

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2009 Regular Session**

**Volume I**

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**Annapolis, Maryland**  
**Wednesday, January 14, 2009**  
**12 Noon**

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The Senate met at 12:03 P.M.

Call to Order by the Secretary of the Senate.

Prayer by Bishop Darnell Easton, Bethel Way of the Cross Church, guest of Senator Miller.

(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

	Barry Glassman
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 Nancy J. King
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 David C. Harrington

Forty–seven Senators having answered to their names, a quorum being present, the Senate of Maryland, 2009 Session is now ready for the transaction of business.

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

The Honorable Edward Kasemeyer nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable Verna Jones and the Honorable Douglas Peters. 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. 12)

The Honorable Edward J. Kasemeyer and the Honorable Allan H. Kittleman 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 Jennie Forehand, seconded by the Honorable Anthony Muse and the Honorable Jamie Raskin, 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 – 3      (See Roll Call No. 13)

The Honorable Edward J. Kasemeyer and the Honorable Allan H. Kittleman 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 Allan H. Kittleman

## **ORDERS**

### **ORDER**

January 14, 2009

**BY THE MAJORITY LEADER:**

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2009, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Legislative Session of 2008.

By Order,

William B.C. Addison, Jr.  
Secretary

The Rules, with the exception of Rule 116, were adopted by roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 14)

Senator Klausmeier moved, duly seconded, to make Rule 116 a Special Order for January 21, 2009.

The motion was adopted.

ORDER

January 14, 2009

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2009:

- |                                     |                           |
|-------------------------------------|---------------------------|
| 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           |

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted by roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 15)

ORDER

January 14, 2009

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Regular Legislative Session of 2009, 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.

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted.

#### ORDER

January 14, 2009

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 2009, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

William B.C. Addison, Jr.  
Secretary

The motion was adopted.

#### ANNOUNCEMENT

January 14, 2009

The President makes the following announcement:

Majority Leader –	Senator Edward J. Kasemeyer
Deputy Majority Leader –	Senator Rob Garagiola
Assistant Deputy Majority Leader –	Senator James N. Robey
Majority Whip –	Senator Lisa A. Gladden
Deputy Majority Whip –	Senator Catherine E. Pugh
Assistant Deputy Majority Whip –	Senator Mike Lenett

Assistant Deputy Majority Whip – Senator James Rosapepe  
Chairman, Democratic Caucus – Senator Rob Garagiola

Read and ordered journalized.

### ANNOUNCEMENT

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 14, 2009.

### BUDGET AND TAXATION

Senator Ulysses Currie, Chairman  
Senator Edward J. Kasemeyer, Vice-Chairman

Senator David R. Brinkley  
Senator James E. DeGrange, Sr.  
Senator George C. Edwards  
Senator Verna L. Jones  
Senator Nancy J. King  
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  
Senator Robert A. Zirkin

### EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE

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

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

Senator Mike Lenett  
Senator Paul G. Pinsky  
Senator James C. Rosapepe

### FINANCE COMMITTEE

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

Senator George W. Della, Jr.

Senator Allan H. Kittleman

Senator Nathaniel Exum  
 Senator Robert J. Garagiola  
 Senator Barry Glassman  
 Senator Delores G. Kelley

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 Bryan W. Simonaire  
 Senator Norman R. Stone, Jr.

### RULES COMMITTEE

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

Senator David R. Brinkley  
 Senator Ulysses Currie  
 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

Read and ordered journalized.

### ANNOUNCEMENT

The President makes the following appointments to continuing committees pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 14, 2009.

### EXECUTIVE NOMINATIONS

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

Senator David R. Brinkley  
 Senator Joan Carter-Conway  
 Senator Richard F. Colburn  
 Senator Ulysses Currie

Senator Allan H. Kittleman  
 Senator Katherine Klausmeier  
 Senator Rona E. Kramer  
 Senator Nathaniel J. McFadden

Senator Jennie M. Forehand  
Senator Brian E. Frosh  
Senator Larry E. Haines  
Senator Edward J. Kasemeyer

Senator Thomas M. Middleton  
Senator Thomas V. Mike Miller, Jr.  
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

Read and ordered journalized.

**ANNOUNCEMENT**

The President makes the following appointments to the statutory committees; the appointments are effective as of January 14, 2009.

**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 James E. DeGrange, Sr.  
Senator Brian E. Frosh  
Senator Lisa A. Gladden

Senator Larry E. Haines  
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 James Brochin  
Senator Richard F. Colburn  
Senator Jennie M. Forehand  
Senator Lisa A. Gladden

Senator Nancy J. King  
Senator Allan H. Kittleman  
Senator Richard S. Madaleno, Jr.  
Senator Robert A. Zirkin

**JOINT AUDIT COMMITTEE**

Senator Verna L. Jones, Senate Chairman

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

Senator Rona E. Kramer  
Senator Nathaniel J. McFadden  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

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

Senator Roy P. 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 Robert J. Garagiola  
Senator Verna L. Jones  
Senator Mike 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 Joan Carter Conway  
Senator Robert J. Garagiola

Senator David Harrington  
Senator Douglas J.J. Peters

**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 Mike 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 Edward J. Kasemeyer  
Senator Allan H. Kittleman  
Senator Rona Kramer

Senator Richard N. Madaleno, Jr.  
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**

The President makes the following appointments to Joint Committees and Special Joint Committees; the appointments are effective as of January 14, 2009.

**JOINT ADVISORY COMMITTEE ON  
LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

Senator Richard S. Madaleno, Jr.  
Senator Donald F. Munson

Senator James C. Rosapepe

### **JOINT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES**

Senator Robert J. Garagiola, Senate Chairman

Senator David R. Brinkley  
Senator Joan Carter Conway  
Senator Jennie M. Forehand  
Senator Janet Greenip  
Senator Nancy Jacobs

Senator Verna L. Jones  
Senator Nancy J. King  
Senator C. Anthony Muse  
Senator Robert A. Zirkin

### **JOINT COMMITTEE ON PENSIONS**

Senator Nathaniel J. McFadden, Chairman

Senator Ulysses Currie  
Senator Edward J. Kasemeyer  
Senator Rona E. Kramer

Senator Donald F. Munson  
Senator James N. Robey

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards  
Senator Mike Lenett

Senator Donald F. Munson  
Senator Robert A. Zirkin

### **JOINT TECHNOLOGY OVERSIGHT COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator Ulysses Currie  
Senator Robert J. Garagiola

Senator Lisa A. Gladden  
Senator Donald F. Munson

### **JOINT COMMITTEE ON WELFARE REFORM**

Senator Nathaniel Exum, Senate Chairman

Senator Lisa A. Gladden

Senator E.J. Pipkin

Senator Katherine Klausmeier

Senator Catherine E. Pugh

Read and ordered journalized.

### ANNOUNCEMENT

The President makes the following appointments to a Senate Special Committee; the appointments are effective as of January 14, 2009.

### 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 Verna L. Jones  
Senator Douglas J.J. Peters  
Senator Paul G. Pinsky  
Senator Robert A. Zirkin

Read and ordered journalized.

### ANNOUNCEMENT

### SENATE SELECT COMMITTEES

#### **Select Committee No. 1**

Allegany, Garrett, and Washington Counties  
Senator Donald F. Munson, Chair

#### **Select Committee No. 2**

Carroll and Frederick Counties  
Senator David Brinkley, Chair

#### **Select Committee No. 3**

Harford County  
Senator Nancy Jacobs, Chair

#### **Select Committee No. 4**

Baltimore County  
Senator Norman R. Stone, Jr., Chair

#### **Select Committee No. 5**

Howard County  
Senator James N. Robey, Chair

**Select Committee No. 6**

Montgomery County

Senator Richard S. Madaleno, Jr., Chair

**Select Committee No. 7**

Prince George's County

Senator C. Anthony Muse, Chair

**Select Committee No. 8**

Calvert, Charles, and St. Mary's Counties

Senator Roy P. Dyson, Chair

**Select Committee No. 9**

Anne Arundel County

Senator John C. Astle, Chair

**Select Committee No. 10**

Eastern Shore

Senator Richard F. Colburn, Chair

**Select Committee No. 11**

Baltimore City

Senator Nathaniel J. McFadden, Chair

**ANNOUNCEMENT****SENATE COUNTY DELEGATIONS****Allegany County Delegation**

Senator George C. Edwards, Chair

**Anne Arundel County Delegation**

Senator John C. Astle, Chair

**Baltimore City Delegation**

Senator Nathaniel J. McFadden, Chair

**Baltimore County Delegation**

Senator Norman R. Stone, Jr., Chair

**Calvert County Delegation**

Senator Roy P. Dyson, Chair

**Caroline County Delegation**

Senator Richard F. Colburn, Chair

**Carroll County Delegation**

Senator Larry E. Haines, Chair

**Cecil County Delegation**

Senator Nancy Jacobs, Chair

**Charles County Delegation**

Senator Thomas M. Middleton, Chair

**Dorchester County Delegation**

Senator Richard F. Colburn, Chair

**Frederick County Delegation**

Senator David R. Brinkley, Chair

**Garrett County Delegation**

Senator George C. Edwards, Chair

**Harford County Delegation**

Senator Barry Glassman, Chair

**Howard County Delegation**

Senator James N. Robey, Chair

**Kent County Delegation**

Senator E. J. Pipkin, Chair

**Montgomery County Delegation**

Senator Richard S. Madaleno, Jr., Chair

**Prince George's County Delegation**

Senator C. Anthony Muse, Chair

**Queen Anne's County Delegation**

Senator E. J. Pipkin, Chair

**St. Mary's County Delegation**

Senator Roy P. Dyson, Chair

**Somerset County Delegation**

Senator J. Lowell Stoltzfus, Chair

**Talbot County Delegation**

Senator Richard F. Colburn, Chair

**Washington County Delegation**

Senator Donald F. Munson, Chair

**Wicomico County Delegation**

Senator J. Lowell Stoltzfus, Chair

**Worcester County Delegation**

Senator J. Lowell Stoltzfus, Chair

Read and ordered journalized.

**ANNOUNCEMENT BY THE SENATE MINORITY CAUCUS**

January 14, 2009

The Senate Minority Caucus met on September 16, 2008 for the purpose of electing the Minority floor leaders for the 2009 Legislative Session. The following members have been selected:

Minority Leader:                      Honorable Allan H. Kittleman – District 9

Minority Whip:                         Honorable Nancy Jacobs – District 34

Read and ordered journalized.

**MESSAGE TO THE SENATE**

January 14, 2009

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, 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 Howard, Harrison and McHale.

BY ORDER,

Mary Monahan  
Chief Clerk

Read and ordered journalized.

**MESSAGE TO THE HOUSE OF DELEGATES**

January 14, 2009

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 Kittleman.

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

**MESSAGE TO THE EXECUTIVE**

January 14, 2009

By the Majority Leader,

His Excellency, the Governor of Maryland  
Martin O'Malley:

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.

### MESSAGE FROM THE EXECUTIVE

The Secretary of State appeared and delivered a Message from the Executive.

January 14, 2009

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

Dear President Miller:

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 2008 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.

Sincerely,

Governor

ADJUTANT GENERAL	
Brigadier General James A. Adkins 27 Algonquin Road Cambridge, Maryland 21613 Dorchester/37	Appointment Adjutant General Serves at the pleasure of the Governor
AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Evan Richardson 2806 Harview Avenue Baltimore, Maryland 21234 Baltimore City/43	Appointment Member Term of 4 years from July 1, 2008
Veronica E. Coates 10370 Faith Hope Place White Plains, Maryland 20695 Charles/28	Appointment Member Term of 4 years from July 1, 2008

AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORP. (MARBIDCO), BOARD OF DIRECTORS OF MARYLAND	
Faith Elliott Rossing 3601 Goldsboro Road Henderson, Maryland 21640 Queen Anne's/36	Appointment Rural Economic Development Term of 4 years from July 1, 2007
APPEALS, COURT OF	
Hon. Sally Denison Adkins 30563 Paddington Court Salisbury, Maryland 21804 Wicomico/38	Appointment 1st Appellate Circuit Term of 10 years from June 25, 2008
Hon. Mary Ellen Barbera 9500 Barroll Lane Kensington, Maryland 20895 Montgomery/14	Appointment 7th Appellate Circuit Term of 10 years from September 2, 2008
APPEALS, COURT OF SPECIAL	
Hon. Christopher Burlee Kehoe 29307 Spruce Place Easton, Maryland 21601 Talbot/37	Appointment 1st Appellate Circuit Term of 10 years from December 23, 2008
Hon. Kathryn Grill Graeff 8592 Trail View Drive Ellicott City, Maryland 21043 Howard/9	Appointment 3rd Appellate Circuit Term of 10 years from September 2, 2008
Hon. Albert J. Matricciani, Jr. 204 Churchwarden's Road Baltimore, Maryland 21212 Baltimore City/43	Appointment At Large Term of 10 years from September 2, 2008
APPRENTICESHIP AND TRAINING COUNCIL	
Grant Blake Shmelzer 4977 Battery Lane, Apt. 1019N Bethesda, Maryland 20814 Montgomery/16	Appointment Employee Organization Term of 4 years from July 1, 2008
George Patrick Maloney 7 Beach Road Severna Park, Maryland 21146 Anne Arundel/31	Appointment Employer Representative Term of 4 years from July 1, 2008
ARTS COUNCIL, MARYLAND STATE	
Nilimma S. Devi 1525 Forest Glen Road Silver Spring, Maryland 20910 Montgomery/18	Appointment Member Term of 3 years from July 1, 2008
ASSISTIVE TECHNOLOGY GUARANTEED LOAN PROGRAM BOARD OF DIRECTORS	

Sue C. Lin 2114 Darcy Green Place Silver Spring, Maryland 20910 Montgomery/20	Appointment Finance Expertise Term of 4 years from October 1, 2007
Mollyne R. Honor 3707 Beach Avenue Baltimore, Maryland 21211 Baltimore City/40	Appointment Finance Expertise Term of 4 years from October 1, 2007
Margaret L. Michelle Maxberry 8101 Eastern Avenue, #413 Silver Spring, Maryland 20910 Montgomery/20	Appointment Finance Expertise Term of 4 years from October 1, 2007
Ethelette Wright Ennis 4017 St. Monica Drive Baltimore, Maryland 21222 Baltimore County/6	Reappointment Disability Community Term of 4 years from October 1, 2007
Misti Ray Lucente 11016 Graymarsh Place Ijamsville, Maryland 21754 Frederick/3	Reappointment Disability Community Term of 4 years from October 1, 2007
John G. Miers 5510 Huntington Parkway Bethesda, Maryland 20814 Montgomery/16	Appointment Disability Community Term of 4 years from October 1, 2007
Lawrence Nathaniel Adams 712 Teal Court Havre de Grace, Maryland 21078 Harford/34	Appointment Disability Community Term of 4 years from October 1, 2007
AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE PATHOLOGISTS, STATE	
Rebecca Conley-Hartman 6315 Eastern Star Way Clarksville, Maryland 21029 Howard/13	Appointment Consumer – Hearing Impaired Term of 4 years from July 1, 2005
BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF	
Chandra M. Boyd 2016 Westwood Avenue Baltimore, Maryland 21217 Baltimore City/40	Appointment Student Term of one year from June 1, 2008
BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR	
Sheldon Caplis 113 River Oaks Circle Pikesville, Maryland 21208 Baltimore County/11	Appointment 2nd Councilmanic District Term of 5 years from July 1, 2006

Terri L. Whitley 8657 Ridgelys Choice Drive Nottingham, Maryland 21236 Baltimore County/8	Appointment 6th Councilmanic District Term of 5 years from July 1, 2006
Gloria Nelson 7908 Lynch Road Baltimore, Maryland 21222 Baltimore County/6	Appointment 7th Councilmanic District Term of 5 years from July 1, 2006
<b>CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY</b>	
Andrew L. Vick 12 South Mechanic Street Cumberland, Maryland 21502 Allegany/1	Appointment Chair Term of 4 years from June 1, 2006
Hon. Susan M. Keller 340 Grandview Drive Frostburg, Maryland 21532 Allegany/1	Appointment Member Term of 4 years from June 1, 2008
Matthew W. Diaz 839 Shriver Avenue Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2007
Douglas S. Schwab 835 MacDonald Terrace Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2007
Frederick A. Thayer, IV 208 Washington Street Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2006
<b>CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Barbara H. Biller 787 Link Drive Westminster, Maryland 21157 Carroll/5	Reappointment Member Term of 6 years from July 1, 2008
<b>CECIL COUNTY BOARD OF ELECTIONS</b>	
Brenda K. Ross 214 East Main Street P.O. Box 331 Cecilton, Maryland 21913 Cecil/36	Appointment Minority Party – Substitute Term of 4 years from June 4, 2007
<b>CHILD CARE PROGRAM ADMINISTRATORS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL</b>	
Krystal H. McKinney 4010 Bald Hill Terrace Bowie, Maryland 20721 Montgomery/24	Appointment Program Administrator Term of 4 years from July 1, 2007

Robin R. El–Amin 1517 Northgate Road Baltimore, Maryland 21218 Baltimore City/43	Reappointment Consumer Term of 4 years from July 1, 2007
CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF	
MaryAnne Frizzera–Hucek 8 Quail Hollow Road Lutherville, Maryland 21093 Baltimore County/42	Reappointment Consumer Term of 4 years from July 1, 2008
CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND	
I. Katherine Magruder 205 Green Street Centreville, Maryland 21617 Queen Anne’s/36	Appointment Non–Profit Clean Energy Research Term to expire September 30, 2010
Dan Goodman 17716 Dominion Drive Sandy Spring, Maryland 20860 Montgomery/14	Appointment Non–Profit Clean Energy Research Term to expire September 30, 2011
Jeffrey W. Eckel 481 Old Orchard Circle Millersville, Maryland 21108 Anne Arundel/33	Appointment Venture Capital Term to expire September 30, 2012
Kenneth M. Connolly 3702 Underwood Street Chevy Chase, Maryland 20815 Montgomery/18	Appointment Venture Capital Term to expire September 30, 2013
Karen Galindo–White 2709 Rocky Glen Way Ellicott City, Maryland 21043 Howard/12	Appointment Clean Energy Industry Term to expire September 30, 2010
David Isaac Opalinsky 1039 Scituate Harbour Pasadena, Maryland 21122 Anne Arundel/31	Appointment Clean Energy Industry Term to expire September 30, 2011
Ivan V. Lanier 320 Prospect Bay Drive West Grasonville, Maryland 21638 Queen Anne’s/36	Appointment General Public Term to expire September 30, 2012
Jeremy F. Butz 1323 Buckeystown Pike Adamstown, Maryland 21710 Frederick/3	Appointment General Public Term to expire September 30, 2013
CONSUMER COUNCIL	

Fred H. Spigler, Jr., Ed.D. 609 Goucher Avenue Lutherville, Maryland 21093 Baltimore County/42	Appointment Consumer Group Term of 6 years from July 1, 2006
Tamara Davis Brown 12012 Bork Dr P.O. Box 1292 Clinton, Maryland 20735 Prince George's/27	Appointment Business Group Term of 6 years from July 1, 2004
Wyatt K. Wallace 283 Poplar Point Road Perryville, Maryland 21903 Cecil/34	Appointment Public Sector Term of 6 years from July 1, 2004
Frank A. Porter 5306 Lorraine Drive Camp Springs, Maryland 20748 Prince George's/26	Reappointment Public Sector Term of 6 years from July 1, 2008
Norman Goldstein 1014 Chiswell Lane Silver Spring, Maryland 20901 Montgomery/19	Reappointment Public Sector Term of 6 years from July 1, 2008
DEAF AND HARD OF HEARING, OFFICE OF AND MARYLAND ADVISORY COUNCIL FOR THE	
Paul K. Farrell 2441 Cheyenne Drive Gambrills, Maryland 21054 Anne Arundel/33	Reappointment MSDE Term of 3 years from October 1, 2007
Carl W. Bailey, Jr. 8 Barbie Court Baltimore, Maryland 21220 Baltimore County/07	Appointment DHR Term of 3 years from October 1, 2008
Julie R. Moyer 208 Lincoln Avenue Glen Burnie, Maryland 21061 Anne Arundel/32	Reappointment MDOT Term of 3 years from October 1, 2007
Alexis A. Allenback 2501 Shelley Circle Frederick, Maryland 21702 Frederick/3	Reappointment DLLR Term of 3 years from October 1, 2008
John J. Rouse 781 Kimberly Court West Gaithersburg, Maryland 20878 Montgomery/17	Appointment DHCD Term of 3 years from October 1, 2007

Dirk R. Albrecht 11203 Hessong Bridge Road Thurmont, Maryland 21788 Frederick/4	Appointment MD School for the Deaf Term of 3 years from October 1, 2006
Judy C. Stout 18812 Lake Placid Lane Germantown, Maryland 20874 Montgomery/39	Appointment Hearing Impaired/Private Agency Term of 3 years from October 1, 2008
Cheri A. Dowling 1205 Ed Glenn Drive Woodbine, Maryland 21797 Carroll/5	Appointment Parent of a Deaf Child Term of 3 years from October 1, 2007
Alicia B. Epstein 2057 Westchester Drive Silver Spring, Maryland 20902 Montgomery/18	Appointment Hearing Impaired Term of 3 years from October 1, 2006
Laurie M. Yaffe 32655 Meadowlark Lane Easton, Maryland 21601 Talbot/37	Appointment Special Knowledge/Expertise Term to expire September 30, 2008 and a term of 3 years from October 1, 2008
Amy L. Bopp 5211 Old Frederick Road Baltimore, Maryland 21229 Baltimore County/10	Appointment Hearing Impaired Term of 3 years from October 1, 2007
Karen L. Sheffer 29 Wash House Circle Middletown, Maryland 21769 Frederick/3	Appointment Private Term of 3 years from October 1, 2007
George N. Kosovich 1755 Redgate Farms Court Rockville, Maryland 20850 Montgomery/17	Reappointment Hearing Impaired/Expertise Term of 3 years from October 1, 2008
<b>DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE</b>	
Roslyn M. Hannibal-Booker 291 Attenborough Drive, 102 Rosedale, Maryland 21237 Baltimore County/7	Appointment Member Term of 6 years from October 1, 2004
<b>DENTAL EXAMINERS, STATE BOARD OF</b>	
Sidney B. Seidman, M.D. 2171 Chesapeake Harbour Drive East Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Consumer Term of 4 years from June 1, 2008
<b>DISTRICT COURT OF MARYLAND – DISTRICT ONE – BALTIMORE CITY</b>	

Hon. Leon Robert Cooper 331 Tunbridge Road Baltimore, Maryland 21212 Baltimore City/43	Appointment District Court Judge Term of 10 years from May 7, 2008
Hon. Kathleen Marie Sweeney 2305 South Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment District Court Judge Term of 10 years from January 5, 2009
Hon. George McQuade Lipman 3414 Guilford Terrace Baltimore, Maryland 21218 Baltimore City/43	Reappointment District Court Judge Term of 10 years from November 24, 2008
Hon. Videtta Arthyne Brown 810 East Baltimore Avenue Baltimore, Maryland 21212 Baltimore City/43	Appointment District Court Judge Term of 10 years from May 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT TWO – DORCHESTER, SOMERSET, WICOMICO, WORCESTER	
Hon. Paula Ann Price 30448 Prince William Street Princess Anne, Maryland 21853 Somerset/38	Appointment District Court Judge Term of 10 years from January 7, 2009
Hon. Robert Scott Davis 111 W. Rustic Drive Salisbury, Maryland 21801 Wicomico/38	Reappointment District Court Judge Term of 10 years from January 5, 2009
DISTRICT COURT OF MARYLAND – DISTRICT THREE – CAROLINE, CECIL, KENT, QUEEN ANNE'S	
Hon. Bonnie G. Schneider 101 Iroquois Drive North East, Maryland 21901 Cecil/36	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. John T. Clark III 305 Chesterfield Avenue Centreville, Maryland 21617 Queen Anne's/36	Reappointment District Court Judge Term of 10 years from December 22, 2008
Hon. John Edward Nunn, III 10746 Worton Road P.O. Box 141 Worton, Maryland 21678 Kent/36	Appointment District Court Judge Term of 10 years from December 23, 2008
DISTRICT COURT OF MARYLAND – DISTRICT FOUR – CALVERT, CHARLES, ST. MARY'S	

