1)

BY: Senator Forehand

AMENDMENT TO SENATE BILL 104 (First Reading File Bill)

On page 1, in the sponsor line, strike “and Rosapepe” and substitute “Rosapepe, and Forehand”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 181 – Senator Middleton

AN ACT concerning

Oral Health Safety Net Program

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

(Amendment ID: SB0181/127677/1)

BY: Finance Committee

AMENDMENTS TO SENATE BILL 181
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “solicit” insert “certain proposals;”; in the same line, strike “and” and substitute “requiring the Office to”; in the same line, after “grants” insert “and oversee the operation of the Program”; in line 6, after the first “to” insert “the limitations of”; strike beginning with “requiring” in line 6 down through “Program;” in line 7; in line 8, after the second “to” insert “the limitations of”; in line 10, after the first “to” insert “the limitations of”; in line 11, after “date” insert “each year”; in line 13, after “survey;” insert “requiring the Secretary of Health and Mental Hygiene to submit a certain report to the General Assembly under certain circumstances and on a certain date;”; and in line 17, strike “, inclusive,”.

AMENDMENT NO. 2

On page 2 in line 27, and on page 3 in line 18, in each instance, after “TO” insert “THE LIMITATIONS OF”.

On page 3, in lines 6 and 7, strike “OR ORGANIZATIONS”.

On page 4, in line 7, strike “PROGRAM” and substitute “PROGRAM”; in line 15, strike “ESTABLISHED UNDER THIS SUBTITLE”; and in line 22, strike “JULY 31, 2008” and substitute “JUNE 30, 2009”.

On page 5, in line 2, strike “OF HEALTH AND MENTAL HYGIENE”.

AMENDMENT NO. 3

On page 5, after line 4, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) If the Governor does not provide the funding specified in § 13-2505(1) of the Health - General Article, as enacted by Section 1 of this Act, in the fiscal 2009 budget, the Secretary of Health and Mental Hygiene shall report, in accordance with § 2-1246 of the State Government Article, to the General Assembly the following:

(1) the annual cost to provide comprehensive oral health services in all programs funded by the Maryland Medical Assistance Program;

(2) the amount of State revenues spent on somatic health services related to the lack of comprehensive oral health care; and

(3) the number of dental providers in each jurisdiction in the State providing care to uninsured and under-insured residents, the number of residents served, and the dental providers' capacity to provide additional services.

(b) The report required under subsection (a) of this section shall be submitted to the General Assembly on the date that the fiscal 2009 budget bill is introduced.”;

and in line 5, strike “2.” and substitute “3.”.

The preceding 3 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for February 28, 2007.

The motion was adopted.

Senate Bill 61 – Senators Brochin, Forehand, and Stone

AN ACT concerning

Evidence – Separate Act of Sexual Misconduct Involving a Minor – Admissibility

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

(Amendment ID: SB0061/473623/2)

BY: Senator Zirkin

AMENDMENTS TO SENATE BILL 61
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “within” in line 8 down through “shown” in line 9 and substitute “in accordance with certain rules”.

AMENDMENT NO. 2

On page 2, after line 21, insert:

“(3) “COMMON SCHEME OR PLAN” MEANS OFFENSES THAT ARE SO CONNECTED OR BLENDED IN POINT OF TIME OR CIRCUMSTANCE THAT THE OFFENSES FORM ONE TRANSACTION.”;

in line 22, strike “(3)” and substitute “(4)”; and after line 29, insert:

“(1) FINDS THAT THE EVIDENCE ESTABLISHES:

(I) MOTIVE;

(II) INTENT;

(III) ABSENCE OF MISTAKE;

(IV) IDENTITY;

(V) A COMMON SCHEME OR PLAN;

(VI) OPPORTUNITY;

(VII) PREPARATION; OR

(VIII) KNOWLEDGE;”.

On page 3, in lines 1 and 6, strike “(1)” and “(2)”, respectively, and substitute “(2)” and “(3)”, respectively; and strike beginning with “AT” in line 11 down through “SHOWN” in line 13 and substitute “IN ACCORDANCE WITH THE MARYLAND RULES”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley
Chairman

Senate Executive Nominations Committee

Report #2
2/19/2007

Aging, Department of

1. Gloria Gary Lawlah
3801 24th Avenue
Hillcrest Heights, Maryland 20748

Secretary of Aging; appointed to serve a term at the pleasure of the Governor

Agriculture, Department of

2. Roger L. Richardson
1947 Old Furnace Road
Eden, Maryland 21822

Secretary of Agriculture; appointed to serve a term at the pleasure of the Governor

Business and Economic Development, Department of

3. David W. Edgerly
17814 Cricket Hill Road
Germantown, Maryland 20874

Secretary of Business and Economic Development; appointed to serve a term at the pleasure of the Governor

Disabilities, Department of

4. Catherine Raggio
5383 Dunteachin Drive
Ellicott City, Maryland 21043

Secretary of the Department of Disabilities; appointed to serve a term at the pleasure of the Governor

General Services, Department of

5. Alvin C. Collins
1195 Bay Highlands Road
Annapolis, Maryland 21403

Secretary of the Department of General Services; appointed to serve a term at the pleasure of the Governor

Housing and Community Development, Department of

6. Raymond A. Skinner
14700 Jones Bridge Road
Bowie, Maryland 20721

Secretary of Housing and Community Development; appointed to serve a term at the pleasure of the Governor

Human Resources, Department of

7. Brenda Donald
1750 Poplar Lane N.W.
Washington, DC 20012

Secretary of the Department of Human Resources; appointed to serve a term at the pleasure of the Governor

Juvenile Services, Department of

8. Donald W. DeVore
267 Old Farms West
Middletown, Connecticut 06457

Secretary of Juvenile Services; appointed to serve a term at the pleasure of the Governor

Public Safety and Correctional Services, Department of

9. Gary D. Maynard
4915 Plumwood Drive
West Des Moines, Iowa 50265

Secretary of Public Safety and Correctional Services; appointed to serve a term at the pleasure of the Governor

Senator Kelley moved, duly seconded, to make the Executive Nominations Committee Report #2 a Special Order for February 23, 2007.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 212)

ADJOURNMENT

At 12:36 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 23, 2007.