Hon. Edward Gregory Wells 225 Double Oak Road North Prince Frederick, Maryland 20678 Calvert/27	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT FIVE – PRINCE GEORGE’S	
Hon. G. Richard Collins 7318 Edmonston Road College Park, Maryland 20740 Prince George’s/21	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Lawrence V. Hill, Jr. 9201 Gary Lane Springdale, Maryland 20774 Prince George’s/24	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Tiffany Hanna Anderson 11702 Horse Stable Court Upper Marlboro, Maryland 20772 Prince George’s/25	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT SEVEN – ANNE ARUNDEL	
Hon. Shaem Charles Patrick Spencer 7726 Aragorn Court Hanover, Maryland 21076 Anne Arundel/32	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. H. Richard Duden, III 1414 Huntingwood Road Annapolis, Maryland 21403 Anne Arundel/30	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Eileen Ann Reilly 1136 Court Revere Odenton, Maryland 21113 Anne Arundel/33	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 8 – BALTIMORE COUNTY	
Hon. Norman R. Stone, III 9825 Forge Park Road Perry Hall, Maryland 21128 Baltimore County/7	Reappointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 9 – HARFORD COUNTY	
Hon. Susan Hower Hazlett 3112 Morning Side Court Baldwin, Maryland 21013 Harford/35	Appointment District Court Judge Term of 10 years from May 14, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 12 – ALLEGANY & GARRETT	

Hon. Leonard James Eiswert 82 Sunset Lane Oakland, Maryland 21550 Garrett/1	Appointment District Court Judge Term of 10 years from October 15, 2008
ELECTRICIANS, STATE BOARD OF MASTER	
Dennis Robert Thomas 3280 Green Ash Road Davidsonville, Maryland 21035 Anne Arundel/33	Appointment Electrician Term of 3 years from July 1, 2008
EMERGENCY NUMBER SYSTEMS BOARD	
Anthony Myers 914 Cromwell Bridge Road Towson, Maryland 21286 Baltimore County/42	Reappointment PSC Term of 4 years from July 1, 2008
Susan Elaine Greentree 257 Overleaf Drive Arnold, Maryland 21012 Anne Arundel/30	Appointment PSCO Association Term of 4 years from July 1, 2005
Bryan C. Ebling 403 Sunrise Avenue P.O. Box 44 Ridgely, Maryland 21660 Caroline/37	Reappointment Volunteer Fire Services Term of 4 years from July 1, 2008
Roderick W. Hart 9841 Branchleigh Road Randallstown, Maryland 21133 Baltimore County/10	Reappointment Public Term of 4 years from July 1, 2008
Kenneth M. Miller 1414 Harmony Lane Annapolis, Maryland 21409 Anne Arundel/30	Appointment GIS Term of 4 years from July 1, 2008
John E. (Jack) Markey 7113 Flint Court Middletown, Maryland 21769 Frederick/4	Appointment EM Services Term of 4 years from July 1, 2008
ENVIRONMENTAL SERVICE, MARYLAND	
William B.C. Addison, Jr. 14540 Candy Hill Road Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Public Sector Term of 4 years from July 1, 2008
FIRE-RESCUE EDUCATION AND TRAINING COMMISSION	
Geoffrey Lee Donahue 8 Valles Court Parkville, Maryland 21234 Baltimore County/8	Appointment Volunteer Term of 4 years from July 1, 2005
FORESTERS, STATE BOARD OF	

Terrance Ward Clark 1501 Farlow Avenue Crofton, Maryland 21114 Anne Arundel/33	Reappointment Forester Term of 5 years from July 1, 2007
<b>FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Dixie Jean Nester Miller 8118 Overlook Drive Frederick, Maryland 21702 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
Rev. Dr. Byron J. Grayson, Sr. 1018 Eastbourne Court Frederick, Maryland 21702 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
Donald C. Linton 1615 Shookstown Road Frederick, Maryland 21701 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
<b>GARRETT COUNTY LIQUOR CONTROL BOARD</b>	
Michael Jay Fratz 7119 Sang Run Road Box 129 Accident, Maryland 21520 Garrett/1	Reappointment Democrat Term of 6 years from June 1, 2008
<b>HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Patricia K. Cushwa "Cloverton" P.O. Box 406 Williamsport, Maryland 21795 Washington/2	Appointment Member Term of 6 years from July 1, 2003
<b>HARFORD COUNTY BOARD OF ELECTIONS</b>	
Michael G. Comeau, Esquire 3509 Glen Oak Drive Jarrettsville, Maryland 21084 Harford/35	Appointment Majority Party Substitute Member Term of 4 years from June 4, 2007
<b>HAZARDOUS SUBSTANCE ADVISORY COUNCIL, CONTROLLED</b>	
Hilton Louis Harrod 690 Sollers Wharf Road P.O. Box 515 Lusby, Maryland 20657 Calvert/29	Reappointment Public Term of 6 years from July 1, 2006
Michael J. Wolf 5510 Amesfield Court Rockville, Maryland 20853 Montgomery/19	Appointment Public Term of 6 years from July 1, 2006
<b>HEALTH CARE COMMISSION, MARYLAND</b>	

Randall P. Worthington, Sr. 217 Prescott Court Havre de Grace, Maryland 21078 Harford/34	Appointment No Industry Connection Term of 4 years from October 1, 2007
HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY	
Maria Harris Tildon 5615 Cross Country Boulevard Baltimore, Maryland 21209 Baltimore City/41	Appointment Nonprofit Health Service Plan Term to expire May 3, 2009
HEALTH AND HUMAN SERVICES REFERRAL BOARD	
Ann M. Strangman 8620 Jack's Reef Road Laurel, Maryland 20724 Anne Arundel/21	Appointment DPSCS Term of 4 years from October 1, 2008
HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS, STATE BOARD OF	
Robert Barrett Gawne 11501 Blue Ridge Drive Beltsville, Maryland 20705 Prince George's/21	Appointment Master Contractor Term to expire December 31, 2008 and a term of 3 years from January 1, 2009
Matthew M. Warner 6613 Babak Drive Frederick, Maryland 21702 Frederick/3	Reappointment Master Contractor Term of 3 years from January 1, 2007
James A. Johnson 7861 Stevens Road Eden, Maryland 21822 Worcester/38	Reappointment Master Electrician Term of 3 years from January 1, 2008
HERITAGE AREAS AUTHORITY, MARYLAND	
Hon. Phyllis W. Robinson 3705 42nd Avenue Cottage City, Maryland 20722 Prince George's/47	Appointment MML Elected Official Term of 4 years from October 1, 2008
Wayne E. Clark 3649 5th Street North Beach, Maryland 20714 Calvert/27	Reappointment President's Nominee Term of 4 years from October 1, 2008
David G. Burke 20 Harwood Drive Harwood, Maryland 20776 Anne Arundel/30	Appointment MD Greenways Commission Term of 4 years from October 1, 2008
Robert David Campbell 9510 Garwood Street Silver Spring, Maryland 20901 Montgomery/20	Appointment Historic Preservation Term of 4 years from October 1, 2008

HIGHER EDUCATION COMMISSION, MARYLAND	
Joshua Ian Ackerman 6612 Baythorne Road Baltimore, Maryland 21209 Baltimore County/42	Appointment Student Term of 1 year from July 1, 2008
HISTORICAL TRUST BOARD OF TRUSTEES	
Gale Huntington Yerges 10380 Anderson Road Princess Anne, Maryland 21853 Somerset/38	Reappointment Member Term of 4 years from July 1, 2008
O. James Lighthizer, Esquire 1547 Eton Way Crofton, Maryland 21154 Anne Arundel/33	Reappointment Member Term of 4 years from July 1, 2008
HOUSING TRUST BOARD OF TRUSTEES, MARYLAND AFFORDABLE	
Linda L. Rose 1312 Holliben Road Severna Park, Maryland 21146 Anne Arundel/33	Appointment Title Company Term of 4 years from October 1, 2007
Elizabeth S. Glenn 1308 Nautical Circle Essex, Maryland 21221 Baltimore County/6	Appointment General Public Term of 4 years from October 1, 2008
Bert J. Hash, Jr. 11705 Farside Road Ellicott City, Maryland 21042 Howard/9	Appointment Financial Institution Term of 4 years from October 1, 2006
Hon. Diana M. Fennell 4207 Monroe Street Colmar Manor, Maryland 20722 Prince George's/47	Reappointment Local Government Term of 4 years from October 1, 2007
Dale McArdle 2101 Uffington Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment Nonprofit Developer Term of 4 years from October 1, 2007
Kenneth Banks 903 Windsor Road Baltimore, Maryland 21208 Baltimore County/11	Appointment For Profit Developer Term of 4 years from October 1, 2006
Eric C. Brown 5824 Pimlico Road Baltimore, Maryland 21209 Baltimore City/41	Appointment Public Housing Authority Term of 4 years from October 1, 2006

Sandra Edmonds Crewe, Ph.D. 720 Narrowleaf Drive Largo, Maryland 20774 Prince George's/25	Reappointment Social Services Provider Term of 4 years from October 1, 2006
Albert Winchester, III 4840 Riverside Drive P.O. Box 129 Galesville, Maryland 20765 Anne Arundel/30	Reappointment General Public Term of 4 years from October 1, 2007
Paul K. Casey, Esquire 4037 Dado Court Ellicott City, Maryland 21043 Howard/12	Reappointment General Public Remainder of a term to expire September 30, 2008 and a term of 4 years from October 1, 2008
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Cascelia S. Burgess, Ed.D. 5504 Daywalt Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment Provider Term of 3 years from July 1, 2007
Elizabeth Kelley 7687 Anvil Drive Frederick, Maryland 21701 Frederick/4	Appointment State Agency Term of 3 years from July 1, 2006
Linda S. Vaughn 5922 Marluth Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment State Agency Term to expire June 30, 2008 and a term of 3 years from July 1, 2008
Curtisha Hopkins 1805 Village Square Court Severn, Maryland 21144 Anne Arundel/32	Appointment Parent Term of 3 years from July 1, 2007
INFORMATION TECHNOLOGY, SECRETARY OF	
Elliot H. Schlanger 4 Chellis Court Owings Mills, Maryland 21117 Baltimore County/11	Appointment Secretary of Information Technology Serves at the pleasure of the Governor
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Carla K. Viar 138 South Mulberry Street Hagerstown, Maryland 21740 Washington/2	Reappointment Interior Designer Term of 3 years from July 1, 2008
Barbara Portnoy Levine 1805 By Woods Lane Baltimore, Maryland 21153 Baltimore County/11	Appointment Interior Designer Term of 3 years from July 1, 2008

Karen Zopf 716 Hickory Lot Road Towson, Maryland 21286 Baltimore County/42	Appointment Interior Designer Term of 3 years from July 1, 2006
David S. Watts 1408 Carrollton Avenue Towson, Maryland 21204 Baltimore County/42	Appointment Architect/Design Services Term of 3 years from July 1, 2007
H. Christine Pirrung 12 Romar Drive Annapolis, Maryland 21403 Anne Arundel/30	Appointment Consumer Term of 3 years from July 1, 2008
<b>JUDICIAL DISABILITIES, COMMISSION ON</b>	
Susan J. Matlick 6896 Mink Hollow Road Highland, Maryland 20777 Howard/13	Appointment Public Term of 4 years from January 1, 2008
<b>LABOR RELATIONS BOARD, STATE</b>	
June Marie Marshall, Esquire 336 Legato Terrace Silver Spring, Maryland 20901 Montgomery/20	Appointment Public Term of 6 years from July 1, 2004
<b>LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF</b>	
Christopher L. Schein 15 Thompson Avenue Annapolis, Maryland 21401 Anne Arundel/30	Appointment Landscape Architect Term of 3 years from July 1, 2007
<b>LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND</b>	
Hon. Pamela J. White 101 West Hill Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment Attorney Term of 3 years from July 1, 2008
Derrick L. Richardson 5268 Marlboro Pike, #404 Capitol Heights, Maryland 20743 Prince George's/24	Appointment Nonlawyer Term of 3 years from July 1, 2006
<b>LOTTERY COMMISSION, STATE</b>	
Howard A. Denis 4515 Willard Avenue, Apt. 2110S Chevy Chase, Maryland 20815 Montgomery/16	Appointment Member Term to expire January 8, 2009 and a term of 4 years from January 9, 2009
Bruce L. Reeder 7200-A Kehne Road Frederick, Maryland 21702 Frederick/3	Reappointment Member Term of 4 years from January 9, 2009

F. Vernon Boozer 1106 Lower Glencoe Road Sparks Glencoe, Maryland 21152 Baltimore County/5	Appointment Experience in Field Related to Finance or Investments Term of 4 years from November 24, 2008
Major W. Ray Presley 15303 Brandywine Drive Cumberland, Maryland 21502 Allegany/1	Appointment Law Enforcement Term of 4 years from November 24, 2008
Kimberly D. Robertson, C.P.A. 910 Othman Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment C.P.A. Term of 4 years from November 24, 2008
Diane Lee McGraw 7 Central Parke West Ocean Pines, Maryland 21811 Worcester/38	Appointment IT Field Term of 4 years from November 24, 2008
<b>MONTGOMERY COUNTY BOARD OF ELECTIONS</b>	
Rosalyn Woodward Pelles 2105 Seminary Road Silver Spring, Maryland 20910 Montgomery/18	Appointment Majority Party – Substitute Term of 4 years from June 4, 2007
<b>MORGAN STATE UNIVERSITY BOARD OF REGENTS</b>	
Lesley Osuala Morgan State University 1700 East Cold Spring Lane Baltimore, Maryland 21251 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2008
<b>MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF</b>	
Renee Derketsch 4712 Belle Forte Road Pikesville, Maryland 21208 Baltimore County/11	Appointment Consumer Term of 4 years from July 1, 2007
<b>NURSING, STATE BOARD OF</b>	
Charles J. Gast 844 Sunny Chapel Road Odenton, Maryland 21113 Anne Arundel/33	Reappointment Consumer Term of 4 years from July 1, 2008
<b>OPEN MEETINGS LAW COMPLIANCE BOARD, STATE</b>	
Julio Morales 5406 Spring Lane Hyattsville, Maryland 20781-2542 Prince George's/22	Appointment Attorney Term of 3 years from July 1, 2007
<b>OPTOMETRY, STATE BOARD OF EXAMINERS IN</b>	

Frederick J. Walsh 22 Bellchase Court Baltimore, Maryland 21208 Baltimore County/11	Appointment Consumer Term of 4 years from June 1, 2006
PAROLE AND PROBATION, DIRECTOR OF	
Patrick G. McGee 28 Stillway Court Cockeysville, Maryland 21030 Baltimore County/7	Appointment Director Serves at the pleasure of the Secretary of Public Safety and Correctional Services
PAROLE COMMISSION, MARYLAND	
Obie Patterson 2502 Kingsway Road Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term to expire December 31, 2009
PHYSICIANS, STATE BOARD OF	
Paul T. Elder, M.D. 77 Shipwright Street Annapolis, Maryland 21401 Anne Arundel/30	Reappointment Physician Term of 4 years from July 1, 2008
Nallan C. Ramakrishna, M.D. 3308 Mills Crossing Place Kensington, Maryland 20895 Montgomery/18	Reappointment Physician Term of 4 years from July 1, 2008
Susan T. Strahan, M.D. 5512 Woodlawn Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment DHMH Term of 4 years from July 1, 2008
Carmen M. Contee 302 Bristol Downs Drive Gaithersburg, Maryland 20877 Montgomery/17	Reappointment Consumer Term of 4 years from July 1, 2008
Brenda George Baker 3015 Elgin Avenue Baltimore, Maryland 21216 Baltimore City/40	Appointment Consumer Term of 4 years from July 1, 2008
PLUMBING, STATE BOARD OF	
Jon H. Garner 1987 Mosser Road McHenry, Maryland 21541 Garrett/1	Reappointment Plumber Term of 3 years from May 1, 2008
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Joseph Michael Herbert 4417 Linden Avenue Halethorpe, Maryland 21227 Baltimore County/12	Appointment Management Term of 3 years from July 1, 2006

Patricia Cook–Ferguson 4709 Dark Star Way Owings Mills, Maryland 21117 Baltimore County/11	Appointment Labor Term of 3 years from July 1, 2006
PSYCHOLOGISTS, STATE BOARD OF	
Steven A. Sobelman, Ph.D. 2901 Boston Street, #410 Baltimore, Maryland 21224 Baltimore City/46	Appointment Psychologist Term of 4 years from July 1, 2008
Laurie Friedman Donze, Ph.D. 314 South Riverside Drive Crownsville, Maryland 21032 Anne Arundel/33	Appointment Psychologist Term of 4 years from July 1, 2008
PUBLIC SERVICE COMMISSION	
Douglas R.M. Nazarian 205 Huron Road Catonsville, Maryland 21228 Baltimore County/12	Appointment Chair Term of 5 years from July 1, 2008
QUEEN ANNE'S COUNTY BOARD OF ELECTIONS	
Walter Lobb Geggis 104 Quail Run Drive Centreville, Maryland 21617 Queen Anne's/36	Appointment Minority Party – Member Term of 4 years from June 4, 2007
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
George Fair 6627 Cherry Hill Road Baldwin, Maryland 21013 Baltimore County/7	Appointment Home Inspector Term of 3 years from January 1, 2008
J. Otis Smith 1902 Dayton Street Silver Spring, Maryland 20902 Montgomery/18	Appointment Consumer Term of 3 years from January 1, 2007
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF	
Kevin Liles 75 Rockefeller Plaza 32nd Floor New York, New York 10019 Nonresident	Appointment Member Term to expire June 30, 2011
Lynn Morrison Venetoulis 24 Woodward Lane Lutherville, Maryland 21093 Baltimore County/11	Appointment Member Term to expire June 30, 2012
SECRETARY OF STATE	

John P. McDonough, Esquire 4403 Woodgate Way Bowie, Maryland 20720 Prince George's/24	Appointment Secretary of State Term concurrent to that of the Governor
SOCIAL WORK EXAMINERS, STATE BOARD OF	
Geoffrey L. Greif, D.S.W. 1917 Old Court Road Baltimore, Maryland 21204 Baltimore County/42	Appointment LSCW– Social Work Education Term of 4 years from July 1, 2008
SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS	
Dinah Abbott 9892 Deal Island Road Deal Island, Maryland 21821 Somerset/38	Appointment Democrat Term to expire May 31, 2009
STADIUM AUTHORITY, MARYLAND	
Demaune Millard 2407 Madison Avenue Baltimore, Maryland 21217 Baltimore City/40	Appointment Appointed by Mayor Term of 4 years from July 1, 2008
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Shirley Brandman 6715 Landon Lane Bethesda, Maryland 20817 Montgomery/16	Appointment MD Assn. of Boards of Education Term of 3 years from July 1, 2006
TOURISM DEVELOPMENT BOARD, MARYLAND	
Matthew McLeod Taylor 112 North 2nd Street Oakland, Maryland 21550 Garrett/1	Appointment Attractions Term of 3 years from July 1, 2008
Samuel J. Parker, Jr. 5601 57th Avenue Riverdale, Maryland 20737 Prince George's/22	Appointment Attractions Term of 3 years from July 1, 2007
Michael E. Haynie 631 Gorsuch Avenue Baltimore, Maryland 21218 Baltimore City/43	Reappointment Lodging Term of 3 years from July 1, 2008
Paul J. Bales 13000 Sandwick Circle Fort Washington, Maryland 20744 Prince George's/26	Appointment Food Service Term of 3 years from July 1, 2006
TRANSPORTATION AUTHORITY, MARYLAND	

Walter E. Woodford, Jr. 212 Overlook Lane P.O. Box 337 Centreville, Maryland 21617 Queen Anne's/36	Reappointment Member Term of 4 years from July 1, 2008
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Michael Tice Langley 123 Nina Lane Fruitland, Maryland 21826 Wicomico/38	Appointment Business Term of 3 years from October 1, 2007
WOMEN, MARYLAND COMMISSION FOR	
Susan S. Genn 8521 Churchill Downs Road Gaithersburg, Maryland 20882 Montgomery/14	Appointment Governor Term of 4 years from July 1, 2008
Ossie G. Clay 4964 Moonfall Way Columbia, Maryland 21044 Howard/12	Appointment Governor Term of 4 years from July 1, 2005
Agnes Diane Williams 1409 Brady Court Mitchellville, Maryland 20721 Prince George's/25	Appointment Governor Term of 4 years from July 1, 2005
WOR-WIC COMMUNITY COLLEGE BOARD OF TRUSTEES	
Morgan Hazel 27135 Lillian Street Hebron, Maryland 21830 Wicomico/37	Reappointment Member Term of 6 years from July 1, 2008
WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS	
William Leonard Brown 2121 Orchard Drive Pocomoke City, Maryland 21851 Worcester/38	Reappointment Member Term of 4 years from July 1, 2008
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Amber Waller 1515 Ray Road, #204 Hyattsville, Maryland 20782 Prince George's/47	Appointment Public Term of 3 years from July 1, 2008

Senator McFadden moved, duly seconded, to make the Recess Appointments a Special Order for January 15, 2009.

The motion was adopted.

**VETOED SENATE BILLS – 2008**

VETOED BILLS AND MESSAGES – 2008 REGULAR SESSION  
(See Exhibit C of Appendix III)

**2008 Bills Vetoed by the Governor**  
Consent Calendar  
(Duplicative Bills)

SB 58	SB 212	SB 468	SB 676	SB 816
SB 63	SB 292	SB 488	SB 696	SB 818
SB 103	SB 310	SB 502	SB 720	SB 878
SB 120	SB 349	SB 539	SB 725	SB 953
SB 123	SB 384	SB 564	SB 741	SB 999
SB 157	SB 455	SB 626	SB 754	SB 1014

Senator McFadden moved, duly seconded, to make Veto Calendar # 1 a Special Order for January 15, 2009.

The motion was adopted.

**2008 Bill Vetoed by the Governor**  
(Policy Veto)

**Senate Bill 398 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Provider Rate Stabilization Fund – Allocations to and Disbursements from the Medical Assistance Program Account**

FOR the purpose of altering the allocation by the Maryland Insurance Commissioner of certain revenue in the Maryland Health Care Provider Rate Stabilization Fund to the Medical Assistance Program Account; requiring the Commissioner to allocate certain revenue in the Fund to the ~~Office of the Comptroller~~ ~~Department of Health and Mental Hygiene~~ Office of the Comptroller in certain fiscal years for a certain purpose; ~~providing that certain revenue in the Fund after a certain fiscal year shall accrue to the Medical Assistance Program Account;~~ expanding the health care providers who are eligible to receive certain payments from the Medical Assistance Program Account to include a health care practitioner licensed under the Maryland Dentistry Act; including the Maryland State Dental Association and the Maryland Dental Society among the groups that determine, in consultation with the Secretary of Health and Mental Hygiene, health care provider rate increases payable from the Fund; declaring the intent of the General Assembly about the expenditure of certain funds; defining a certain term; and generally relating to allocations to and

disbursements from the Medical Assistance Program Account in the Maryland Health Care Provider Rate Stabilization Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 19–801 and 19–802  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–803 and 19–807  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

Senator McFadden moved, duly seconded, to make Veto Calendar #2 a Special Order for January 15, 2009.

The motion was adopted.

Introduction and Remarks by Lieutenant Governor Anthony Brown

Introduction and Remarks by Governor Martin O'Malley

Introduction of former United States Senator Paul Sarbanes

Introduction of Honored Guests

## INTRODUCTION OF BILLS

### Senate Bill 1 – Senator Forehand

AN ACT concerning

#### **Life Insurance and Annuities – Genetic Tests, Information, and Services – Prohibited Acts**

FOR the purpose of prohibiting an insurer from requesting or requiring a genetic test or from using a genetic test, the results of a genetic test, genetic information, or a request for genetic services to take certain actions with regard to life insurance coverage or benefits under an annuity contract; providing for a certain exception; defining certain terms; and generally relating to prohibited acts relating to genetic tests, genetic information, and genetic services with regard to life insurance and annuities.

BY adding to

Article – Insurance  
Section 27–223  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 2 – Senator Forehand**

AN ACT concerning

#### **Disability Insurance – Discrimination Based on Genetic Information or Tests – Prohibited**

FOR the purpose of repealing an exemption for disability insurance policies from the scope of certain provisions of law governing the use of certain genetic tests and the use and disclosure of certain genetic information or the results of certain genetic tests by certain health insurance carriers in connection with health insurance policies and contracts; altering a certain definition; and generally relating to genetic tests, genetic information, and disability insurance.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 1–101(a) and (p)(1) and (2)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–909  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 3 – Senator Astle**

AN ACT concerning

#### **Public Safety – County or Municipal Corporation Funded Ambulance Service – Physician’s Office Adjacent to Hospital**

FOR the purpose of prohibiting an emergency medical service funded by a county or municipal corporation from providing ambulance service to transport a patient from a physician’s office to a hospital located immediately adjacent to or within a certain distance of the physician’s office.

BY adding to

Article – Public Safety  
Section 7–404  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 4 – Senator Harrington**

AN ACT concerning

**Environment – Permitting Process – Environmental Justice Review**

FOR the purpose of requiring the Department of the Environment, in consultation with the Commission on Environmental Justice and Sustainable Communities and the Department of Planning, to develop certain maps on or before a certain date; prohibiting the Department of the Environment from issuing or renewing certain permits until a permit applicant conducts an Environmental Justice Review; requiring the Department of the Environment to make certain determinations; requiring a permit applicant to submit certain information to the Department of the Environment under certain circumstances; establishing penalties for certain violations; repealing a certain term; requiring an owner of a certain facility to submit an Environmental Justice Review under certain circumstances; requiring the owner of a certain facility to submit certain information to the Department of the Environment under certain circumstances; altering a certain reporting requirement; defining certain terms; and generally relating to environmental justice in the State.

BY renumbering

Article – Environment  
Section 1–701  
to be Section 1–705  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Environment  
Section 1–701 through 1–704  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 1–705  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)  
(As enacted by Section 1 of this Act)

BY adding to  
Article – Public Utility Companies  
Section 11–101.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 5 – Senator Harrington**

AN ACT concerning

#### **Assisted Housing – Protected Actions – Extended Leases for Seniors**

FOR the purpose of repealing a certain exception to a certain prohibition on an owner of an assisted project from taking a protected action without offering an extended lease to a designated household that includes an individual who is at least a certain age under certain circumstances; altering the number of years for which the owner of an assisted project is required to offer an extended lease to a designated household that includes an individual who is at least a certain age under certain circumstances; making stylistic changes; and generally relating to extended leases for seniors in assisted housing.

BY repealing and reenacting, without amendments,  
Article – Housing and Community Development  
Section 7–101(j), 7–102(a), and 7–213  
Annotated Code of Maryland  
(2006 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 7–214  
Annotated Code of Maryland  
(2006 Volume and 2008 Supplement)

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

### **Senate Bill 6 – Senator Harrington**

AN ACT concerning

#### **Income Tax Checkoff System – Health Care Coverage Fund**

FOR the purpose of establishing a certain income tax checkoff system for voluntary contributions to the Health Care Coverage Fund; requiring the Comptroller to include a checkoff on the individual income tax return; providing that the income tax checkoff system include a certain statement; requiring the Comptroller to include certain information in each individual income tax return package; requiring the Comptroller to collect and account for contributions made through the checkoff system and to credit the proceeds to the Fund after deducting the amount necessary to administer the checkoff; providing that the Fund may consist of certain contributions from the income tax checkoff system; defining a certain term; providing for the application of this Act; and generally relating to an income tax checkoff system for contributions to the Health Care Coverage Fund.

BY adding to

Article – Tax – General  
Section 2–113 and 10–804(i)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–701(a) and (f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 7 – Senator Glassman**

AN ACT concerning

#### **State Government – Flags – Made in USA**

FOR the purpose of requiring a flag of the United States or a State flag to be manufactured in the United States under certain circumstances.

BY adding to

Article – State Government  
Section 13–206  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 8 – Senator Haines**

AN ACT concerning

**Insurance – Unfair and Deceptive Practices – Limit on Offer, Promise, or Gift of Valuable Consideration Not Specified in a Contract**

FOR the purpose of altering the limit on the value of certain items that an insurer may offer, promise, or give that is not specified in a certain contract; and generally relating to insurance and unfair and deceptive practices.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–201  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–209  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 9 – Senator Colburn**

AN ACT concerning

**Criminal Law – Salvia Divinorum – Controlled Dangerous Substances**

FOR the purpose of establishing that a material, compound, mixture, or preparation that contains Salvia divinorum is a Schedule I controlled dangerous substance.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–402(a)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 10 – Senator Klausmeier**

AN ACT concerning

**Consumer Protection – Telephone Directory Listings – Publication of Local Numbers by Nonlocal Businesses**

FOR the purpose of prohibiting certain nonlocal businesses from publishing an advertisement containing a local telephone number in certain directories except under certain circumstances; prohibiting certain nonlocal businesses from listing or causing to be listed a local telephone number in certain directories except under certain circumstances; providing that a telephone company or directory provider is not liable for this Act by a nonlocal business; 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; defining certain terms; and generally relating to the publication of local numbers in telephone directories by nonlocal businesses.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–301(14)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Commercial Law  
Section 14–1322  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 11 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County Tourism and Economic Development  
Promotion Act of 2009**

FOR the purpose of requiring Anne Arundel County to impose a hotel tax at a certain rate; requiring Anne Arundel County to distribute certain revenue from the hotel tax to certain organizations and to the county's general fund; making a technical correction; repealing an obsolete provision; and generally relating to the Anne Arundel County hotel tax.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–602  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 12 – Senator Forehand**

AN ACT concerning

**Tobacco Product Manufacturers – Settlement of State Claims –  
Nonparticipating Manufacturers – Deposit of Funds in Escrow – Codification  
of Model Statute**

FOR the purpose of codifying the provisions of the Model Statute enacted by Chapter 169 of the Acts of the General Assembly of 1999 as amended; providing for the termination of certain provisions of this Act under certain circumstances; providing for the construction of this Act; making certain technical, stylistic, and conforming changes; and generally relating to the codification of a certain prior enactment of the General Assembly relating to tobacco product manufacturers and certain required deposits of funds into escrow accounts.

BY repealing

Chapter 169 of the Acts of the General Assembly of 1999, as amended by Chapter 141 of the Acts of the General Assembly of 2001, Chapter 348 of the Acts of the General Assembly of 2004, and Chapter 538 of the Acts of the General Assembly of 2006

Section 1

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16–401 to be under the amended subtitle “Subtitle 3B. Miscellaneous Prohibited Act; Penalty”; and 16–501(c), (e), (g), (j), (k), and (l), 16–503(d)(2), and 16–504(b)(2)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Business Regulation

Section 16–401 through 16–403 to be under the new subtitle “Subtitle 4. Tobacco Product Manufacturers Escrow Act”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Chapter 455 of the Acts of the General Assembly of 2003

Section 2

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

**Senate Bill 13 – Senator Astle**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2006, 2007, and 2008 – Anne Arundel County – Annapolis Underground Wiring**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2006, 2007, and 2008 to require that the construction and equipping of underground utilities be located on certain streets in the City of Annapolis; and generally relating to the Annapolis Underground Wiring Loans of 2006, 2007, and 2008.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA00(T)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA00(P)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA00(S)

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

**Senate Bill 14 – Senator Astle**

SECOND PRINTING

AN ACT concerning

**Maryland Environmental Service – Energy Generation Projects**

FOR the purpose of authorizing the Maryland Environmental Service to engage in certain energy projects and services; clarifying the authority of the Service to provide recycling and certain other projects; altering certain exemptions for the Service from certain provisions relating to finance and procurement; authorizing counties and municipalities to enter into certain agreements with the Service without regard to certain limitations or other provisions regulating the procurement or awarding of public contracts; confirming the authority of the Service to establish and collect rates, fees, and charges for certain projects, products, and services; authorizing the Service to collect certain unpaid rates, fees, and charges by tax sale; altering the authority of the Service to issue

certain bonds and notes; authorizing counties and municipalities to enter into certain agreements with the Service for energy projects; clarifying the jurisdiction of the Public Service Commission over disputes regarding certain rates, fees, and other charges exacted by the Service; altering certain notice requirements; altering certain reporting requirements of the Service; altering certain definitions; defining a certain term; and generally relating to the Maryland Environmental Service.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 3–101, 3–102, 3–103(g), 3–104, 3–105, 3–107, 3–108, 3–113, 3–116  
through 3–118, 3–120, 3–122, 3–126, 3–127, and 3–128

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 3–129 and 3–130

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 15 – Senator Rosapepe**

AN ACT concerning

### **School Construction – Pedestrian and Bicycle Trail Enhancements – Funding**

FOR the purpose of requiring the Board of Public Works to include certain pedestrian and bicycle trail enhancements as an approved public school construction or capital improvement cost; defining a certain term; requiring the Board to adopt certain regulations; limiting the aggregate amount that the Board may approve in any fiscal year for the construction of certain pedestrian and bicycle trail enhancements as part of a public school construction or public school capital improvement; authorizing local governments to use certain highway user revenues for sidewalk construction; stating a certain policy of the State with regard to sidewalks, footpaths, and bicycle trails; including sidewalks under certain provisions governing the construction of certain footpaths and trails by local governments; and generally relating to the use of public school construction aid and certain highway user revenues for pedestrian and bicycle trail enhancements.

BY repealing and reenacting, with amendments,

Article – Education

Section 5–205(a) and 5–301(b)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–301(e) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–409  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 16 – Senator Conway**

AN ACT concerning

**Baltimore City and Prince George’s County – Organization of Parents and Teachers – Matching Fund**

FOR the purpose of renaming a certain Parent–Teacher Association Matching Fund Pilot Program to be the Organization of Parents and Teachers Matching Fund Pilot Program; clarifying the purpose of the Program and the eligibility for the Program; requiring a certain report to be submitted to a certain committee; extending a certain termination date; and generally relating to the Organization of Parents and Teachers Matching Fund Pilot Program in Baltimore City and Prince George’s County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–118  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 637 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 17 – Senator Colburn**

## CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Legislative Districting – Resident Delegates by County**

FOR the purpose of amending the Maryland Constitution to provide that legislative districting shall, to the greatest extent practicable, result in a resident delegate from every county; 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 4

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

**Senate Bill 18 – Senator Klausmeier**

AN ACT concerning

**Vehicle Laws – Motor Scooters – Prohibited Roads for Operation**

FOR the purpose of altering the posted maximum speed limit for a roadway above which a person is prohibited from operating a motor scooter on the roadway; making certain stylistic changes; and generally relating to the operation of motor scooters on roadways.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1205.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 19 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sheriff – Salary**

FOR the purpose of establishing the salary for the Sheriff of Dorchester County for certain calendar years; repealing references to the County Commissioners of Dorchester County and substituting references to the County Council of Dorchester County; establishing that this Act does not apply to the salary or

compensation of the incumbent Sheriff of Dorchester County; and generally relating to the salary of the Sheriff of Dorchester County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2-309(k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 20 – Senator Jacobs**

AN ACT concerning

#### **Trade Regulation – Flags Sold in State – Place of Manufacture**

FOR the purpose of prohibiting a person from selling a flag of the United States or a State flag in Maryland unless it is manufactured in the United States; providing certain criminal penalties for a violation of this Act; and generally relating to the sale of flags in Maryland.

BY adding to  
Article – Commercial Law  
Section 11-904  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 21 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – School Buses – Length of Operation – Sunset Repeal**

FOR the purpose of repealing the termination date for a provision of law that authorizes school buses that meet certain criteria to be operated in Dorchester County for a certain length of time.

BY repealing and reenacting, with amendments,  
Chapter 637 of the Acts of the General Assembly of 2008  
Section 2

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

**Senate Bill 22 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Sheriff's Salary**

FOR the purpose of altering the salary of the Sheriff of Caroline County; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff of Caroline County; and generally relating to the salary of the Sheriff of Caroline County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(g)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 23 – Senator Colburn**

AN ACT concerning

**Caroline County – Department of Corrections Employment Applicants –  
Polygraph Examinations**

FOR the purpose of exempting from the prohibition against an employer requiring or demanding, as a condition of employment, that an individual submit to or take a lie detector or similar test, individuals who apply for employment with the Caroline County Detention Center as a correctional officer or for any other position that involves direct personal contact with an inmate in the Center; and generally relating to the Caroline County Detention Center.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–702(b)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 24 – Senator Peters**

AN ACT concerning

**Public Schools – State Aid for School Construction – Planning and Design  
Costs**

FOR the purpose of requiring the Board of Public Works to include the cost of planning and design as an approved public school construction or capital improvement cost; requiring the Board of Public Works, at the recommendation of the Interagency Committee on School Construction, to adopt certain regulations; providing for the application of this Act; and generally relating to public school construction.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 25 – Anne Arundel County Senators**

AN ACT concerning

#### **City of Annapolis – Alcoholic Beverages – Administrative Proceedings and Fines**

FOR the purpose of adding the City of Annapolis to the list of jurisdictions in which the granting of probation before judgment to an alcoholic beverages licensee for selling or furnishing alcoholic beverages to an underaged individual does not bar the Board of License Commissioners from proceeding administratively against the licensee for the violation; altering a certain fine that the City of Annapolis may impose for a certain alcoholic beverages violation; and generally relating to alcoholic beverages in the City of Annapolis.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 12–108(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–108(f) and 16–507(c)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 26 – Senator Peters**

AN ACT concerning

**Landfills – Disposal of Motor Vehicle Oil Filters**

FOR the purpose of prohibiting the disposal of certain oil filters in landfills; authorizing the Department of the Environment to grant a waiver from this prohibition under certain circumstances; providing for a delayed effective date; and generally relating to the disposal of oil filters in landfills.

BY adding to

Article – Environment

Section 9–227.1

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 27 – Senators Greenip, Haines, Harris, Munson, Pipkin, Kittleman, Colburn, Glassman, and Edwards**

AN ACT concerning

**Vehicle Laws – Drivers’ Licensing of Illegal Aliens – Restrictions**

FOR the purpose of prohibiting 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 2008 Supplement)

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

**Senate Bill 28 – Senator Garagiola**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County  
– Warren Historical Site – Loving Charity Hall**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to remove the Board of Directors of the Historic Medley District, Inc. as a grantee; extending the deadline by which a certain grantee may 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 2007 and the Warren Historical Site – Loving Charity Hall in Montgomery County.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA01 (AS)

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

**Senate Bill 29 – Senator Colburn**

AN ACT concerning

**Talbot County – School Buses – Length of Operation**

FOR the purpose of altering the length of time a school bus may be operated in Talbot County; and generally relating to school bus operation in Talbot County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 30 – Senator Glassman**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Harford County –  
Churchville Library Green Building and Science Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the name of a certain grantee; and generally relating to the Maryland Consolidated Capital Bond Loan of 2008 and the Churchville Library Green Building and Science Center grant.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01) (BA)

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

### **Senate Bill 31 – Senator Peters**

AN ACT concerning

#### **State Retirement and Pension System – Military Service Credit – Eligibility**

FOR the purpose of reducing the number of years of creditable service that a member of the State Retirement and Pension System is required to accrue in order to be eligible to receive military service credit; and generally relating to the eligibility requirements for receiving military service credit in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 38–104  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 32 – Senators DeGrange and Astle**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Junk Dealers and Scrap Metal Processors – Required Records**

FOR the purpose of altering the requirements for records that certain junk dealers and scrap metal processors must keep for each purchase of certain junk or scrap metal in the State; providing that certain provisions of law do not apply to certain transactions; providing for the applicability of the record-keeping requirements; providing for the form and contents of the records; requiring that certain records be kept electronically; providing for the submission of certain records to certain law enforcement units under certain circumstances;

authorizing certain law enforcement units to issue certain waivers under certain circumstances; prohibiting junk dealers and scrap metal processors from purchasing a catalytic converter except under certain circumstances; authorizing State or local law enforcement personnel to request information from certain records under certain circumstances; authorizing a State or local law enforcement agency to issue a certain hold notice under certain circumstances; establishing that certain items of junk or scrap metal are subject to a certain holding period; exempting certain items acquired from certain entities from a certain holding requirement; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; providing that this Act may not be construed to preempt a certain entity from enacting and enforcing certain measures; making this Act an emergency measure; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–102(a), 17–1001(e), 17–1010, and 17–1011  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 17–1001(a) and (f)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Business Regulation  
Section 17–1001(g)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 33 – Senator Zirkin**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore County  
– Weinberg Village V Senior Apartment Building**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to expand the authorized uses of a certain grant to the Board of Directors of Comprehensive Housing Assistance, Inc.; and generally relating to a grant for the Weinberg Village V Senior Apartment Building.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01) (AJ)

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

**Senate Bill 34 – Harford County Senators**

AN ACT concerning

**Harford County – War Veterans’ Organizations – Slot Machines**

FOR the purpose of authorizing war veterans’ organizations in Harford County to own and operate a certain number of slot machines for certain purposes and under certain circumstances; requiring a certain war veterans’ organization to engage an independent certified public accounting firm to conduct a certain audit; requiring the firm by a certain date to provide a copy of the audit to the county sheriff; and generally relating to slot machines in Harford County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 35 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Family Support 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 County Council of Talbot 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 36 – Senator Lenett**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County –  
Agriculture Activity Center Expansion**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to extend the deadline by which the County Executive and County Council of Montgomery County may present evidence to the Board of Public Works that a matching fund will be provided for the Agriculture Activity Center Expansion.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA01(AM) and Item ZA02(AW)

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

**Senate Bill 37 – Senator Colburn**

AN ACT concerning

**Caroline County – Alcoholic Beverages – Multiple Event Licenses**

FOR the purpose of authorizing in Caroline County an applicant to purchase multiple event alcoholic beverages licenses; specifying certain license fees; prohibiting the total number of days for which multiple event licenses may be issued to a single applicant from exceeding a certain number of days; requiring that fees for multiple event licenses be paid in advance; prohibiting the Board of License Commissioners from issuing certain refunds under certain circumstances; providing for certain restrictions on the issuance of multiple event licenses; requiring that a certain server be on the licensed premises whenever alcoholic beverages are served under the license; and generally relating to alcoholic beverages licenses in Caroline County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(j)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 7–101(j)(7)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 38 – Senator Colburn**

AN ACT concerning

**Vehicle Laws – Reduction of Speed Limits by Local Authorities – Engineering and Traffic Investigations**

FOR the purpose of authorizing a county, municipality, or other public body that has the authority to enact laws and adopt local police regulations relating to traffic to decrease a certain maximum speed limit in a business district or a residential district to not less than a certain speed without conducting an engineering and traffic investigation; and generally relating to the reduction of speed limits.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–801.1(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–803(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 39 – Senator Harrington**

AN ACT concerning

**Municipal Corporations – Tax Increment Financing – Application of Bond Proceeds**

FOR the purpose of authorizing a municipal corporation to apply the proceeds from the issuance of certain bonds to install infrastructure improvements for the purpose of encouraging redevelopment in certain areas; and generally relating to the application of proceeds from certain bonds issued by a municipal corporation.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 12–201(i) and (m) and 12–204(a)  
Annotated Code of Maryland  
(2008 Volume)

BY repealing and reenacting, with amendments,  
Article – Economic Development

Section 12-207  
Annotated Code of Maryland  
(2008 Volume)

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

**Senate Bill 40 – Senator Harrington**

AN ACT concerning

**Sales and Use Tax – Snack Tax**

FOR the purpose of providing that a certain exemption under the sales and use tax for certain sales of food does not apply to certain snack food; repealing an exemption under the sales and use tax for certain snack food sold through vending machines; defining a certain term; and generally relating to the sales and use taxation of certain snack food.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11-206  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 41 – Senator Harrington**

AN ACT concerning

**Higher Education – Tuition Charges – Maryland High School Students**

FOR the purpose of establishing that certain individuals, other than certain nonresident individuals, shall be exempt from paying nonresident tuition at certain public institutions of higher education under certain circumstances; requiring certain individuals to provide certain documentation regarding Maryland income tax withholding; requiring the governing board of each public institution of higher education to adopt certain policies; and generally relating to tuition charges for certain individuals attending public institutions of higher education in the State.

BY adding to  
Article – Education  
Section 15-106.7  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 42 – Senator Conway**

AN ACT concerning

**Natural Resources – BayStat Subcabinet – Membership**

FOR the purpose of altering the membership of the BayStat Subcabinet to include a representative from the University of Maryland Biotechnology Institute; and generally relating to the membership of the BayStat Subcabinet.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2A–03(a)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 43 – Senators Harris, Greenip, Colburn, and Kittleman**

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 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 12–301(a) and (h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 44 – Senator Peters**

AN ACT concerning

**Sales and Use Tax – Exemption – Veterans’ Organizations**

FOR the purpose of extending a certain termination provision applicable to a sales and use tax exemption for sales to certain veterans’ organizations; and generally relating to a sales and use tax exemption for certain sales to certain veterans’ organizations.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–204(a)(8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 217 of the Acts of the General Assembly of 2006  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 218 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 45 – Senators Greenip, Harris, Pipkin, and Colburn**

AN ACT concerning

**Family Education Savings Account Act – Subtraction Modification for Contributions**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain contributions to certain education savings accounts, subject to certain limitations; providing for the application of this Act; defining a certain term; and generally relating to a Maryland income tax subtraction modification for certain contributions to family education savings accounts.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(q)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 46 – Senator Conway**

AN ACT concerning

#### **Business Regulation – Returnable Containers – Purchases of Plastic Milk Crates**

FOR the purpose of requiring certain persons that purchase certain plastic milk crates to make a certain record of each transaction in which a person sells a certain number of plastic milk crates; requiring certain purchasers to verify the identity of certain sellers in a certain manner; requiring certain purchasers to keep certain records of certain transactions; requiring certain records to be kept for a certain period of time; providing that a person that violates this Act is guilty of a misdemeanor and subject to a certain fine; defining a certain term; and generally relating to purchases of milk crates.

BY adding to  
Article – Business Regulation  
Section 19–308  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 47 – Senator Harrington**

AN ACT concerning

**Environment – Permit Applications – Notice Requirements**

FOR the purpose of requiring notification by mail to certain record residential property owners of certain permit applications under certain circumstances; requiring the notice to contain certain information; requiring permit applicants to pay the cost of the notice; authorizing the Department of the Environment to require the permit applicant to publish and send the notice; and generally relating to notice requirements for permit applications.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 1–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 48 – Senator Haines**

AN ACT concerning

**Property Tax – Exempt Property of Charitable Organizations**

FOR the purpose of altering the circumstances under which property tax on certain property transferred to certain charitable organizations is abated from a certain date; providing for the application of this Act; and generally relating to the property taxation of certain property transferred to certain charitable organizations.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–202(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 49 – Senator Klausmeier**

AN ACT concerning

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

FOR the purpose of making provisions that authorize eligible nonprofit 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 for a slot machine; 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 2008 Supplement)

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

**Senate Bill 50 – Senators Klausmeier and Colburn**

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 2008 Supplement)

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

**Senate Bill 51 – Senators Klausmeier, Glassman, Jacobs, Colburn, Kittleman, and Mooney**

AN ACT concerning

**Income Tax – Subtraction Modification – Military Compensation Outside the State**

FOR the purpose of altering the subtraction modification under the Maryland income tax for certain military compensation paid under certain circumstances; providing for the application of this Act; and generally relating to taxation of certain military compensation.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(p)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 52 – Senator Haines**

AN ACT concerning

**Property Tax – Exemptions – Application Deadline – Real Property**

FOR the purpose of altering a certain deadline for filing an application for abatement of property tax for real property subject to an exemption; providing for the application of this Act; and generally relating to applications for abatement of property tax for certain property subject to an exemption.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–104(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 53 – Senator Haines**

AN ACT concerning

**Criminal Law – Use of 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 2008 Supplement)

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

**Senate Bill 54 – Senator Forehand**

AN ACT concerning

**Genetic Privacy – Individual’s Genetic Information – Personal Property Rights**

FOR the purpose of prohibiting a person from knowingly collecting, analyzing, or retaining a DNA sample from an individual, performing a DNA analysis, or retaining or disclosing the results of a DNA analysis, or disclosing the results of a DNA analysis without certain written informed consent; exempting the collection and analysis of DNA samples for certain purposes from the prohibition; providing that the DNA sample and the results of the DNA analysis are the exclusive property of the individual from whom the sample is collected; authorizing the Department of Health and Mental Hygiene to adopt regulations to establish a uniform written informed consent form; providing that a certain person is exempt from certain liability; allowing an individual to revoke or amend a certain informed consent; establishing penalties for a violation of this Act; authorizing an individual to bring a civil action against a certain person under certain circumstances; providing that a person is liable for certain damages and reasonable attorney fees under certain circumstances; defining certain terms; and generally relating to genetic privacy.

BY adding to  
Article – Criminal Law  
Section 3–1001 through 3–1005 to be under the new subtitle “Subtitle 10.  
Genetic Privacy”  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 55 – Senator Klausmeier**

AN ACT concerning

**Public Service Commission – Examination of Accounts, Books, and Records**

FOR the purpose of authorizing the Public Service Commission to examine all accounts, books, and records that the Commission determines necessary to perform its duties under certain provisions of law, including the accounts, books, and records of a public service company, a parent of a public service company, an affiliate of a public service company, and an affiliate of a parent of a public service company; defining certain terms; providing that the powers and authority conferred by this Act are supplemental to other powers of the Commission; and generally relating to the examination of accounts, books, and records by the Public Service Commission.

BY adding to

Article – Public Utility Companies

Section 6–211

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 56 – Senator Klausmeier**

AN ACT concerning

**Gas Companies and Electric Companies – Annual Reports**

FOR the purpose of requiring each gas company and each electric company to file a separate annual report for each of its nonregulated affiliated or subsidiary companies that operate in the State; and generally relating to annual reports submitted by gas companies and electric companies to the Public Service Commission.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 6–205

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 57 – Senator Forehand**

AN ACT concerning

**Insurance – Violation of Genetic Nondiscrimination Laws – Private Cause of Action**

FOR the purpose of authorizing an individual who is injured by an insurer's violation of certain provisions of law that prohibit discrimination based on genetic tests, the results of genetic tests, or genetic information to recover certain equitable relief, monetary damages, court costs, and attorney's fees in an action brought in a court of competent jurisdiction; and generally relating to remedies for violations of genetic nondiscrimination laws.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 2-202(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Termination of Parental Rights**

FOR the purpose of requiring that, before a juvenile court may grant guardianship of a child in a certain guardianship proceeding without certain consent and over the child's objection, the juvenile court must find by clear and convincing evidence that a parent is unfit or that exceptional circumstances exist such that terminating the rights of the parent is in the child's best interests; providing for the application of this Act; and generally relating to guardianship of a child and termination of parental rights.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5-323  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Child Abuse and Neglect – Disclosure of Information**

FOR the purpose of requiring a director of a local department of social services or the Secretary of Human Resources to disclose certain information concerning child abuse and neglect under certain circumstances; modifying the circumstances under which certain information concerning child abuse and neglect is required to be disclosed; repealing a requirement that the Secretary consult with a law enforcement agency before disclosing certain information concerning child abuse and neglect; and generally relating to the disclosure of information concerning child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 1–203  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

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

**Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Public Service Commission)**

AN ACT concerning

**Maryland Transit Administration – Mass Transit Service Alterations – Public Service Commission and People’s Counsel Reporting Requirements**

FOR the purpose of repealing a requirement that the Maryland Transit Administration refer certain matters to the Public Service Commission and the People’s Counsel to the Commission for consideration and recommendations prior to holding certain public hearings; repealing a requirement that the Commission and the People’s Counsel submit certain reports to the Administration relating to mass transit; making conforming changes; and generally relating to reporting requirements of the Public Service Commission and the People’s Counsel relating to mass transit.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–506(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 7-506(e)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing

Article – Transportation  
Section 7-507  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 61 – Chair, Finance Committee (By Request – Departmental –  
Transportation)**

AN ACT concerning

**Maryland Port Administration – Jurisdiction, Powers, and Duties**

FOR the purpose of expanding the Maryland Port Administration's jurisdiction to include certain inland properties or facilities; authorizing the Administration to exercise its powers and duties at certain inland properties or facilities; and generally relating to the jurisdiction, powers, and duties of the Maryland Port Administration.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 6-103(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 62 – Chair, Finance Committee (By Request – Departmental –  
Assessments and Taxation)**

AN ACT concerning

**Uniform Commercial Code – Financing Statements – Termination by  
Government Employees**

FOR the purpose of authorizing certain government employees to file certain termination statements with respect to certain financing statements; providing for the contents of the termination statement; requiring a certain government employee to send a copy of the termination statement to a certain secured party within a certain time after filing the termination statement; providing that a fee may not be charged for the filing of the termination statement; defining a

certain term; and generally relating to the termination of financing statements by government employees.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 9–513  
Annotated Code of Maryland  
(2002 Replacement Volume and 2008 Supplement)

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

**Senate Bill 63 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Oral Health Safety Net Program – Sunset Repeal**

FOR the purpose of repealing the termination provision for the Oral Health Safety Net Program in the Department of Health and Mental Hygiene; and generally relating to the Oral Health Safety Net Program.

BY repealing and reenacting, with amendments,  
Chapter 527 of the Acts of the General Assembly of 2007  
Section 3

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

**Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverage Tax – Assessment and Appeals – Tax Procedures and Penalties**

FOR the purpose of establishing a certain administrative appeals process for persons or governmental units against which an assessment of alcoholic beverage tax has been made by the Comptroller; authorizing the Comptroller or the Comptroller's designee to issue an order decreasing or abating an alcoholic beverage tax assessment under certain circumstances; altering a certain penalty for failure to pay alcoholic beverage tax when due; and generally relating to alcoholic beverage tax assessments and appeals.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 13–508(a) and (c), 13–509(a), and 13–701(b)(1)

Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 13–701(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 65 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**State Retirement and Pension System – Line of Duty Death Benefits –  
Maryland Transportation Authority Employees**

FOR the purpose of extending certain death benefits under certain circumstances to surviving spouses, certain minor children, or dependent parents of certain deceased members of the State Retirement and Pension System employed by the Maryland Transportation Authority; and generally relating to line of duty death benefits for surviving spouses, minor children, and dependent parents of deceased members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Chapter 519 of the Acts of the General Assembly of 2008  
Section 2

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

**Senate Bill 66 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Higher Education Commission)**

AN ACT concerning

**Supplemental Retirement Plans and Optional Retirement Program –  
Employing Institutions – Community Colleges**

FOR the purpose of designating certain community colleges or certain regional community colleges as employing institutions for certain employees participating in supplemental retirement plans and the Optional Retirement Program; declaring the intent of the General Assembly; providing for the application of this Act; and generally relating to employing institutions' supplemental retirement plans and the Optional Retirement Program.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 30–101(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 30–101(e) and (j), 30–210, and 30–212  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 30–401 to be under the new subtitle “Subtitle 4. Supplemental Retirement Plans”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 67 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Proof of Good Standing for Foreign Business Entities**

FOR the purpose of requiring certain foreign business entities that are required to register or qualify to do business in Maryland to provide the State Department of Assessments and Taxation certain proof of good standing in the jurisdictions where the foreign business entities currently are organized; and generally relating to registration and qualification requirements for foreign business entities.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 4A–1002, 7–202, 7–203, 9A–1101, and 10–902  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Recording, Filing, or Other Fees – Returned  
Check Fee**

FOR the purpose of imposing a certain fee for nonpayment of a check presented to the State Department of Assessments and Taxation for certain purposes; and generally relating to fees imposed by the State Department of Assessments and Taxation.

BY adding to

Article – Corporations and Associations

Section 1–203(b)(12)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Air-Conditioning Equipment Specifications and  
Requirements**

FOR the purpose of repealing a certain prohibition against motor vehicle air-conditioning equipment containing a refrigerant that is toxic or flammable; limiting the refrigerants that may be used in motor vehicle air-conditioning equipment beginning with motor vehicles of a certain model year; providing for consultation with the Department of the Environment in the adoption of certain regulations by the Motor Vehicle Administrator; altering the application of a certain prohibition concerning the sale or equipping of motor vehicles with certain air-conditioning equipment; clarifying language; defining certain terms; making stylistic changes; and generally relating to motor vehicle air-conditioning equipment.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22–410

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 70 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Human Resources)**

AN ACT concerning

**Family Law – Child Support Enforcement – Medical Support for Children**

FOR the purpose of altering provisions of law relating to health insurance coverage for children by requiring, rather than authorizing, a court to include in a certain support order a provision requiring health insurance coverage for a child; providing that both parents are subject to a certain order; altering the conditions under which coverage must be provided; repealing a provision of law authorizing a certain order to be issued separate from or in conjunction with an earnings withholding order; requiring a court to include certain provisions in a support order if health insurance coverage is not available at a reasonable cost at the time the order is established or modified; establishing when cash medical support and the cost of health insurance coverage shall be deemed reasonable; defining certain terms; and generally relating to medical support for children.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 12–102  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 71 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Certificate of Need Requirements**

FOR the purpose of altering certain certificate of need requirements relating to the closure of a hospital so as to include certain other health care facilities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–120(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Exempt  
Institutions**

FOR the purpose of prohibiting certain institutions of postsecondary education that are exempt from approval by the Maryland Higher Education Commission from making certain references and representations; establishing certain penalties for certain violations; and generally relating to references and representations by certain institutions of postsecondary education.

BY repealing and reenacting, without amendments,

Article – Education  
Section 11–202(c)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Education  
Section 11–202(h) and (i)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Sale of Land  
Preservation Easements – Confidentiality of Records**

FOR the purpose of requiring that certain records relating to the sale of an agricultural land preservation easement to the Maryland Agricultural Land Preservation Foundation remain confidential until after a certain time; and generally relating to the sale of Maryland Agricultural Land Preservation Foundation easements.

BY adding to

Article – Agriculture  
Section 2–510(m)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**State Tobacco Authority – Repeal**

FOR the purpose of abolishing the State Tobacco Authority; specifying that the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct certain cross-references and terminology rendered incorrect by this Act; and generally relating to the abolition of the State Tobacco Authority.

BY repealing

Article – Agriculture

Section 7–101 through 7–419 and the title “Title 7. Tobacco”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–106(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Public Information Act – Maryland Port Administration – Confidentiality of  
Security-Related Documents and Records**

FOR the purpose of adding certain documents and records concerning ports to the list of certain security-related documentation that may be exempt from disclosure under the Public Information Act; and generally relating to public inspection of certain port security-related documents and records.

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–618(j)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Baltimore City Community  
College)**

AN ACT concerning

**Baltimore City Community College – Term of Student Trustee**

FOR the purpose of altering the beginning and ending days of the term of the student member of the Baltimore City Community College Board of Trustees.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–504(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Organic Certification Program – Fees**

FOR the purpose of repealing a requirement that the Department of Agriculture adopt certain regulations creating a certain Organic Certification Program that meets the requirements of a certain federal law; requiring the Organic Certification Program established by the Department to conform to a certain federal law; eliminating the limit at which the Secretary of Agriculture is authorized to set a certain fee; and generally relating to the Organic Certification Program within the Department of Agriculture.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 10–1401, 10–1402, 10–1404, and 10–1406  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Practice of Veterinary Medicine – Students – Immunity**

FOR the purpose of providing that certain activities of certain veterinary medical students are not within the meaning of the practice of veterinary medicine when performed under the responsible direct supervision of a veterinary practitioner; extending certain immunity from liability to certain veterinary medical students under certain circumstances; and generally relating to the practice of veterinary medicine by certain students.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–301(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–301(g) and 2–314  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–614  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 79 – Chair, Finance Committee (By Request – Departmental –  
Insurance Administration, Maryland)**

AN ACT concerning

**Health Insurance – Reform**

FOR the purpose of expanding the applicability of certain provisions of law that limit the imposition of certain preexisting condition provisions by certain carriers to a policy or certificate issued to an individual in accordance with certain provisions of law; altering certain loss ratio requirements for certain health benefit plans and Medicare supplement policies; requiring certain carriers that offer certain out-of-state association contracts to Maryland residents also to offer certain individual health insurance contracts to Maryland residents; requiring the carriers to make certain disclosures to a Maryland resident applying for coverage under an out-of-state association contract; requiring the carriers to disclose certain information on the enrollment application for coverage under an out-of-state association contract under certain circumstances; prohibiting certain carriers from rescinding a contract or certificate under certain circumstances; requiring the carrier to have the burden of persuasion that a rescission complies with certain provisions of this Act; altering a certain definition; defining certain terms; providing for the application of this Act; and generally relating to health insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–508, 15–605(c)(1) and (2)(i), and 15–911(d)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 15–1105 and 15–1106 to be under the amended subtitle “Subtitle 11.

Miscellaneous Health Insurance Policies and Contracts and Health Benefit Plans”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 19–706(ttt)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 80 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Distribution of Tobacco-Related Products to Minors – Enforcement**

FOR the purpose of prohibiting the distribution of certain tobacco products, cigarette rolling papers, and tobacco-related coupons to minors; requiring photo identification checks in connection with the distribution of certain tobacco-related products to minors; establishing certain civil penalties; repealing a county-specific provision concerning civil enforcement of youth tobacco violations applicable to Carroll County, Garrett County, and St. Mary's County; and generally relating to the illegal distribution of tobacco and tobacco-related products to minors in Maryland.

BY repealing

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 15–102.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General  
Section 24–1701 through 24–1706 to be under the new subtitle “Subtitle 17.  
Distribution of Tobacco-Related Products to Minors”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**State Personnel – Maryland Whistleblower Law – Confidentiality of  
Information Obtained During Investigations of Complaints**

FOR the purpose of establishing that information obtained during investigations of complaints conducted under the Maryland Whistleblower Law is confidential within the meaning of certain provisions of law; providing for the application of this Act; and generally relating to the Maryland Whistleblower Law in the Executive Branch of State government.

BY adding to

Article – State Personnel and Pensions  
Section 5–314  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Inflatable Amusement Attractions – Inspections**

FOR the purpose of requiring the annual inspection of inflatable amusement attractions; defining a certain term; exempting inflatable amusement attractions from certain inspections; providing that a certificate of inspection for an inflatable amusement attraction is valid for not more than a certain period of time; and generally relating to the inspection of amusement attractions.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–101 and 3–402  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Human Services – Child Welfare Workforce**

FOR the purpose of altering certain provisions relating to the training and testing of certain child welfare caseworkers; and generally relating to the child welfare workforce.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 4–301  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

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

**Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

**EMERGENCY BILL**

AN ACT concerning

**Medicare Supplement Plan A Policies – Individuals with a Disability – Rates**

FOR the purpose of requiring a carrier, under certain circumstances, to make available a Medicare supplement policy plan A to an individual who is eligible for Medicare due to a disability; prohibiting a carrier from charging individuals who, regardless of age, are eligible for Medicare due to a disability a higher rate for a Medicare supplement policy plan A than the rate charged by the carrier to certain individuals who are eligible for Medicare due to age; prohibiting a carrier from taking certain actions relating to a Medicare supplement policy plan A for certain reasons if an individual applies for the policy plan within a certain time period; making this Act an emergency measure; and generally relating to Medicare supplement plan A policies under health insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–909(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Notice of Cancellation or Nonrenewal – Mailing Address**

FOR the purpose of requiring certain notices of cancellation or nonrenewal to be sent to the named insured at a certain address; and generally relating to notices of cancellation or nonrenewal.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 12–106(f)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–602(b), (c), and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 86 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Title Insurance Producers – Regulation and Requirements**

FOR the purpose of specifying that only a licensed title insurance producer may have control over or custody of certain money; increasing the amount of a certain fidelity bond and a certain surety bond or letter of credit that certain applicants for a license to act as a title insurance producer must file with the Maryland Insurance Commissioner; making certain conforming changes; requiring the Commissioner to adopt certain regulations; and generally relating to title insurance producers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–121  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 87 – Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Property Tax – Homestead Tax Credit – Eligibility**

FOR the purpose of altering the deadline for filing certain applications for the homestead property tax credit with the State Department of Assessments and Taxation under certain circumstances; authorizing the Department to reinstate the tax credit under certain circumstances; providing for the application of this Act; and generally relating to eligibility and application requirements for the homestead property tax credit program.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(d)(5) and (6)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 88 – Chair, Budget and Taxation Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Tax – Property – Exempt Manufacturing Personal Property Application  
Deadline**

FOR the purpose of providing that a property tax exemption for certain manufacturing personal property shall be granted for a certain taxable year under certain circumstances if the owner files a certain application within a certain period after the date of the first assessment notice that includes the manufacturing personal property; providing for the application of this Act; and generally relating to applications for property tax exemptions for certain manufacturing personal property.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–104 and 11–103  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 89 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Imposition of Civil  
Penalties – Authorization**

FOR the purpose of authorizing the Maryland Agricultural Land Preservation Foundation to impose certain penalties for certain violations under certain circumstances; establishing that each day a violation occurs is a separate violation; establishing certain notice and hearing requirements; establishing certain maximum penalties for certain violations; requiring the imposition of penalties to be assessed in accordance with certain considerations; requiring certain penalties to be deposited into the Maryland Agricultural Land Preservation Fund; requiring the Foundation to adopt certain regulations; and generally relating to the authority of the Maryland Agricultural Land Preservation Foundation.

BY adding to  
Article – Agriculture  
Section 2–519  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Valuation of  
Terminated Easements**

FOR the purpose of altering the appraisal method for determining the agricultural value of a terminated agricultural land preservation easement to be repurchased by the landowner from the Maryland Agricultural Land Preservation Foundation; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–514(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Lawn and Turf Grass Seed – Testing and Labeling Requirements**

FOR the purpose of establishing certain labeling requirements for certain lawn and turf grass seed; extending the time period for the validity of certain germination tests for certain lawn and turf grass seed; making a stylistic change; and generally relating to testing and labeling requirements for lawn and turf grass seed.

BY adding to  
Article – Agriculture  
Section 9–209.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 9–210(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 92 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Motor Carriers – Identification Markers – Forged Documents – Criminal Penalties**

FOR the purpose of prohibiting a motor carrier from falsifying, duplicating, or attempting to falsify or duplicate certain licenses, decals, or other official documents issued by the Comptroller; prohibiting a motor carrier from manufacturing, constructing, or possessing certain paraphernalia; prohibiting a motor carrier from possessing, giving away, selling, or attempting to sell certain items; prohibiting a motor carrier from holding or using certain licenses or decals that have been falsified or duplicated in violation of this Act; specifying certain penalties for certain violations of this Act; and generally relating to the falsification or duplication of certain licenses, decals, or other official documents issued by the Comptroller.

BY adding to

Article – Tax – General  
Section 9–223 and 13–1020(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 93 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Motor Fuel Taxes – Biodiesel Fuel User License**

FOR the purpose of requiring a person to be licensed by the Comptroller before the person may buy, produce, acquire, receive, or store certain biodiesel fuel on which the motor fuel tax has not been paid and use it in certain motor vehicles; providing for the issuance of a biodiesel fuel user license under the motor fuel tax law; requiring applicants for a biodiesel fuel user license to post security in

a certain minimum amount except under certain circumstances; defining certain terms and altering certain definitions under the motor fuel tax law; and generally relating to use of biodiesel fuel and the motor fuel tax.

BY adding to

Article – Tax – General  
Section 9–101(c–1), 9–301(d–1), and 9–322(h–1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 9–101(h), 9–301(h), and 13–825(f)(8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 94 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Sales and Use Tax – Gross Negligence Penalty for Underpayment**

FOR the purpose of providing for the assessment of a certain penalty for underpayment of the sales and use tax due to gross negligence under certain circumstances; providing that underpayment of a certain percentage or more of the sales and use tax is prima facie evidence of gross negligence; and generally relating to a penalty for underpayment of the sales and use tax due to gross negligence under certain circumstances.

BY adding to

Article – Tax – General  
Section 13–703.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 95 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Gaming Machines – Tamperproof Counters**

FOR the purpose of requiring certain gaming machines to have functioning tamperproof counters.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–202  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 96 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Income Tax – Mandatory Income Tax Return Preparer Requirements**

FOR the purpose of requiring certain income tax return preparers under certain circumstances to file certain income tax returns by electronic means as prescribed by the Comptroller; imposing certain penalties for certain violations; exempting certain returns and providing for certain waivers under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to mandatory electronic filing of certain income tax returns by certain income tax return preparers under certain circumstances.

BY adding to  
Article – Tax – General  
Section 10–824 and 13–717  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 1 – Senator Jacobs**

A Senate Joint Resolution concerning

**Maryland Ratification of the 17th Amendment to the United States  
Constitution**

FOR the purpose of ratifying the 17th Amendment to the United States Constitution relative to the popular election of United States Senators.

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

**Senate Joint Resolution 2 – Senator Middleton**

A Senate Joint Resolution concerning

**The Jim McKay Maryland Million**

FOR the purpose of urging the Maryland Million LTD to rename the day of racing known as the Maryland Million in memory of Jim McKay, rename a certain trophy in memory of Jim McKay, and continue to sponsor Maryland Million races annually at Laurel Park, except under certain circumstances; and generally relating to the dedication of the Maryland Million to the memory of Jim McKay.

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

**QUORUM CALL**

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

(See Roll Call No. 16)

**ADJOURNMENT**

At 12:58 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 15, 2009.

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**Annapolis, Maryland**  
**Thursday, January 15, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Reverend Robert P. Hahn, Chesapeake Church, guest of President Thomas V. Mike Miller Jr.

The Journal of January 14, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 18)

**INTRODUCTION OF BILLS**

**Senate Bill 97 – Senator Stone**

AN ACT concerning

**Election Law – Campaign Advertisements – Closed Captioning**

FOR the purpose of requiring a campaign finance entity to include closed captioning for individuals who are deaf or hard of hearing in campaign advertisements that are distributed by broadcast or cable television or on its website; providing certain exemptions; prohibiting a campaign finance entity from distributing a campaign advertisement by broadcast or cable radio, subject to certain conditions; and generally relating to campaign advertisements and closed captioning for the deaf or hard of hearing.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(k) and 13–403

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY adding to

Article – Election Law  
Section 13–404  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 98 – Senator Stone**

AN ACT concerning

**Motor Vehicles – Use of Text Messaging Device While Driving – Prohibition**

FOR the purpose of prohibiting a person from using a text messaging device to write, send, or read a text message while operating a motor vehicle.

BY adding to

Article – Transportation  
Section 21–1124.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 99 – Senator Stone**

AN ACT concerning

**Criminal Law – Possession of Child Pornography – Penalties**

FOR the purpose of altering the definition of “sexual conduct” for purposes of certain child pornography provisions to include displaying the genitals of an individual for purposes of sexual arousal or gratification; increasing the penalties for possessing a film, videotape, photograph, or other visual representation depicting a minor engaged in certain activity or in a certain state; making the possession of child pornography a felony under certain circumstances; and generally relating to child pornography.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 11–201(f) and 11–208  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 100 – Senator Stone**

AN ACT concerning

**Public Schools and Child Care Centers – Artificial Color Additives –  
Prohibition**

FOR the purpose of prohibiting certain schools and certain child care centers from purchasing, selling, using, or serving food products containing or consisting of certain artificial color additives on or after a certain date; authorizing the State Board of Education to adopt certain regulations; providing that certain child care centers may serve certain foods containing or consisting of certain artificial color additives under certain circumstances; defining a certain term; and generally relating to prohibiting food products with artificial color additives in public schools and child care centers.

BY adding to

Article – Education  
Section 7–430  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 5–573  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 101 – Senator Stone**

AN ACT concerning

**Public Health – Warning Labels and Prohibition on Color Additives in Food**

FOR the purpose of prohibiting the sale of certain food products that contain or consist of certain color additives unless certain labeling requirements are met between certain dates; establishing that certain foods are misbranded if certain labeling

requirements for certain color additives are not met within certain dates; prohibiting food service facilities from purchasing, selling, using, or serving certain food products that contain or consist of certain color additives unless certain menus and notices meet certain labeling requirements between certain dates; authorizing the Secretary of Health and Mental Hygiene to seize or condemn certain food containing certain color additives purchased, sold, used, or served by food service facilities in the State; prohibiting the sale of certain food products that contain or consist of certain color additives after a certain date; prohibiting food service facilities from purchasing, selling, using, or serving certain food products that contain or consist of certain color additives after a certain date; providing for the effective date of certain provisions of this Act; providing for the delayed effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to warning labels and prohibitions on color additives in food.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 21–101(c), (i), (k), and (l), 21–207(b)(2) and (3), 21–239(a)(1), 21–253(a) through (d)(2), 21–261(a), 21–301(h), 21–314, 21–315, 21–318(a), and 21–1214

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–210(b)(9) and (d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 21–239(f); and 21–353 and 21–354 to be under the new part “Part VIII. Color Additives”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 102 – Senator Stone**

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 2008 Supplement)

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

### **Senate Bill 103 – Senator Stone**

AN ACT concerning

#### **Vehicle Laws – Use of Handheld Telephone While Driving – Prohibitions**

FOR the purpose of prohibiting a driver of a certain school vehicle from using a handheld telephone under certain circumstances; 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 a handheld telephone; prohibiting a certain driver of a motor vehicle that is in motion from using the driver’s hands to use a handheld telephone except under certain circumstances; providing that a violation of this Act may only be enforced as a secondary action; 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 handheld telephones while driving; defining certain terms; and generally relating to prohibitions against the use of handheld telephones while operating a motor vehicle.

BY adding to  
Article – Transportation  
Section 21–1124.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 104 – Senator Stone**

AN ACT concerning

### **Baltimore County – Employees and Volunteers – Criminal History Records Check**

FOR the purpose of authorizing the County Administrative Officer of Baltimore County or a designee of the officer to request from the Central Repository a State and national criminal history records check for a prospective or current employee or volunteer of Baltimore County; requiring that the officer or designee of the officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective or current employee or volunteer and the officer or designee of the officer the prospective or current employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be redisseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing body of Baltimore County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks in Baltimore County.

BY adding to

Article – Criminal Procedure  
Section 10–231.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 105 – Senator Astle**

AN ACT concerning

#### **Criminal Law – Voluntary Manslaughter and Involuntary Manslaughter**

FOR the purpose of clarifying that the separate crimes of voluntary manslaughter and involuntary manslaughter exist in the State; specifying that the crimes retain their judicially determined meanings; providing for certain penalties; altering certain defined terms; and generally relating to the crimes of voluntary manslaughter and involuntary manslaughter.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–8A–03(d)(4)(iv) and 10–916(a)(3)(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–102, 2–207, 2–303(h)(1)(xi), 4–401(b)(1)(ii), and 14–101(a)(4)

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY adding to

Article – Criminal Law

Section 2–207.1

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

### **Senate Bill 106 – Anne Arundel County Senators**

AN ACT concerning

#### **Anne Arundel County – Alcoholic Beverages Act of 2009**

FOR the purpose of altering certain alcoholic beverages license fees in Anne Arundel County; establishing certain hotel–limited service licenses in the county; authorizing the Board of License Commissioners to issue the hotel–limited service licenses to certain persons; providing for the privileges and annual fees for the hotel–limited service licenses; requiring the Board to obtain criminal records of alcoholic beverages license applicants from certain governmental units, require applicants for licenses to be fingerprinted, and forward the fingerprints to certain governmental units; establishing a certain nonrefundable license renewal fee; authorizing the Board to issue a special outdoor license and a special outdoor entertainment license to holders of certain licenses; providing for the privileges, annual fees, and renewal requirement for special outdoor licenses and special outdoor entertainment licenses; authorizing the Board to employ a part–time deputy chief inspector at a certain annual salary; altering the number of part–time inspectors that the Board may employ; altering the annual salary of the attorney for the Board; altering the penalty the Board may impose for a violation that is cause for suspension of a license; making certain stylistic changes; defining a certain term; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 1–102(b), 5–101(c)(1), 5–201(c), 5–202(d), 5–301(c), 5–401(c)(1)(i), 6–101(c), 6–201(c), 6–301(c)(2), (5)(ii), (6)(ii), and (7)(ii), 6–401(c)(3), 7–101(b)(2)(i) and (d)(2), 8–202(d)(4)(ii) and (5), (e)(3), (h)(4)(i), and (i)(4)(i), 8–202.1(f), 12–202(a), 15–112(c)(3) and (5)(iii), and 16–507(c)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 4–201(a)(1), 5–101(a)(1), 5–202(b)(1), 5–301(a)(1), 5–401(a)(1), 6–101(a)(1), 6–301(a)(1), (c)(1), (5)(i), (6)(i), and (7)(i), 6–401(a)(1) and (c)(1), 7–101(b)(1)(i), 8–202(a), (b)(1) and (2), (e)(1), (h)(3), and (i)(1), 8–202.1(a) and (c)(1), and 15–112(c)(1)(i)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 4–201(b)(7), 8–202(j), 10–103(b)(13)(xv), and 10–301(u)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 107 – Senator Astle**

#### **EMERGENCY BILL**

AN ACT concerning

### **Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day**

FOR the purpose of providing that in Anne Arundel County or the City of Annapolis, a certain establishment licensed for alcoholic beverages with an on-sale privilege that is open on Inauguration Day may remain open for a certain period past its normal closing time for on-premises consumption only on payment of a certain fee; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Anne Arundel County and the City of Annapolis.

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

### **Senate Bill 108 – Senators Stone and Della**

AN ACT concerning

#### **Commercial Law – Consumer Reporting Agencies – Credit Scores**

FOR the purpose of requiring a consumer reporting agency to provide a consumer certain information about the consumer's credit score under certain circumstances; requiring a consumer reporting agency to provide the consumer

with the same credit score that the consumer reporting agency provides to the users of the credit score; prohibiting a consumer reporting agency from charging a fee for a first request within a certain period for certain information; authorizing a consumer reporting agency to charge a reasonable fee up to a certain limit for providing certain information under certain circumstances; defining a certain term; making stylistic changes; and generally relating to consumer reporting agencies.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1201, 14–1206, and 14–1209  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 109 – Senator Stone**

AN ACT concerning

#### **Real Property – Residential Leases – Required Mold Assessment and Remediation**

FOR the purpose of requiring a landlord, at the request of a tenant, to perform a certain mold assessment of the tenant's dwelling unit under certain circumstances; requiring a landlord to perform the mold assessment within a reasonable time after receiving a certain written certification; requiring a landlord to carry out certain mold remediation measures under certain circumstances; requiring a landlord to take certain precautions when carrying out mold remediation measures; requiring a landlord to carry out mold remediation measures within a reasonable time after performing a certain mold assessment; authorizing a tenant to deposit rent in an escrow account with a certain court under certain circumstances; providing for certain defenses in an action for rent escrow under this Act; providing for the release of money deposited in an escrow account under this Act; prohibiting a landlord from taking certain retaliatory action against a tenant who seeks the remedies under this Act; providing that the right of a tenant to deposit rent in an escrow account under this Act is in addition to any other rights or remedies; providing that this Act does not preempt certain local laws or ordinances; defining a certain term; and generally relating to residential leases and a landlord's obligation to perform a certain mold assessment and carry out certain mold remediation measures.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 8–201  
Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – Real Property

Section 8–211.2

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 110 – Senator Stone**

AN ACT concerning

#### **Vehicle Laws – Transporting Pets in Trucks or Trailers**

FOR the purpose of prohibiting a person from transporting certain animals in or on a truck or trailer on a highway unless the truck or trailer is enclosed in a certain manner or unless the pet is confined in a certain manner; providing that a violation of this Act is not a moving violation for certain purposes; defining a certain term; establishing that certain penalties apply to a violation of this Act; and generally relating to the transportation of pets in or on trucks or trailers.

BY adding to

Article – Transportation

Section 21–1121.1

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 27–101(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 111 – Senator Stone**

AN ACT concerning

#### **Public Health – Food Allergen Labeling – Vending Machines**

FOR the purpose of requiring certain operators of vending machines to include certain information relating to food allergens on the exterior of certain vending machines; and generally relating to foods contained within vending machines.

BY adding to

Article – Health – General  
Section 21–203.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 112 – Senator Stone**

AN ACT concerning

**Income Tax – Subtraction Modification – Military Retirement Income**

FOR the purpose of removing a certain limitation on a subtraction modification under the Maryland income tax for certain military retirement income; providing for the application of this Act; and generally relating to a subtraction modification 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 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 113 – Senator Stone**

AN ACT concerning

**Sales and Use Tax – Exemption – Veterans’ Organizations**

FOR the purpose of making permanent an exemption from the sales and use tax for sales to certain veterans’ organizations; repealing a certain termination provision; and generally relating to a sales and use tax exemption for sales to certain veterans’ organizations.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 11–204(a)(8)

Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 217 of the Acts of the General Assembly of 2006  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 218 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 114 – Senator Stone**

AN ACT concerning

#### **Creation of a State Debt – Baltimore County – Todd’s Inheritance**

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 County Executive and County Council of Baltimore County 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 115 – Senator Glassman**

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 2008 Supplement)

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

**Senate Bill 116 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Veterinary Medical Examiners 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; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Veterinary Medical Examiners.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–316  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(66)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 117 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Well Drillers – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Well Drillers 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; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Well Drillers.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 13–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(68)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 118 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Athletic Commission – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Athletic Commission 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 Commission; requiring that an evaluation of the Commission and the statutes and regulations that relate to the Commission be performed on or before a certain date; requiring the Commission to submit a certain report on or before a certain date; and generally relating to the State Athletic Commission.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 4–208  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(5)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 119 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Horse Racing Act – Sunset Extension and Program Evaluation**

FOR the purpose of extending the date on which the Maryland Horse Racing Act terminates; requiring that an evaluation in accordance with the Maryland Program Evaluation Act (sunset law) be made of the State Racing Commission, the Maryland–Bred Race Fund Advisory Committee, and the Maryland Standardbred Race Fund Advisory Committee and the related statutes and regulations on or before a certain date; exempting the Commission and certain advisory committees from certain evaluation requirements; and generally relating to the Maryland Horse Racing Act.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 11–1101  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–1102  
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a) and 8–404  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(37), (56), and (64)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

## INTRODUCTION OF JOINT RESOLUTIONS

### Senate Joint Resolution 3 – Senator Stone

A Senate Joint Resolution concerning

#### Federal Legislation to Ban Color Additives

FOR the purpose of urging the United States Congress to enact legislation that bans the use of certain color additives in food sold, served, or distributed in the United States.

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

## SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

## MESSAGE FROM THE EXECUTIVE

January 14, 2009

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H–107 State House  
Annapolis, Maryland 21401

Dear President Miller:

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 2008 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.

Sincerely,

Governor

<b>ADJUTANT GENERAL</b>	
Brigadier General James A. Adkins 27 Algonquin Road Cambridge, Maryland 21613 Dorchester/37	Appointment Adjutant General Serves at the pleasure of the Governor
<b>AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON</b>	
Evan Richardson 2806 Harview Avenue Baltimore, Maryland 21234 Baltimore City/43	Appointment Member Term of 4 years from July 1, 2008
Veronica E. Coates 10370 Faith Hope Place White Plains, Maryland 20695 Charles/28	Appointment Member Term of 4 years from July 1, 2008
<b>AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORP. (MARBIDCO), BOARD OF DIRECTORS OF MARYLAND</b>	
Faith Elliott Rossing 3601 Goldsboro Road Henderson, Maryland 21640 Queen Anne's/36	Appointment Rural Economic Development Term of 4 years from July 1, 2007
<b>APPEALS, COURT OF</b>	
Hon. Sally Denison Adkins 30563 Paddington Court Salisbury, Maryland 21804 Wicomico/38	Appointment 1st Appellate Circuit Term of 10 years from June 25, 2008
Hon. Mary Ellen Barbera 9500 Barroll Lane Kensington, Maryland 20895 Montgomery/14	Appointment 7th Appellate Circuit Term of 10 years from September 2, 2008
<b>APPEALS, COURT OF SPECIAL</b>	
Hon. Christopher Burlee Kehoe 29307 Spruce Place Easton, Maryland 21601 Talbot/37	Appointment 1st Appellate Circuit Term of 10 years from December 23, 2008

Hon. Kathryn Grill Graeff 8592 Trail View Drive Ellicott City, Maryland 21043 Howard/9	Appointment 3rd Appellate Circuit Term of 10 years from September 2, 2008
Hon. Albert J. Matricciani, Jr. 204 Churchwarden's Road Baltimore, Maryland 21212 Baltimore City/43	Appointment At Large Term of 10 years from September 2, 2008
APPRENTICESHIP AND TRAINING COUNCIL	
Grant Blake Shmelzer 4977 Battery Lane, Apt. 1019N Bethesda, Maryland 20814 Montgomery/16	Appointment Employee Organization Term of 4 years from July 1, 2008
George Patrick Maloney 7 Beach Road Severna Park, Maryland 21146 Anne Arundel/31	Appointment Employer Representative Term of 4 years from July 1, 2008
ARTS COUNCIL, MARYLAND STATE	
Nilimma S. Devi 1525 Forest Glen Road Silver Spring, Maryland 20910 Montgomery/18	Appointment Member Term of 3 years from July 1, 2008
ASSISTIVE TECHNOLOGY GUARANTEED LOAN PROGRAM BOARD OF DIRECTORS	
Sue C. Lin 2114 Darcy Green Place Silver Spring, Maryland 20910 Montgomery/20	Appointment Finance Expertise Term of 4 years from October 1, 2007
Mollyne R. Honor 3707 Beach Avenue Baltimore, Maryland 21211 Baltimore City/40	Appointment Finance Expertise Term of 4 years from October 1, 2007
Margaret L. Michelle Maxberry 8101 Eastern Avenue, #413 Silver Spring, Maryland 20910 Montgomery/20	Appointment Finance Expertise Term of 4 years from October 1, 2007
Ethelette Wright Ennis 4017 St. Monica Drive Baltimore, Maryland 21222 Baltimore County/6	Reappointment Disability Community Term of 4 years from October 1, 2007
Misti Ray Lucente 11016 Graymarsh Place Ijamsville, Maryland 21754 Frederick/3	Reappointment Disability Community Term of 4 years from October 1, 2007

John G. Miers 5510 Huntington Parkway Bethesda, Maryland 20814 Montgomery/16	Appointment Disability Community Term of 4 years from October 1, 2007
Lawrence Nathaniel Adams 712 Teal Court Havre de Grace, Maryland 21078 Harford/34	Appointment Disability Community Term of 4 years from October 1, 2007
AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH- LANGUAGE PATHOLOGISTS, STATE	
Rebecca Conley-Hartman 6315 Eastern Star Way Clarksville, Maryland 21029 Howard/13	Appointment Consumer – Hearing Impaired Term of 4 years from July 1, 2005
BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF	
Chandra M. Boyd 2016 Westwood Avenue Baltimore, Maryland 21217 Baltimore City/40	Appointment Student Term of one year from June 1, 2008
BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR	
Sheldon Caplis 113 River Oaks Circle Pikesville, Maryland 21208 Baltimore County/11	Appointment 2nd Councilmanic District Term of 5 years from July 1, 2006
Terri L. Whitley 8657 Ridgelys Choice Drive Nottingham, Maryland 21236 Baltimore County/8	Appointment 6th Councilmanic District Term of 5 years from July 1, 2006
Gloria Nelson 7908 Lynch Road Baltimore, Maryland 21222 Baltimore County/6	Appointment 7th Councilmanic District Term of 5 years from July 1, 2006
CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY	
Andrew L. Vick 12 South Mechanic Street Cumberland, Maryland 21502 Allegany/1	Appointment Chair Term of 4 years from June 1, 2006
Hon. Susan M. Keller 340 Grandview Drive Frostburg, Maryland 21532 Allegany/1	Appointment Member Term of 4 years from June 1, 2008
Matthew W. Diaz 839 Shriver Avenue Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2007

Douglas S. Schwab 835 MacDonald Terrace Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2007
Frederick A. Thayer, IV 208 Washington Street Cumberland, Maryland 21502 Allegany/1	Appointment Member Term of 4 years from June 1, 2006
<b>CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Barbara H. Biller 787 Link Drive Westminster, Maryland 21157 Carroll/5	Reappointment Member Term of 6 years from July 1, 2008
<b>CECIL COUNTY BOARD OF ELECTIONS</b>	
Brenda K. Ross 214 East Main Street P.O. Box 331 Cecilton, Maryland 21913 Cecil/36	Appointment Minority Party – Substitute Term of 4 years from June 4, 2007
<b>CHILD CARE PROGRAM ADMINISTRATORS, STATE BOARD FOR CERTIFICATION OF RESIDENTIAL</b>	
Krystal H. McKinney 4010 Bald Hill Terrace Bowie, Maryland 20721 Montgomery/24	Appointment Program Administrator Term of 4 years from July 1, 2007
Robin R. El-Amin 1517 Northgate Road Baltimore, Maryland 21218 Baltimore City/43	Reappointment Consumer Term of 4 years from July 1, 2007
<b>CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF</b>	
MaryAnne Frizzera-Hucek 8 Quail Hollow Road Lutherville, Maryland 21093 Baltimore County/42	Reappointment Consumer Term of 4 years from July 1, 2008
<b>CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND</b>	
I. Katherine Magruder 205 Green Street Centreville, Maryland 21617 Queen Anne's/36	Appointment Non-Profit Clean Energy Research Term to expire September 30, 2010
Dan Goodman 17716 Dominion Drive Sandy Spring, Maryland 20860 Montgomery/14	Appointment Non-Profit Clean Energy Research Term to expire September 30, 2011

Jeffrey W. Eckel 481 Old Orchard Circle Millersville, Maryland 21108 Anne Arundel/33	Appointment Venture Capital Term to expire September 30, 2012
Kenneth M. Connolly 3702 Underwood Street Chevy Chase, Maryland 20815 Montgomery/18	Appointment Venture Capital Term to expire September 30, 2013
Karen Galindo-White 2709 Rocky Glen Way Ellicott City, Maryland 21043 Howard/12	Appointment Clean Energy Industry Term to expire September 30, 2010
David Isaac Opalinsky 1039 Scituate Harbour Pasadena, Maryland 21122 Anne Arundel/31	Appointment Clean Energy Industry Term to expire September 30, 2011
Ivan V. Lanier 320 Prospect Bay Drive West Grasonville, Maryland 21638 Queen Anne's/36	Appointment General Public Term to expire September 30, 2012
Jeremy F. Butz 1323 Buckeystown Pike Adamstown, Maryland 21710 Frederick/3	Appointment General Public Term to expire September 30, 2013
CONSUMER COUNCIL	
Fred H. Spigler, Jr., Ed.D. 609 Goucher Avenue Lutherville, Maryland 21093 Baltimore County/42	Appointment Consumer Group Term of 6 years from July 1, 2006
Tamara Davis Brown 12012 Bork Dr P.O. Box 1292 Clinton, Maryland 20735 Prince George's/27	Appointment Business Group Term of 6 years from July 1, 2004
Wyatt K. Wallace 283 Poplar Point Road Perryville, Maryland 21903 Cecil/34	Appointment Public Sector Term of 6 years from July 1, 2004
Frank A. Porter 5306 Larraine Drive Camp Springs, Maryland 20748 Prince George's/26	Reappointment Public Sector Term of 6 years from July 1, 2008
Norman Goldstein 1014 Chiswell Lane Silver Spring, Maryland 20901 Montgomery/19	Reappointment Public Sector Term of 6 years from July 1, 2008

DEAF AND HARD OF HEARING, OFFICE OF AND MARYLAND ADVISORY COUNCIL FOR THE	
Paul K. Farrell 2441 Cheyenne Drive Gambrills, Maryland 21054 Anne Arundel/33	Reappointment MSDE Term of 3 years from October 1, 2007
Carl W. Bailey, Jr. 8 Barbie Court Baltimore, Maryland 21220 Baltimore County/07	Appointment DHR Term of 3 years from October 1, 2008
Julie R. Moyer 208 Lincoln Avenue Glen Burnie, Maryland 21061 Anne Arundel/32	Reappointment MDOT Term of 3 years from October 1, 2007
Alexis A. Allenback 2501 Shelley Circle Frederick, Maryland 21702 Frederick/3	Reappointment DLLR Term of 3 years from October 1, 2008
John J. Rouse 781 Kimberly Court West Gaithersburg, Maryland 20878 Montgomery/17	Appointment DHCD Term of 3 years from October 1, 2007
Dirk R. Albrecht 11203 Hessong Bridge Road Thurmont, Maryland 21788 Frederick/4	Appointment MD School for the Deaf Term of 3 years from October 1, 2006
Judy C. Stout 18812 Lake Placid Lane Germantown, Maryland 20874 Montgomery/39	Appointment Hearing Impaired/Private Agency Term of 3 years from October 1, 2008
Cheri A. Dowling 1205 Ed Glenn Drive Woodbine, Maryland 21797 Carroll/5	Appointment Parent of a Deaf Child Term of 3 years from October 1, 2007
Alicia B. Epstein 2057 Westchester Drive Silver Spring, Maryland 20902 Montgomery/18	Appointment Hearing Impaired Term of 3 years from October 1, 2006
Laurie M. Yaffe 32655 Meadowlark Lane Easton, Maryland 21601 Talbot/37	Appointment Special Knowledge/Expertise Term to expire September 30, 2008 and a term of 3 years from October 1, 2008

Amy L. Bopp 5211 Old Frederick Road Baltimore, Maryland 21229 Baltimore County/10	Appointment Hearing Impaired Term of 3 years from October 1, 2007
Karen L. Sheffer 29 Wash House Circle Middletown, Maryland 21769 Frederick/3	Appointment Private Term of 3 years from October 1, 2007
George N. Kosovich 1755 Redgate Farms Court Rockville, Maryland 20850 Montgomery/17	Reappointment Hearing Impaired/Expertise Term of 3 years from October 1, 2008
<b>DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE</b>	
Roslyn M. Hannibal-Booker 291 Attenborough Drive, 102 Rosedale, Maryland 21237 Baltimore County/7	Appointment Member Term of 6 years from October 1, 2004
<b>DENTAL EXAMINERS, STATE BOARD OF</b>	
Sidney B. Seidman, M.D. 2171 Chesapeake Harbour Drive East Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Consumer Term of 4 years from June 1, 2008
<b>DISTRICT COURT OF MARYLAND – DISTRICT ONE – BALTIMORE CITY</b>	
Hon. Leon Robert Cooper 331 Tunbridge Road Baltimore, Maryland 21212 Baltimore City/43	Appointment District Court Judge Term of 10 years from May 7, 2008
Hon. Kathleen Marie Sweeney 2305 South Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment District Court Judge Term of 10 years from January 5, 2009
Hon. George McQuade Lipman 3414 Guilford Terrace Baltimore, Maryland 21218 Baltimore City/43	Reappointment District Court Judge Term of 10 years from November 24, 2008
Hon. Videtta Arthyne Brown 810 East Baltimore Avenue Baltimore, Maryland 21212 Baltimore City/43	Appointment District Court Judge Term of 10 years from May 7, 2008
<b>DISTRICT COURT OF MARYLAND – DISTRICT TWO – DORCHESTER, SOMERSET, WICOMICO, WORCESTER</b>	
Hon. Paula Ann Price 30448 Prince William Street Princess Anne, Maryland 21853 Somerset/38	Appointment District Court Judge Term of 10 years from January 7, 2009

Hon. Robert Scott Davis 111 W. Rustic Drive Salisbury, Maryland 21801 Wicomico/38	Reappointment District Court Judge Term of 10 years from January 5, 2009
DISTRICT COURT OF MARYLAND – DISTRICT THREE – CAROLINE, CECIL, KENT, QUEEN ANNE’S	
Hon. Bonnie G. Schneider 101 Iroquois Drive North East, Maryland 21901 Cecil/36	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. John T. Clark III 305 Chesterfield Avenue Centreville, Maryland 21617 Queen Anne’s/36	Reappointment District Court Judge Term of 10 years from December 22, 2008
Hon. John Edward Nunn, III 10746 Worton Road P.O. Box 141 Worton, Maryland 21678 Kent/36	Appointment District Court Judge Term of 10 years from December 23, 2008
DISTRICT COURT OF MARYLAND – DISTRICT FOUR – CALVERT, CHARLES, ST. MARY’S	
Hon. Edward Gregory Wells 225 Double Oak Road North Prince Frederick, Maryland 20678 Calvert/27	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT FIVE – PRINCE GEORGE’S	
Hon. G. Richard Collins 7318 Edmonston Road College Park, Maryland 20740 Prince George’s/21	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Lawrence V. Hill, Jr. 9201 Gary Lane Springdale, Maryland 20774 Prince George’s/24	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Tiffany Hanna Anderson 11702 Horse Stable Court Upper Marlboro, Maryland 20772 Prince George’s/25	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT SEVEN – ANNE ARUNDEL	
Hon. Shaem Charles Patrick Spencer 7726 Aragorn Court Hanover, Maryland 21076 Anne Arundel/32	Appointment District Court Judge Term of 10 years from August 7, 2008

Hon. H. Richard Duden, III 1414 Huntingwood Road Annapolis, Maryland 21403 Anne Arundel/30	Appointment District Court Judge Term of 10 years from August 7, 2008
Hon. Eileen Ann Reilly 1136 Court Revere Odenton, Maryland 21113 Anne Arundel/33	Appointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 8 – BALTIMORE COUNTY	
Hon. Norman R. Stone, III 9825 Forge Park Road Perry Hall, Maryland 21128 Baltimore County/7	Reappointment District Court Judge Term of 10 years from August 7, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 9 – HARFORD COUNTY	
Hon. Susan Hower Hazlett 3112 Morning Side Court Baldwin, Maryland 21013 Harford/35	Appointment District Court Judge Term of 10 years from May 14, 2008
DISTRICT COURT OF MARYLAND – DISTRICT 12 – ALLEGANY & GARRETT	
Hon. Leonard James Eiswert 82 Sunset Lane Oakland, Maryland 21550 Garrett/1	Appointment District Court Judge Term of 10 years from October 15, 2008
ELECTRICIANS, STATE BOARD OF MASTER	
Dennis Robert Thomas 3280 Green Ash Road Davidsonville, Maryland 21035 Anne Arundel/33	Appointment Electrician Term of 3 years from July 1, 2008
EMERGENCY NUMBER SYSTEMS BOARD	
Anthony Myers 914 Cromwell Bridge Road Towson, Maryland 21286 Baltimore County/42	Reappointment PSC Term of 4 years from July 1, 2008
Susan Elaine Greentree 257 Overleaf Drive Arnold, Maryland 21012 Anne Arundel/30	Appointment PSCO Association Term of 4 years from July 1, 2005
Bryan C. Ebling 403 Sunrise Avenue P.O. Box 44 Ridgely, Maryland 21660 Caroline/37	Reappointment Volunteer Fire Services Term of 4 years from July 1, 2008

Roderick W. Hart 9841 Branchleigh Road Randallstown, Maryland 21133 Baltimore County/10	Reappointment Public Term of 4 years from July 1, 2008
Kenneth M. Miller 1414 Harmony Lane Annapolis, Maryland 21409 Anne Arundel/30	Appointment GIS Term of 4 years from July 1, 2008
John E. (Jack) Markey 7113 Flint Court Middletown, Maryland 21769 Frederick/4	Appointment EM Services Term of 4 years from July 1, 2008
ENVIRONMENTAL SERVICE, MARYLAND	
William B.C. Addison, Jr. 14540 Candy Hill Road Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Public Sector Term of 4 years from July 1, 2008
FIRE-RESCUE EDUCATION AND TRAINING COMMISSION	
Geoffrey Lee Donahue 8 Valles Court Parkville, Maryland 21234 Baltimore County/8	Appointment Volunteer Term of 4 years from July 1, 2005
FORESTERS, STATE BOARD OF	
Terrance Ward Clark 1501 Farlow Avenue Crofton, Maryland 21114 Anne Arundel/33	Reappointment Forester Term of 5 years from July 1, 2007
FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES	
Dixie Jean Nester Miller 8118 Overlook Drive Frederick, Maryland 21702 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
Rev. Dr. Byron J. Grayson, Sr. 1018 Eastbourne Court Frederick, Maryland 21702 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
Donald C. Linton 1615 Shookstown Road Frederick, Maryland 21701 Frederick/3	Appointment Member Term of 5 years from July 1, 2008
GARRETT COUNTY LIQUOR CONTROL BOARD	
Michael Jay Fratz 7119 Sang Run Road Box 129 Accident, Maryland 21520 Garrett/1	Reappointment Democrat Term of 6 years from June 1, 2008

<b>HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Patricia K. Cushwa "Cloverton" P.O. Box 406 Williamsport, Maryland 21795 Washington/2	Appointment Member Term of 6 years from July 1, 2003
<b>HARFORD COUNTY BOARD OF ELECTIONS</b>	
Michael G. Comeau, Esquire 3509 Glen Oak Drive Jarrettsville, Maryland 21084 Harford/35	Appointment Majority Party Substitute Member Term of 4 years from June 4, 2007
<b>HAZARDOUS SUBSTANCE ADVISORY COUNCIL, CONTROLLED</b>	
Hilton Louis Harrod 690 Sollers Wharf Road P.O. Box 515 Lusby, Maryland 20657 Calvert/29	Reappointment Public Term of 6 years from July 1, 2006
Michael J. Wolf 5510 Amesfield Court Rockville, Maryland 20853 Montgomery/19	Appointment Public Term of 6 years from July 1, 2006
<b>HEALTH CARE COMMISSION, MARYLAND</b>	
Randall P. Worthington, Sr. 217 Prescott Court Havre de Grace, Maryland 21078 Harford/34	Appointment No Industry Connection Term of 4 years from October 1, 2007
<b>HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY</b>	
Maria Harris Tildon 5615 Cross Country Boulevard Baltimore, Maryland 21209 Baltimore City/41	Appointment Nonprofit Health Service Plan Term to expire May 3, 2009
<b>HEALTH AND HUMAN SERVICES REFERRAL BOARD</b>	
Ann M. Strangman 8620 Jack's Reef Road Laurel, Maryland 20724 Anne Arundel/21	Appointment DPSCS Term of 4 years from October 1, 2008
<b>HEATING, VENTILATION, AIR-CONDITIONING, AND REFRIGERATION CONTRACTORS, STATE BOARD OF</b>	
Robert Barrett Gawne 11501 Blue Ridge Drive Beltsville, Maryland 20705 Prince George's/21	Appointment Master Contractor Term to expire December 31, 2008 and a term of 3 years from January 1, 2009
Matthew M. Warner 6613 Babak Drive Frederick, Maryland 21702 Frederick/3	Reappointment Master Contractor Term of 3 years from January 1, 2007

James A. Johnson 7861 Stevens Road Eden, Maryland 21822 Worcester/38	Reappointment Master Electrician Term of 3 years from January 1, 2008
<b>HERITAGE AREAS AUTHORITY, MARYLAND</b>	
Hon. Phyllis W. Robinson 3705 42nd Avenue Cottage City, Maryland 20722 Prince George's/47	Appointment MML Elected Official Term of 4 years from October 1, 2008
Wayne E. Clark 3649 5th Street North Beach, Maryland 20714 Calvert/27	Reappointment President's Nominee Term of 4 years from October 1, 2008
David G. Burke 20 Harwood Drive Harwood, Maryland 20776 Anne Arundel/30	Appointment MD Greenways Commission Term of 4 years from October 1, 2008
Robert David Campbell 9510 Garwood Street Silver Spring, Maryland 20901 Montgomery/20	Appointment Historic Preservation Term of 4 years from October 1, 2008
<b>HIGHER EDUCATION COMMISSION, MARYLAND</b>	
Joshua Ian Ackerman 6612 Baythorne Road Baltimore, Maryland 21209 Baltimore County/42	Appointment Student Term of 1 year from July 1, 2008
<b>HISTORICAL TRUST BOARD OF TRUSTEES</b>	
Gale Huntington Yerges 10380 Anderson Road Princess Anne, Maryland 21853 Somerset/38	Reappointment Member Term of 4 years from July 1, 2008
O. James Lighthizer, Esquire 1547 Eton Way Crofton, Maryland 21154 Anne Arundel/33	Reappointment Member Term of 4 years from July 1, 2008
<b>HOUSING TRUST BOARD OF TRUSTEES, MARYLAND AFFORDABLE</b>	
Linda L. Rose 1312 Holliben Road Severna Park, Maryland 21146 Anne Arundel/33	Appointment Title Company Term of 4 years from October 1, 2007
Elizabeth S. Glenn 1308 Nautical Circle Essex, Maryland 21221 Baltimore County/6	Appointment General Public Term of 4 years from October 1, 2008

Bert J. Hash, Jr. 11705 Farside Road Ellicott City, Maryland 21042 Howard/9	Appointment Financial Institution Term of 4 years from October 1, 2006
Hon. Diana M. Fennell 4207 Monroe Street Colmar Manor, Maryland 20722 Prince George's/47	Reappointment Local Government Term of 4 years from October 1, 2007
Dale McArdle 2101 Uffington Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment Nonprofit Developer Term of 4 years from October 1, 2007
Kenneth Banks 903 Windsor Road Baltimore, Maryland 21208 Baltimore County/11	Appointment For Profit Developer Term of 4 years from October 1, 2006
Eric C. Brown 5824 Pimlico Road Baltimore, Maryland 21209 Baltimore City/41	Appointment Public Housing Authority Term of 4 years from October 1, 2006
Sandra Edmonds Crewe, Ph.D. 720 Narrowleaf Drive Largo, Maryland 20774 Prince George's/25	Reappointment Social Services Provider Term of 4 years from October 1, 2006
Albert Winchester, III 4840 Riverside Drive P.O. Box 129 Galesville, Maryland 20765 Anne Arundel/30	Reappointment General Public Term of 4 years from October 1, 2007
Paul K. Casey, Esquire 4037 Dado Court Ellicott City, Maryland 21043 Howard/12	Reappointment General Public Remainder of a term to expire September 30, 2008 and a term of 4 years from October 1, 2008
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Cascelia S. Burgess, Ed.D. 5504 Daywalt Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment Provider Term of 3 years from July 1, 2007
Elizabeth Kelley 7687 Anvil Drive Frederick, Maryland 21701 Frederick/4	Appointment State Agency Term of 3 years from July 1, 2006

Linda S. Vaughn 5922 Marluth Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment State Agency Term to expire June 30, 2008 and a term of 3 years from July 1, 2008
Curtisha Hopkins 1805 Village Square Court Severn, Maryland 21144 Anne Arundel/32	Appointment Parent Term of 3 years from July 1, 2007
INFORMATION TECHNOLOGY, SECRETARY OF	
Elliot H. Schlanger 4 Chellis Court Owings Mills, Maryland 21117 Baltimore County/11	Appointment Secretary of Information Technology Serves at the pleasure of the Governor
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Carla K. Viar 138 South Mulberry Street Hagerstown, Maryland 21740 Washington/2	Reappointment Interior Designer Term of 3 years from July 1, 2008
Barbara Portnoy Levine 1805 By Woods Lane Baltimore, Maryland 21153 Baltimore County/11	Appointment Interior Designer Term of 3 years from July 1, 2008
Karen Zopf 716 Hickory Lot Road Towson, Maryland 21286 Baltimore County/42	Appointment Interior Designer Term of 3 years from July 1, 2006
David S. Watts 1408 Carrollton Avenue Towson, Maryland 21204 Baltimore County/42	Appointment Architect/Design Services Term of 3 years from July 1, 2007
H. Christine Pirrung 12 Romar Drive Annapolis, Maryland 21403 Anne Arundel/30	Appointment Consumer Term of 3 years from July 1, 2008
JUDICIAL DISABILITIES, COMMISSION ON	
Susan J. Matlick 6896 Mink Hollow Road Highland, Maryland 20777 Howard/13	Appointment Public Term of 4 years from January 1, 2008
LABOR RELATIONS BOARD, STATE	
June Marie Marshall, Esquire 336 Legato Terrace Silver Spring, Maryland 20901 Montgomery/20	Appointment Public Term of 6 years from July 1, 2004

<b>LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF</b>	
Christopher L. Schein 15 Thompson Avenue Annapolis, Maryland 21401 Anne Arundel/30	Appointment Landscape Architect Term of 3 years from July 1, 2007
<b>LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND</b>	
Hon. Pamela J. White 101 West Hill Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment Attorney Term of 3 years from July 1, 2008
Derrick L. Richardson 5268 Marlboro Pike, #404 Capitol Heights, Maryland 20743 Prince George's/24	Appointment Nonlawyer Term of 3 years from July 1, 2006
<b>LOTTERY COMMISSION, STATE</b>	
Howard A. Denis 4515 Willard Avenue, Apt. 2110S Chevy Chase, Maryland 20815 Montgomery/16	Appointment Member Term to expire January 8, 2009 and a term of 4 years from January 9, 2009
Bruce L. Reeder 7200–A Kehne Road Frederick, Maryland 21702 Frederick/3	Reappointment Member Term of 4 years from January 9, 2009
F. Vernon Boozer 1106 Lower Glencoe Road Sparks Glencoe, Maryland 21152 Baltimore County/5	Appointment Experience in Field Related to Finance or Investments Term of 4 years from November 24, 2008
Major W. Ray Presley 15303 Brandywine Drive Cumberland, Maryland 21502 Allegany/1	Appointment Law Enforcement Term of 4 years from November 24, 2008
Kimberly D. Robertson, C.P.A. 910 Othman Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment C.P.A. Term of 4 years from November 24, 2008
Diane Lee McGraw 7 Central Parke West Ocean Pines, Maryland 21811 Worcester/38	Appointment IT Field Term of 4 years from November 24, 2008
<b>MONTGOMERY COUNTY BOARD OF ELECTIONS</b>	
Rosalyn Woodward Pelles 2105 Seminary Road Silver Spring, Maryland 20910 Montgomery/18	Appointment Majority Party – Substitute Term of 4 years from June 4, 2007

<b>MORGAN STATE UNIVERSITY BOARD OF REGENTS</b>	
Lesley Osuala Morgan State University 1700 East Cold Spring Lane Baltimore, Maryland 21251 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2008
<b>MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF</b>	
Renee Derketsch 4712 Belle Forte Road Pikesville, Maryland 21208 Baltimore County/11	Appointment Consumer Term of 4 years from July 1, 2007
<b>NURSING, STATE BOARD OF</b>	
Charles J. Gast 844 Sunny Chapel Road Odenton, Maryland 21113 Anne Arundel/33	Reappointment Consumer Term of 4 years from July 1, 2008
<b>OPEN MEETINGS LAW COMPLIANCE BOARD, STATE</b>	
Julio Morales 5406 Spring Lane Hyattsville, Maryland 20781-2542 Prince George's/22	Appointment Attorney Term of 3 years from July 1, 2007
<b>OPTOMETRY, STATE BOARD OF EXAMINERS IN</b>	
Frederick J. Walsh 22 Bellchase Court Baltimore, Maryland 21208 Baltimore County/11	Appointment Consumer Term of 4 years from June 1, 2006
<b>PAROLE AND PROBATION, DIRECTOR OF</b>	
Patrick G. McGee 28 Stillway Court Cockeysville, Maryland 21030 Baltimore County/7	Appointment Director Serves at the pleasure of the Secretary of Public Safety and Correctional Services
<b>PAROLE COMMISSION, MARYLAND</b>	
Obie Patterson 2502 Kingsway Road Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term to expire December 31, 2009
<b>PHYSICIANS, STATE BOARD OF</b>	
Paul T. Elder, M.D. 77 Shipwright Street Annapolis, Maryland 21401 Anne Arundel/30	Reappointment Physician Term of 4 years from July 1, 2008
Nallan C. Ramakrishna, M.D. 3308 Mills Crossing Place Kensington, Maryland 20895 Montgomery/18	Reappointment Physician Term of 4 years from July 1, 2008

Susan T. Strahan, M.D. 5512 Woodlawn Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment DHMH Term of 4 years from July 1, 2008
Carmen M. Contee 302 Bristol Downs Drive Gaithersburg, Maryland 20877 Montgomery/17	Reappointment Consumer Term of 4 years from July 1, 2008
Brenda George Baker 3015 Elgin Avenue Baltimore, Maryland 21216 Baltimore City/40	Appointment Consumer Term of 4 years from July 1, 2008
PLUMBING, STATE BOARD OF	
Jon H. Garner 1987 Mosser Road McHenry, Maryland 21541 Garrett/1	Reappointment Plumber Term of 3 years from May 1, 2008
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Joseph Michael Herbert 4417 Linden Avenue Halethorpe, Maryland 21227 Baltimore County/12	Appointment Management Term of 3 years from July 1, 2006
Patricia Cook–Ferguson 4709 Dark Star Way Owings Mills, Maryland 21117 Baltimore County/11	Appointment Labor Term of 3 years from July 1, 2006
PSYCHOLOGISTS, STATE BOARD OF	
Steven A. Sobelman, Ph.D. 2901 Boston Street, #410 Baltimore, Maryland 21224 Baltimore City/46	Appointment Psychologist Term of 4 years from July 1, 2008
Laurie Friedman Donze, Ph.D. 314 South Riverside Drive Crownsville, Maryland 21032 Anne Arundel/33	Appointment Psychologist Term of 4 years from July 1, 2008
PUBLIC SERVICE COMMISSION	
Douglas R.M. Nazarian 205 Huron Road Catonsville, Maryland 21228 Baltimore County/12	Appointment Chair Term of 5 years from July 1, 2008
QUEEN ANNE'S COUNTY BOARD OF ELECTIONS	
Walter Lobb Geggis 104 Quail Run Drive Centreville, Maryland 21617 Queen Anne's/36	Appointment Minority Party – Member Term of 4 years from June 4, 2007

REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
George Fair 6627 Cherry Hill Road Baldwin, Maryland 21013 Baltimore County/7	Appointment Home Inspector Term of 3 years from January 1, 2008
J. Otis Smith 1902 Dayton Street Silver Spring, Maryland 20902 Montgomery/18	Appointment Consumer Term of 3 years from January 1, 2007
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF	
Kevin Liles 75 Rockefeller Plaza 32nd Floor New York, New York 10019 Nonresident	Appointment Member Term to expire June 30, 2011
Lynn Morrison Venetoulis 24 Woodward Lane Lutherville, Maryland 21093 Baltimore County/11	Appointment Member Term to expire June 30, 2012
SECRETARY OF STATE	
John P. McDonough, Esquire 4403 Woodgate Way Bowie, Maryland 20720 Prince George's/24	Appointment Secretary of State Term concurrent to that of the Governor
SOCIAL WORK EXAMINERS, STATE BOARD OF	
Geoffrey L. Greif, D.S.W. 1917 Old Court Road Baltimore, Maryland 21204 Baltimore County/42	Appointment LSCW– Social Work Education Term of 4 years from July 1, 2008
SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS	
Dinah Abbott 9892 Deal Island Road Deal Island, Maryland 21821 Somerset/38	Appointment Democrat Term to expire May 31, 2009
STADIUM AUTHORITY, MARYLAND	
Demaune Millard 2407 Madison Avenue Baltimore, Maryland 21217 Baltimore City/40	Appointment Appointed by Mayor Term of 4 years from July 1, 2008
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Shirley Brandman 6715 Landon Lane Bethesda, Maryland 20817 Montgomery/16	Appointment MD Assn. of Boards of Education Term of 3 years from July 1, 2006

TOURISM DEVELOPMENT BOARD, MARYLAND	
Matthew McLeod Taylor 112 North 2nd Street Oakland, Maryland 21550 Garrett/1	Appointment Attractions Term of 3 years from July 1, 2008
Samuel J. Parker, Jr. 5601 57th Avenue Riverdale, Maryland 20737 Prince George's/22	Appointment Attractions Term of 3 years from July 1, 2007
Michael E. Haynie 631 Gorsuch Avenue Baltimore, Maryland 21218 Baltimore City/43	Reappointment Lodging Term of 3 years from July 1, 2008
Paul J. Bales 13000 Sandwick Circle Fort Washington, Maryland 20744 Prince George's/26	Appointment Food Service Term of 3 years from July 1, 2006
TRANSPORTATION AUTHORITY, MARYLAND	
Walter E. Woodford, Jr. 212 Overlook Lane P.O. Box 337 Centreville, Maryland 21617 Queen Anne's/36	Reappointment Member Term of 4 years from July 1, 2008
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Michael Tice Langley 123 Nina Lane Fruitland, Maryland 21826 Wicomico/38	Appointment Business Term of 3 years from October 1, 2007
WOMEN, MARYLAND COMMISSION FOR	
Susan S. Genn 8521 Churchill Downs Road Gaithersburg, Maryland 20882 Montgomery/14	Appointment Governor Term of 4 years from July 1, 2008
Ossie G. Clay 4964 Moonfall Way Columbia, Maryland 21044 Howard/12	Appointment Governor Term of 4 years from July 1, 2005
Agnes Diane Williams 1409 Brady Court Mitchellville, Maryland 20721 Prince George's/25	Appointment Governor Term of 4 years from July 1, 2005
WOR-WIC COMMUNITY COLLEGE BOARD OF TRUSTEES	
Morgan Hazel 27135 Lillian Street Hebron, Maryland 21830 Wicomico/37	Reappointment Member Term of 6 years from July 1, 2008

WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS	
William Leonard Brown 2121 Orchard Drive Pocomoke City, Maryland 21851 Worcester/38	Reappointment Member Term of 4 years from July 1, 2008
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Amber Waller 1515 Ray Road, #204 Hyattsville, Maryland 20782 Prince George's/47	Appointment Public Term of 3 years from July 1, 2008

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

### VEETOED SENATE BILLS – 2008

VEETOED BILLS AND MESSAGES – 2008 REGULAR SESSION  
(See Exhibit C of Appendix III)

#### 2008 Bills Vetoed by the Governor (Duplicative Bills)

SB 58	SB 212	SB 468	SB 676	SB 816
SB 63	SB 292	SB 488	SB 696	SB 818
SB 103	SB 310	SB 502	SB 720	SB 878
SB 120	SB 349	SB 539	SB 725	SB 953
SB 123	SB 384	SB 564	SB 741	SB 999
SB 157	SB 455	SB 626	SB 754	SB 1014

The President put the question: “Shall the Bills pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 0      Negative – 46      (See Roll Call No. 19)

The President announced the vetoes were sustained.

#### 2008 Bill Vetoed by the Governor (Policy Veto)

**Senate Bill 398 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Provider Rate Stabilization Fund – Allocations to and Disbursements from the Medical Assistance Program Account**

FOR the purpose of altering the allocation by the Maryland Insurance Commissioner of certain revenue in the Maryland Health Care Provider Rate Stabilization Fund to the Medical Assistance Program Account; requiring the Commissioner to allocate certain revenue in the Fund to the ~~Office of the Comptroller~~ ~~Department of Health and Mental Hygiene~~ Office of the Comptroller in certain fiscal years for a certain purpose; ~~providing that certain revenue in the Fund after a certain fiscal year shall accrue to the Medical Assistance Program Account;~~ expanding the health care providers who are eligible to receive certain payments from the Medical Assistance Program Account to include a health care practitioner licensed under the Maryland Dentistry Act; including the Maryland State Dental Association and the Maryland Dental Society among the groups that determine, in consultation with the Secretary of Health and Mental Hygiene, health care provider rate increases payable from the Fund; declaring the intent of the General Assembly about the expenditure of certain funds; defining a certain term; and generally relating to allocations to and disbursements from the Medical Assistance Program Account in the Maryland Health Care Provider Rate Stabilization Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 19–801 and 19–802  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–803 and 19–807  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

The President put the question: “Shall the Bill pass, notwithstanding the objections of the Chief Executive?”

The roll call vote resulted as follows:

Affirmative – 4      Negative – 42      (See Roll Call No. 20)

The President announced the veto was sustained.

## INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Doctor E. Albert Reese	The President and All Members	77

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 21)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Terri Kelly	Senator Nancy Jacobs	16

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 22)

## QUORUM CALL

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

(See Roll Call No. 23)

## ADJOURNMENT

At 10:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 16, 2009.

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**Annapolis, Maryland**  
**Friday, January 16, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:14 A.M.

Prayer by Mr. Charles E. Jones II, Baritone Singer (the Lord's Prayer), guest of Senator McFadden.

The Journal of January 15, 2009 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Miller, DeGrange, and Raskin be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 25)

**INTRODUCTION OF BILLS**

**Senate Bill 120 – Senator Stone**

AN ACT concerning

**Environment – Permit Process – Modifications**

FOR the purpose of requiring the Department of the Environment to provide an opportunity for a contested case hearing under certain circumstances; altering certain public hearing and notice requirements; establishing an Environmental Leadership Group within the Department for a certain purpose; establishing the membership of the Group; providing the Secretary with the discretion to determine the term of membership, meeting dates and locations, and certain issues to be considered by the Group; requiring an applicant for a certain permit to prepare and submit an environmental impact statement to the Department; requiring the environmental impact statement to be prepared, submitted, and approved in accordance with certain regulations; and generally relating to the Department of the Environment and the permit process.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 1–601, 1–602, and 2–404  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Environment  
Section 1–608  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 121 – Senators Kelley, Astle, Brochin, Colburn, Conway, Currie, Della, Dyson, Forehand, Glassman, Jones, Lenett, Madaleno, Middleton, Robey, and Stone**

AN ACT concerning

**Child Protection – Mandatory Reporting of Children Regularly in Contact with Persons Convicted of Child Sexual Abuse**

FOR the purpose of requiring certain professionals to notify the local department of social services or the appropriate law enforcement agency if the professionals have reason to believe that a parent, guardian, or caregiver allows a child to reside with or regularly associate with a certain individual; providing certain exceptions; describing the information that is to be included in a certain report; providing for the receipt and investigation of a report that a child is at substantial risk of abuse or neglect; requiring the Secretary of Human Resources to adopt certain regulations; 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; providing for expungement of certain reports; providing certain immunity for certain persons who make or participate in making certain reports; and generally relating to mandatory reporting of children regularly in contact with certain persons.

BY adding to  
Article – Family Law  
Section 5–704.1 and 5–706.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law

Section 5-707(b) and 5-708  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 122 – Senator Kelley**

AN ACT concerning

**Maryland Uniform Adult Guardianship and Protective Proceedings  
Jurisdiction Act**

FOR the purpose of establishing the Maryland Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act; authorizing a court of this State to treat a foreign country as if the country were a state for the purpose of applying this Act; authorizing a court of this State to make a certain request of an appropriate court of another state in a certain guardianship or protective proceeding in this State and to grant a certain request from an appropriate court of another state in a certain guardianship or protective proceeding in that state; authorizing the offer of testimony by deposition or certain other means in a certain guardianship or protective proceeding; requiring a court of this State to cooperate with courts of other states in designating an appropriate location for a deposition or testimony in a certain guardianship or protective proceeding; establishing that a court of this State has jurisdiction to appoint a guardian or issue a protective order for a certain respondent under certain circumstances; establishing that a court of this State that lacks certain jurisdiction under this Act has special jurisdiction to take certain steps; requiring a court in this State to dismiss a certain proceeding at the request of a certain court in another state under certain circumstances; establishing that a court that has appointed a guardian or issued a protective order consistent with this Act has exclusive and continuing jurisdiction over the proceeding until the proceeding is terminated by the court or the appointment or order expires by the terms of the appointment or order; authorizing a court to decline to exercise jurisdiction under certain circumstances; requiring a court that declines jurisdiction to take certain steps in certain circumstances; authorizing a court to take certain steps if a certain determination is made; requiring a certain petitioner to provide certain notice to certain persons; authorizing a court to proceed or requiring the court to take certain steps on the filing of a certain petition under certain circumstances; authorizing a certain guardian or conservator to petition a court to transfer a guardianship or conservatorship to another state under certain circumstances; providing that a certain notice of a petition to transfer a guardianship or conservatorship to another state be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order granting a petition to transfer a guardianship or conservatorship to another state on a certain finding; requiring a guardian or conservator to petition a court in this

State to accept a certain guardianship or conservatorship under certain circumstances; providing that a certain notice of a petition to accept a guardianship or conservatorship be given under certain circumstances; requiring a court to hold a hearing on a certain petition under certain circumstances; requiring a court to issue a provisional order approving a certain petition unless a certain objection is made; requiring a court to recognize a guardianship or conservatorship order from another state under certain circumstances; establishing that the denial of a petition to accept a guardianship or conservatorship from another state does not affect the ability of a certain person to seek a certain court appointment; requiring a court to issue an order confirming the transfer of a proceeding to another state and terminating a guardianship or conservatorship in this State under certain circumstances; requiring a court to issue a final order appointing a guardian or conservator from another state as guardian or conservator in this State under certain circumstances; requiring a court to determine whether a certain guardianship or conservatorship need be modified to conform to the law of this State within a certain period after issuance of a certain order; authorizing a guardian appointed in another state to register a certain guardianship order in this State as a foreign judgment under certain circumstances; authorizing a conservator appointed in another state to register a certain conservatorship order in this State as a foreign judgment under certain circumstances; authorizing, with certain exceptions, a certain guardian or conservator to exercise certain powers in this State; authorizing a court in this State to grant certain relief to enforce a certain registered order; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; making certain technical corrections; defining certain terms; and generally relating to adult guardianships and protective proceedings.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 13–101(a), (e), and (h), 13–201 through 13–206, 13–208 through 13–221,  
and 13–705 through 13–713

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–105, 13–207, 13–222, and 13–704

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

BY adding to

Article – Estates and Trusts

Section 13.5–101 through 13.5–504 to be under the new title “Title 13.5.  
Maryland Uniform Adult Guardianship and Protective Proceedings  
Jurisdiction Act”

Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 123 – Senator Kelley**

AN ACT concerning

**Unemployment Insurance Benefits – Determination Based on Severance or  
Dismissal Payments**

FOR the purpose of altering the determination of unemployment insurance benefits for an individual who receives or is eligible to receive severance or dismissal payments when the individual's unemployment is the result of the abolishment of the job to be the same as the determination when the individual's unemployment is not the result of the abolishment of the job; providing for the application of this Act; and generally relating to the determination of unemployment insurance benefits based on severance or dismissal payments.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–1009  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 124 – Senator Brochin**

AN ACT concerning

**Office of Administrative Hearings – Contested Cases – Time Limit**

FOR the purpose of altering a certain time limit by which the Office of Administrative Hearings is required to complete certain procedures in contested cases delegated to the Office by a State agency; providing for the application of this Act; and generally relating to altering a certain time limit for completion of certain procedures in contested cases delegated to the Office of Administrative Hearings.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–205(b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–205(e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 125 – Senators Brochin, Klausmeier, Pinsky, and Stone**

AN ACT concerning

**Natural Resources – Prohibition on Dredging Buried Oyster Shells on  
Man–O–War Shoals**

FOR the purpose of prohibiting the Department of Natural Resources from dredging buried oyster shells on certain shoals as part of carrying out certain duties; and generally relating to the management of the State’s oyster culture by the Department of Natural Resources.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1103(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 126 – Senators Brochin, Kittleman, Madaleno, and Pinsky**

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; requiring a notary public applicant to receive certain approval from the Secretary of State; making certain conforming changes; 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 2008 Supplement)

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

**Senate Bill 127 – Senators Brochin, Frosh, and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant  
Confidentiality and Eligibility**

FOR the purpose of prohibiting the disclosure of the identity or contact information of a victim or claimant by the Criminal Injuries Compensation Board; prohibiting a person who has been convicted of certain offenses from receiving a certain award from the Board; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–806 and 11–808(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 128 – Senators Conway, Della, Dyson, Greenip, Lenett, and Zirkin**

AN ACT concerning

**Business Occupations and Professions – Accountants – Continuing Education**

FOR the purpose of repealing a certain provision of law that prohibits a certain licensee from receiving more than a certain number of credit hours to meet a certain program requirement if the credit hours are obtained in a certain manner; and generally relating to continuing education requirements for certified public accountants.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–312(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 129 – Senator Forehand**

AN ACT concerning

**Catastrophic Health Emergency Orders – Citations**

FOR the purpose of authorizing a police officer to issue a citation for failing to comply with a certain health emergency order; and generally relating to catastrophic health emergency orders and citations.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–101  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 18–907(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 14–3A–08  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 130 – Senator Forehand**

AN ACT concerning

**Health Insurance – Use of Prescription Information**

FOR the purpose of providing that certain insurers, nonprofit health service plans, and health maintenance organizations may only exhibit, discuss, or reveal any part of the contents of a prescription to certain persons; prohibiting certain carriers from denying, canceling, or refusing to renew an individual health policy solely because of the prescription drug history of an insured; and generally relating to the use of prescription information by health insurers.

BY adding to

Article – Health – General  
Section 19–706(ttt)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Insurance  
Section 15–132 and 15–509  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 131 – Senator Glassman**

AN ACT concerning

**Public Health – Food Establishments – Process for Choosing Regulation or  
Licensure of Excluded Organizations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt regulations that establish a certain process for entities that are defined as “excluded organizations” under the food establishments law to choose whether they submit to certain regulation or licensure; altering the law so as to require, rather than authorize, the Department to adopt regulations that establish a certain voluntary licensing system; and generally relating to the regulation or licensure of entities that are defined as “excluded organizations” under the food establishments law.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–301(e) and 21–305(a) and (b)(5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–304(a)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 132 – Senators Conway, Colburn, Dyson, Harrington, and Pinsky**

AN ACT concerning

**Department of General Services – Renovation of Historic Structures –  
Procurement Exemptions**

FOR the purpose of exempting the renovation of certain historic structures by the Department of General Services from certain provisions of the State procurement law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 11–203(a)(1)(xvi) and (xvii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 11–203(a)(1)(xviii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 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 107 – Senator Astle**

EMERGENCY BILL

AN ACT concerning

**Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of  
Sale – Inauguration Day**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Colburn moved, duly seconded, to put **Senate Bill 107** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 107** on Third Reading and Final Passage.

**Senate Bill 107 – Senator Astle**

**EMERGENCY BILL**

AN ACT concerning

**Anne Arundel County and City of Annapolis – Alcoholic Beverages – Hours of Sale – Inauguration Day**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 42      Negative – 1      (See Roll Call No. 26)

The Bill was then sent to the House of Delegates.

**ANNOUNCEMENT BY THE PRESIDENT**

January 14, 2009

**CORRECTION**

The President makes the following appointments to Joint Committees and Special Joint Committees; the appointments are effective as of January 14, 2009.

**JOINT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES**

Senator Nancy J. King, Senate Chairman

Senator Joan Carter Conway  
Senator Jennie M. Forehand  
Senator Janet Greenip  
Senator Nancy Jacobs

Senator Verna L. Jones  
Senator C. Anthony Muse  
Senator Robert A. Zirkin

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 27)

**ADJOURNMENT**

At 11:35 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 19, 2009, in memory of Lois O'Neill and Jeannie Elliott.

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**Annapolis, Maryland**  
**Monday, January 19, 2009**  
**8:00 P.M. Session**

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The Senate met at 8:10 P.M.

Prayer by Senator Allan H. Kittleman.

The Journal of January 16, 2009 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Gladden, Jones, Muse, and Rosapepe be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 29)

**INTRODUCTION OF BILLS**

**Senate Bill 133 – Senators Forehand and Miller**

AN ACT concerning

**Task Force to Study Changes to the Automotive Warranty Enforcement Act**

FOR the purpose of establishing the Task Force to Study Changes to the Automotive Warranty Enforcement Act; providing for the membership of the Task Force; providing for the appointment of the chair of the Task Force; providing for the staffing of the Task Force; providing that a member of the Task Force may not receive compensation but is entitled to a certain reimbursement; requiring the Task Force to study and make recommendations regarding certain topics; requiring the Task Force to make a certain report to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to motor vehicles and motor vehicle warranty enforcement.

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

**Senate Bill 134 – 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 \$400,000, 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; 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 135 – Senators Klausmeier, Exum, Forehand, Kelley, Lenett, Pugh, and Rosapepe**

AN ACT concerning

**Maryland Health Insurance Plan – Preexisting Condition Limitation**

FOR the purpose of prohibiting the Board of Directors of the Maryland Health Insurance Plan from applying a preexisting condition limitation on Plan coverage; repealing the authority of the Board to offer members an optional endorsement to remove a preexisting condition limitation; repealing a provision prohibiting the Plan from applying a preexisting condition exclusion to a certain individual who applies for coverage under the Plan within a certain time period; and generally relating to preexisting condition limitations under the Maryland Health Insurance Plan.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 14–502(a) and 14–505(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing  
Article – Insurance  
Section 14–505(j)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Insurance  
Section 14–505(j)  
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–508

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 136 – Senator Glassman**

AN ACT concerning

#### **Estates and Trusts – Retention of Deposited Wills by Register of Wills**

FOR the purpose of repealing the authorization for a register of wills, during the lifetime of the testator, to deliver a will that has been deposited with the register to a testator or a person authorized in writing by the testator to receive the will; prohibiting a register of wills from delivering a deposited will under certain circumstances; requiring a register of wills to open the most recently deposited will of the testator after being informed of the death of the testator and notify the personal representative named in that will and any other person the register considers appropriate that the will is on deposit with the register; clarifying language; making stylistic changes; and generally relating to registers of wills.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 4–201 and 4–202

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 137 – Senator Glassman**

AN ACT concerning

#### **Crimes – Intentional Destruction of Will**

FOR the purpose of making it a misdemeanor to intentionally destroy a will of another without authorization in writing by the testator of the will; establishing penalties for a violation of this Act; establishing that it is not a defense to a charge of a violation of this Act that the defendant believed that the destroyed will was invalid; and generally relating to the intentional destruction of wills.

BY adding to

Article – Estates and Trusts

Section 4–204

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 138 – Senator Glassman**

AN ACT concerning

**Estates and Trusts – Deposit of Wills with and Delivery by Register of Wills  
– Proof of Identification**

FOR the purpose of requiring a showing of proper identification to deposit a will for safekeeping with a register of wills; requiring, during the lifetime of the testator, the showing of proper identification before a deposited will may be delivered by the register of wills to the testator or to a person authorized by the testator in writing to receive the will; clarifying language; making stylistic changes; and generally relating to registers of wills.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 4–201 and 4–202

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 139 – Senator Muse**

AN ACT concerning

**Education – High School Assessment Requirement**

FOR the purpose of prohibiting the State Board of Education from including the passing of certain types of examinations or assessments in public high school graduation requirements; and generally relating to public high school graduation requirements.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–205

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 140 – Senators Muse and Klausmeier**

AN ACT concerning

**Task Force to Study How to Improve Financial Literacy in the State  
– Membership, Staffing, and Extension**

FOR the purpose of extending the reporting and termination provisions relating to the Task Force to Study How to Improve Financial Literacy in the State; altering the composition and staffing of the Task Force; making certain stylistic changes; and generally relating to the Task Force to Study How to Improve Financial Literacy in the State.

BY repealing and reenacting, with amendments,  
Chapter 186 of the Acts of the General Assembly of 2008  
Section 1 and 2

BY repealing and reenacting, with amendments,  
Chapter 187 of the Acts of the General Assembly of 2008  
Section 1 and 2

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

**Senate Bill 141 – Senator Harrington**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Elizabeth Seton High  
School Sports Facilities**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of Elizabeth Seton High School 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 142 – Senator Harrington**

AN ACT concerning

**Public Health – Chain Restaurants – Nutrition Information Labeling**

FOR the purpose of requiring certain chain restaurants to provide certain nutrition information for certain menu items; establishing how the nutrition information is to be determined; authorizing restaurants voluntarily to provide customers with additional nutrition information; authorizing certain restaurants to limit the display of certain nutrition information under certain circumstances; requiring certain nutrition information to be displayed in a certain manner; requiring certain restaurants to display certain statements regarding daily nutrition requirements; establishing certain exceptions to certain enforcement procedures; authorizing a local health department to enforce certain provisions; providing for certain civil penalties; providing for certain exemptions from certain penalties; defining certain terms; providing for a delayed effective date; and generally relating to nutrition information provided by chain restaurants.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 21–313 and 21–1214  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General  
Section 21–353 through 21–356 to be under the new part “Part VIII. Nutrition Information Labeling”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 143 – Senators Lenett, Conway, Currie, Dyson, Garagiola, Harrington, Jones, Kelley, King, Klausmeier, Madaleno, McFadden, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Robey, and Rosapepe**

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 – Health – General  
Section 18–213.2(a)(7) and (8)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1124  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 21–1124.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 144 – Senators Frosh, Brochin, Forehand, Muse, and Raskin**

AN ACT concerning

**Family Law – Protective Orders – Surrender of Firearms**

FOR the purpose of authorizing a judge in entering a temporary protective order to order a certain person to surrender to law enforcement authorities any firearm in the person's possession for a certain period of time; requiring a law enforcement officer to provide certain information to a respondent when a firearm is surrendered in accordance with a temporary or final protective order and to provide for the safe storage of the firearm; providing for the retaking of surrendered firearms by the respondent under certain circumstances; and generally relating to protective orders and surrender of firearms.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Family Law

Section 4–506.1

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 145 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Violation of Probation or Suspension of Sentence – Notice or Warrant**

FOR the purpose of authorizing a circuit court to end a period of probation at any time, remand or release a probationer or defendant pending a hearing of a violation of probation, and, on a finding of violation, revoke probation or suspension of sentence and impose a certain sentence; altering a requirement that the District Court issue a warrant or give notice of a hearing on violation of probation during the period of probation; requiring that a certain hearing date be timely; 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

(2008 Replacement Volume)

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

**Senate Bill 146 – Senators Frosh and Madaleno**

AN ACT concerning

**Municipal Corporations and Taxing Districts – Financial Audits**

FOR the purpose of altering the maximum annual revenues a municipal corporation or taxing district created by the State may have for purposes of eligibility under a certain exception to a requirement that a municipal corporation taxing district created by the State be audited at least once each fiscal year; altering certain threshold amounts of annual expenditures for purposes of certain audit and reporting requirements for certain special taxing districts; and generally

relating to certain audit and reporting requirements for municipal corporations and taxing districts.

BY repealing and reenacting, with amendments,  
Article 19 – Comptroller  
Section 40  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 147 – Senator Kelley**

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 State 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 State 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; exempting a certain homeowners association from this Act; defining certain terms; and generally relating to establishing the office of Common Ownership Community 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 2008 Supplement)

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

**Senate Bill 148 – Senators Kelley, Conway, Garagiola, Greenip, Harrington, Jones, King, Klausmeier, Lenett, Peters, and Pugh**

AN ACT concerning

**Criminal Law – Mail Theft – Penalty**

FOR the purpose of prohibiting a person from knowingly and willfully removing, taking, possessing, obtaining, or receiving mail under certain circumstances without the permission of the United States Postal Service or the intended recipient; providing penalties for a violation of this Act; repealing a certain prohibition against opening a letter without permission that is rendered inconsistent with this Act; providing that a person who violates this Act is subject to a certain statute of limitations and may reserve a point or question for a certain in banc review; defining certain terms; and generally relating to the theft of mail.

BY repealing

Article – Criminal Law

Section 3–905

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY adding to

Article – Criminal Law

Section 7–106.1

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

**Senate Bill 149 – Senators Kelley, Conway, Forehand, Glassman, Greenip, Jacobs, Jones, King, Klausmeier, Kramer, Lenett, Madaleno, and Pugh**

AN ACT concerning

**Maryland Commission for Women – Appointment of Members**

FOR the purpose of altering the manner by which the members of the Maryland Commission for Women are appointed; requiring the President of the Senate and the Speaker of the House of Delegates jointly to nominate all of the individuals to serve as members of the Commission and to submit the names of the nominees to the Governor; requiring the Governor to appoint to the Commission all of the nominees submitted by the President and the Speaker, subject to the advice and consent of the Senate; requiring the President and the

Speaker jointly to nominate in a certain manner the individuals to serve as members of the Commission; providing that certain current members of the Commission who were appointed by the Governor, the President, and the Speaker and whose terms expire in certain years may be renominated and reappointed to one additional consecutive term of office or replaced by new members in accordance with this Act; and generally relating to the appointment of the members of the Maryland Commission for Women.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 2–403  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 2–404  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 150 – Senators Kelley, Astle, Colburn, Currie, Della, Garagiola, Glassman, Jacobs, Klausmeier, Lenett, Muse, Simonaire, and Stone**

AN ACT concerning

**Maryland Uniform Power of Attorney Act – Loretta’s Law**

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; requiring a principal to acknowledge the signature of the principal before a notary public or other individual authorized by law to take acknowledgments, with certain exceptions; 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; providing that certain persons are not eligible to serve as agents; 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; requiring a person to either accept a certain power of attorney or request a certain certification, translation, or opinion of counsel within a certain period after presentation of the power of attorney, except under certain circumstances; requiring a person to accept a certain power of attorney within a certain period after receiving the certification, translation, or opinion of counsel, except under certain circumstances; prohibiting a person from requiring a certain additional or different power of attorney under certain circumstances; providing that a person that refuses to accept a certain power of attorney in violation of this Act is subject to a certain court order and liability for certain fees and costs incurred

in a certain action; 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 2008 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 2008 Supplement)

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

**Senate Bill 151 – Senators Mooney, Haines, Jacobs, Kittleman, Munson,  
Simonaire, and Stone**

AN ACT concerning

**Hate Crimes – Prohibitions and Protected Classes – Homeless Persons and Groups**

FOR the purpose of including homeless persons within the scope of certain prohibitions against committing certain crimes against certain persons, damaging certain property of certain persons, burning certain objects, and damaging certain buildings with which certain persons or groups have contacts or associations or under circumstances exhibiting animosity against a certain person or group; defining a certain term; and generally relating to hate crimes against homeless persons.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–301, 10–304, and 10–305  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 152 – 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 2008 Supplement)

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

**Senate Bill 153 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Jurisdiction of Orphans’ Court – Determination of Title to Personal Property**

FOR the purpose of altering the maximum value of personal property for which an orphans’ court is authorized to determine questions of title for a certain purpose; providing for the application of this Act; and generally relating to the estates of decedents.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 1–301  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 154 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Admission of Copy of Executed Will**

FOR the purpose of authorizing an interested person to file a petition for admission of a copy of an executed will to probate under certain circumstances; providing that notice to interested persons of the filing of the petition is not required; establishing the form of a certain consent; authorizing an orphans’ court to order administrative or judicial probate of a copy of a will; and generally relating to admission of a copy of an executed will to probate.

BY adding to  
Article – Estates and Trusts  
Section 5–801 through 5–804 to be under the new subtitle “Subtitle 8.  
Admission of Copy of Executed Will”  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 155 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Effect of Divorce or Annulment on Will**

FOR the purpose of clarifying the effect of an absolute divorce or an annulment on a testator’s will executed before the absolute divorce or annulment; establishing that all property or other benefits that would have passed to the surviving

former spouse under the will shall be treated as if the surviving former spouse had died before the execution of the will; and generally relating to revocation of wills.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 4–105  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 156 – Senator Frosh**

AN ACT concerning

#### **Maryland Estate Tax – Filing of Returns**

FOR the purpose of requiring that a Maryland estate tax return be filed with the Comptroller or the register of wills; requiring that an amended Maryland estate tax return be filed with the Comptroller instead of with the register of wills; altering a requirement that a register of wills certify to the Comptroller the amount of inheritance tax paid for certain decedents under certain circumstances; 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 7–232, 7–305, and 7–306  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 157 – Senators Frosh, Brochin, 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; providing for the application of this Act; 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 2008 Supplement)

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

**Senate Bill 158 – Senator Stone**

AN ACT concerning

**Baltimore County – Property Tax Credit – Civic League of Inverness, Inc.**

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county property tax imposed on real property that is owned by Civic League of Inverness, Inc.; providing for the application of this Act; and generally relating to property tax credits in Baltimore County for Civic League of Inverness, Inc.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–305(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 159 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Commercial Real Property – Action to Abate Drug Nuisance – Repeal of Prior Notice Requirement**

FOR the purpose of repealing certain advance notification requirements concerning certain drug-related nuisances on commercial real property; and generally relating to nuisances and real property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 14–120(a)(1) and (5)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing

Article – Real Property  
Section 14–120(d)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–120(e) through (q)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

### **THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

#### **Vehicle Laws – Air-Conditioning Equipment Specifications and Requirements**

**SB0069/948074/1**

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 69 (First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 11, after the first semicolon insert “repealing a certain prohibition against the use of a motor vehicle with certain air-conditioning equipment:”.

##### AMENDMENT NO. 2

On page 2, in lines 14 and 28, in each instance, strike “**2010**” and substitute “**2011**”.

The preceding 2 amendments were 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. 30)

### **ADJOURNMENT**

At 8:25 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 20, 2009.

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**Annapolis, Maryland**  
**Tuesday, January 20, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:04 A.M.

Prayer by Reverend Greg St. Cyr, Bay Area Community Church, Annapolis, Maryland, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 19, 2009 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Miller, Currie, Exum, Forehand, Frosh, Gladden, Jones, Lenett, McFadden, Muse, Peters, Pinsky, Pugh and Raskin, be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 33 Members present.

(See Roll Call No. 33)

**INTRODUCTION OF BILLS**

**Senate Bill 160 – Senators Kelley, Currie, Forehand, and Lenett**

AN ACT concerning

**Hereditary and Congenital Disorders – Newborn Screening**

FOR the purpose of authorizing a parent or guardian of a newborn to object to a certain newborn screening only under certain circumstances; prohibiting the statewide system for newborn screening to provide an exemption for certain hereditary and congenital disorders; requiring the Department of Health and Mental Hygiene to adopt certain regulations; and generally relating to screening of newborns for hereditary and congenital disorders.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–111  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 161 – Senator Middleton**

AN ACT concerning

**Injured Workers' Insurance Fund – Board – Term Limits**

FOR the purpose of altering the limits on the terms that may be served by a member of the Board for the Injured Workers' Insurance Fund; and generally relating to the Board for the Injured Workers' Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 10–109  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 10–110  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 162 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverages – Resident Dealer's Permit**

FOR the purpose of authorizing the Comptroller to issue a resident dealer's permit to certain persons; specifying a permit fee; requiring that alcoholic beverages sold under the permit be sold through a licensed wholesaler; prohibiting certain persons from being issued a resident dealer's permit; prohibiting a holder of a permit from owning or operating a warehouse; making a holder of a resident dealer's permit subject to certain restrictions; requiring a resident dealer to file a certain tax return on or before a certain date and pay a certain tax; defining a certain term; and generally relating to resident dealer's permits.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 2–101(b)(1)(i) and (k), 2–301(b)(1), 12–102(a) and (b), 12–103(c) and (e),  
12–104(a), (c), and (d), and 15–205(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–101(w)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 12–104(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 5–101 and 5–301(e) and (f)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 5–201(e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 163 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

**EMERGENCY BILL**

AN ACT concerning

**Program Open Space – Use of Funds – Indoor or Outdoor Recreational  
Facilities**

FOR the purpose of authorizing a local government body to use certain Program Open  
Space funds for the construction of certain indoor or outdoor recreational  
facilities; making this Act an emergency measure; and generally relating to the  
use of funds for Program Open Space.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–903(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–903(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 164 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Recreational Fishing Licenses – Penalties**

FOR the purpose of altering the authority of the Secretary of Natural Resources to revoke or suspend certain recreational fishing licenses to apply to licenses issued to fish in certain nontidal and tidal waters; authorizing the Secretary to adopt regulations that list the criteria for the suspension of certain recreational fishing licenses; prohibiting a person from engaging in certain activities during a period of suspension of a license; establishing certain grounds for the immediate suspension of a license; establishing certain timing and hearing requirements before suspension of a license; authorizing the Department of Natural Resources to suspend immediately the license of a nonresident license holder under certain circumstances; repealing certain penalty provisions applicable to recreational fishing in nontidal waters; repealing certain penalty provisions applicable to recreational fishing in tidal waters; and generally relating to penalties for violations of recreational fishing laws.

BY adding to  
Article – Natural Resources  
Section 4–220  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–602 and 4–745  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Natural Resources

Section 4–626

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 33 Members present.

(See Roll Call No. 34)

### ADJOURNMENT

At 10:12 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 21, 2009.

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**Annapolis, Maryland**  
**Wednesday, January 21, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Senator Exum.

(See Exhibit A of Appendix III)

The Journal of January 20, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 36)

**INTRODUCTION OF BILLS**

**Senate Bill 165 – The Speaker and The President (By Request – Administration)**

**Budget Bill**  
**(Fiscal Year 2010)**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2010, 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 166 – The President (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2009**

FOR the purpose of altering or repealing certain required appropriations; altering the amount of a certain Drinking Driver Monitor Program fee and removing a certain limitation on authorization for the fee; altering the calculation of certain State aid to local governments; altering the amount of certain State payments for certain local school employees; altering the calculation of certain local sharing of costs of educating certain children; altering the calculation of certain State aid to community colleges, Baltimore City Community College, and nonpublic institutions of higher education; altering the calculation of certain State funding for library resource centers and county libraries; authorizing the use of certain funds for certain purposes under certain circumstances; altering certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; altering a certain definition under a certain program to subsidize health insurance for medically uninsurable individuals; altering certain provisions relating to the use of certain funds for certain purposes; altering the distribution of certain federal subsidies received by the State; requiring the Comptroller to distribute a certain amount to the General Fund from a certain account; requiring the Comptroller for certain fiscal years to distribute certain amounts from the income tax revenue from individuals to a certain account; requiring the Comptroller to adjust the amount distributed to the counties from the income tax revenue to allocate certain reductions among the counties in a certain manner; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short-term rental vehicles; requiring the counties and Baltimore City to share certain costs of administering the Department of Assessments and Taxation; authorizing the Comptroller to withhold the distribution of certain local income tax revenue to a county or Baltimore City under certain circumstances; altering certain provisions relating to the funding of a certain highway; altering the calculation of the regular commissions of a licensed agent under the State lottery; altering the calculation of certain State reimbursement to the counties for inmates confined at local correctional facilities; altering the allocation of certain funds received by the Maryland Strategic Energy Investment Fund; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds for certain fiscal years; authorizing the Governor to transfer a certain amount by budget amendment from a certain special fund for a certain purpose; reducing certain funding subject to a certain contingency; prohibiting or limiting certain pay increases for certain providers for a certain fiscal year; deferring certain payments for certain private donation incentives; eliminating or altering certain required payments for certain purposes for a certain fiscal year; prohibiting the payment of certain deferred compensation bonuses, merit increases, or cost-of-living adjustments for certain State employees, except under certain circumstances; repealing certain credits allowed against certain taxes for the purchase of Maryland-mined coal; requiring that certain salary or hours lost due to a mandatory furlough or salary reduction plan be included in certain calculations for retirement benefits and member contributions; providing for certain compensation for unused annual leave for employees on termination during a mandatory temporary

salary reduction plan; making the provisions of this Act severable; providing for the termination of certain provisions of this Act; providing for the effective dates and application of this Act; and generally relating to the financing of State government.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–405(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 6–115(b) and (c) and 9–402

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 4–216(b) and 10–523(a)

Annotated Code of Maryland

(2008 Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(e), 6–306(b), 8–415(d)(3), 16–305(c)(1)(i), 16–512(a)(1), 17–104(a),  
23–205(c) and (d), and 23–503(b)(1)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1), 15–701(i), and  
19–214(d)(5)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106(d) and (e) and 14–501(h)(2)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–903(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Natural Resources

Section 8–707(d)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–709(d)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7–512.1(f)

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–325(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–516(c) and 34–101(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–606, 2–608, 2–1104, and 2–1302.1

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 2–106

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 4–321(e)

Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–117(a)(1) and 9–20B–05(g)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 245 of the Acts of the General Assembly of 2008  
Section 3

BY repealing  
Article – Tax – General  
Section 8–406(b) and 10–704.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 62 of the Acts of the General Assembly of 1992  
Section 8

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

**Senate Bill 167 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2009,  
and the Maryland Consolidated Capital Bond Loans of 2001, 2002, 2003, 2004,  
2005, 2006, 2007, and 2008**

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, Sixty Eight Million, One Hundred Twenty Four Thousand Dollars (\$1,068,124,000), 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; imposing a certain tax on all assessable property in the State; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2010, the proceeds to be used for certain purposes; 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 certain requirements for a certain appropriation; authorizing premiums from the sale of State bonds in certain fiscal years to remain in or be transferred to a certain fund and to be used for certain capital projects under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 103 of the Acts of the General Assembly of 2001, as amended by  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 9

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002  
Section 1(3) Item RM00(C), Item ZA00(A), Item ZA00(J), and Item ZA00(R)

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by  
Chapter 204 of the Acts of the General Assembly of 2003 and Chapter 336  
of the Acts of the General Assembly of 2008  
Section 1(3) Item RD00(A)

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA00(C)

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by  
Chapter 432 of the Acts of the General Assembly of 2004, Chapter 445 of  
the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the  
General Assembly of 2006, and Chapter 336 of the Acts of the General  
Assembly of 2008

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2003, as amended by  
Chapter 176 of the Acts of the General Assembly of 2005 and Chapter 219  
of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA00(B)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004  
Section 1(3) Item KA05(C) and Item ZB02(B)

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, Chapter 46 of  
the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the  
General Assembly of 2007, and Chapter 336 of the Acts of the General  
Assembly of 2008

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item RC00(A) and Item RM00(D)

BY adding to

Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item RC00(B)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item RE01(A), Item RM00(A), and Item ZA00(L)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter  
488 of the Acts of the General Assembly of 2007

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item QB02(A), Item RM00(B), Item RQ00(A), and Item ZB02(A)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by  
Chapter 336 of the Acts of the General Assembly of 2008

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item KA05(B) and Item RQ00(A), Section 12(1), and Section 12(3)  
Item DE02.01(I), and Item WA01(A)

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

**Senate Bill 168 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Shellfish and Crabs – Public Process**

FOR the purpose of clarifying and altering the regulatory and public notification requirements for the adoption of certain regulations relating to shellfish and crabs by the Department of Natural Resources; prohibiting the reclassification of clam bars to natural oyster bottom from being made unless a certain environmental impact study is conducted and indicates a certain finding; altering the authority of the Department to adopt regulations to name and close areas to be designated as oyster sanctuaries; establishing certain notice and hearing requirements for the adoption of certain regulations; and generally relating to the regulatory authority of the Department of Natural Resources.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–803, 4–1102, 4–1103, and 4–1106  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 169 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Antiquated Fish and Fisheries Laws –  
Repeal**

FOR the purpose of repealing certain provisions of law that prohibit a person from catching certain species of fish under certain circumstances; repealing certain provisions of law that prohibit a person from using certain devices to catch certain species under certain circumstances; repealing a law that prohibits the Department from closing Deep Creek Lake under a certain circumstance; repealing a provision of law that prohibits a person from setting certain nets within a certain distance of certain other nets; repealing a provision of law that prohibits a person from selling, offering to buy or sell, or possessing certain fish under certain circumstances; repealing a certain provision of law that places certain restrictions on the number of hard crabs a person may catch; and generally relating to the repeal of certain fish and fisheries laws.

BY repealing  
Article – Natural Resources  
Section 4–615, 4–737, 4–808, 4–811, and 4–813  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–620, 4–625, 4–710, 4–734, 4–809, 4–1008.1, and 4–1031

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 170 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**County Board of Health – Meetings and Fee-Setting Powers**

FOR the purpose of authorizing a county board of health to set a fee in connection with certain duties, powers, and functions delegated to a health officer or certain other county officials; altering the requirements for meetings to allow meetings during any 2 months in a year; making a stylistic change; and generally relating to county boards of health.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 3–202

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 171 – Senators Lenett and Kittleman**

AN ACT concerning

**Maryland Condominium Act – Closed Meetings of Board of Directors**

FOR the purpose of repealing a certain condition on which a meeting of the board of directors of a condominium council of unit owners may be held in closed session; and generally relating to closed meetings of the board of directors of a council of unit owners.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–109.1(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 172 – Senators Lenett and Kittleman**

AN ACT concerning

**Maryland Homeowners Association Act – Closed Meetings of Homeowners Association**

FOR the purpose of repealing a certain condition on which a meeting of the board of directors or other governing body of a homeowners association or a committee of a homeowners association may be held in closed session; and generally relating to closed meetings of a homeowners association.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11B–111(1) and (5)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11B–111(4)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 173 – Senators Kelley, Conway, Currie, Della, Exum, Forehand, Frosh, Klausmeier, Kramer, Madaleno, Munson, Peters, Pugh, Raskin, and Robey**

AN ACT concerning

**Health Insurance – Mandated Benefits – Hospitalization and Home Visits Following a Mastectomy**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide inpatient hospitalization coverage for a certain minimum length of time following a mastectomy that is performed for the treatment of breast cancer; providing that the inpatient hospitalization services required under this Act need not be provided if a patient, in consultation with the patient's attending physician, decides that a shorter period of inpatient hospitalization is needed for recovery; requiring certain insurers, nonprofit health service plans, and health maintenance organizations

to provide coverage for certain home visits under certain circumstances; prohibiting an entity subject to this Act from denying, limiting, or otherwise impairing the participation of an attending physician under contract with the entity under certain circumstances; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing certain cost-sharing requirements or refusing reimbursement for certain services except under certain circumstances; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide a certain notice to enrollees and insureds; defining certain terms; providing for the application of this Act; and generally relating to health insurance coverage for hospitalization and home visits following a mastectomy.

BY adding to

Article – Health – General  
Section 19–706(ttt)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 15–832  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance  
Section 15–832.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 174 – Senator Brinkley**

AN ACT concerning

#### **Business Regulation – Vending Machine Sales – Bulk Vending Machine Exemption**

FOR the purpose of exempting from certain licensing requirements the sale or offering for sale of certain merchandise through certain vending machines; and generally relating to an exemption from certain vending machine licensing requirements for the sale or offering for sale of certain merchandise through certain vending machines.

BY repealing and reenacting, with amendments,  
Article – Business Regulation

Section 17–1902  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–201.1(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 175 – Senator Colburn**

EMERGENCY BILL

AN ACT concerning

**Department of Natural Resources – Shell Dredging – Permit Application**

FOR the purpose of altering the date by which the Department of Natural Resources is required to apply to the Department of the Environment and the United States Army Corps of Engineers for permits to dredge buried oyster shells; making this Act and emergency measure; and generally relating to the dredging of buried oyster shells.

BY repealing and reenacting, with amendments,  
Chapter 325 of the Acts of the General Assembly of 2008  
Section 2

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

LETTERS OF REASSIGNMENT

ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 156 – Senator Frosh**

AN ACT concerning

**Maryland Estate Tax – Filing of Returns**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

### **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.

Rule 116 was adopted by roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 37)

### **QUORUM CALL**

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

(See Roll Call No. 38)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #1**

**Senate Bill 69 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

## Vehicle Laws – Air-Conditioning Equipment Specifications and Requirements

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.

### MARTIN LUTHER KING, JR., DAY ADDRESS

A TRIBUTE TO MARTIN LUTHER KING, JR.  
BY SENATOR NATHANIEL MCFADDEN

On 4 February 1968, Dr. Martin Luther King, Jr. delivered a sermon at Ebenezer Baptist Church, in Atlanta, Georgia, entitled the Drum Major Instinct. This perhaps, is one of the most poignant reflections of the man whose intellect, oratory, bravery, social consciousness, love of his fellow man, compassion, and wisdom, have become legendary in modern world history. In his own inimitable eloquence, Dr. King described the drum major instinct and talked in detail about the pros and cons of the role of the drum major and how every person from time to time shows tendencies of various aspects of the drum major. As he ended this sermon, Dr. King spoke of his mortality and how he wished to be remembered. It was his desire that his eulogy be a simple testament to his efforts at trying to improve the human condition. He suggested that a metaphorical bridge be used and that he be remembered as a drum major for peace, righteousness, and justice.

Some years earlier Dr. King, the drum major, stood in the sweltering August heat of our Nation's Capitol and electrified throngs of people, from every walk of life, by sharing his dream of what America would be someday. A dream he declared to be deeply rooted in the American dream, a dream premised on inclusion rather than exclusion; a dream of hope, and a dream of change that, in his words, "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 are created equal."

It took the Drum Major, while standing in the shadows of the Lincoln Memorial, sixteen minutes on that August day to summarize the trials, tribulations, dreams, hopes, and aspirations of those in America who were seen as less than equal, and therefore marginalized in their lives, simply because they were the descendants of former slaves. In the same sixteen-minute span of time he spoke of the America of his dreams—a place where people would not be judged because of their race, religious beliefs, place of origin, or who their parents, or grandparents were. In the America of Dr. King's dream people would be judged by the content of their character—and not the color of their skin.

As I stand before you in this well, in this historic chamber of the Maryland State Senate, the State where Francis Scott Key penned the National Anthem which declared America to be the Land of the Free and the Home of the Brave; as I stand here today, I am proud to declare the vision Dr. Martin Luther King, Jr. articulated on August 28, 1963 is coming to pass before our very eyes.

For on August 28, 2008, forty–five years, to the day, the descendants of former slaves and former slave owners celebrated in unison signs that the day Dr. King spoke of was nigh. On this day, a dynamic young man by the name of Barack Obama accepted the nomination of the Democratic Party as its nominee for the Presidency of the United States. This young man was first elected to the Illinois State Senate, the Land of Lincoln, a little over twelve years ago, and won election to the U.S. Senate in 2004. He was catapulted onto the national scene that same year, while delivering the keynote speech for John Kerry at the Democratic National Convention. He is now the 44th President of the United States of America.

Much like the drum major of an earlier era, President Barack Obama is a man of extraordinary bearing, has deep compassion for people, is spiritually grounded, and a champion for justice for equality for all Americans. He has lead a movement of inclusion in American society unlike any person in modern history, save for the drum major himself. Time and again he has expressed the hopes, fears, dreams, of the broadest cross–section of Americans and in his audacity of hope has inspired others to believe in a brighter future for America and the broader world community. As was Dr. King, President Obama is a well–educated man who has an uncanny connection with ordinary everyday people. Both men share in common a dynamically charismatic aura, brilliant intellect, transparent and inclusive political ideology, and a commitment to embrace change—not for the sake of being different—but to provide better. Better opportunities and better access to those Americans who are so often found tragically standing at the precipice of life peering into the abyss.

In a recent article appearing in the Washington Post featuring the Rev. Joseph Lowery, historian David Garrow describes Rev. Lowery as the best surviving link to Dr. King. Lowery, who gave his endorsement to Obama in 2007, and was among the earliest civil rights leaders from his era to do so, became one of Mr. Obama’s closest advisers. He was convinced of Mr. Obama’s bona fides in March 2007 while in Selma, AL celebrating the 42nd anniversary of the Bloody Sunday march. It was there that Rev. Lowery concluded that Mr. Obama had a reverence for the past and a vision for the future. The close relationship between Dr. King and Rev. Lowery, and in particular Dr. King’s reliance on Dr. Lowery’s advice and counsel, gives us some indication how Dr. King would have likely viewed Mr. Obama.

Much has been said and will be said in comparing Dr. King and President Obama, two great Americans and historical figures. While the book has been written on Dr. King, and is as yet to be completed for President Barack Obama, it is safe to say that President Obama can rightfully claim his place as heir to the drum major’s legacy. But let me hasten to add that history should not record this moment’s significance based merely on the fact that Mr. Obama is an African–American when validating him as

the heir to Dr. King's legacy. For I am convinced that Dr. King, as did Rev. Lowery, would have looked past the color of his skin and deeply peered into the content of his character before declaring the dream achieved. Whereupon Dr. King would most assuredly passed the drum major's staff to President Obama and affirmed him for generations to come.

### **QUORUM CALL**

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

(See Roll Call No. 40)

### **ADJOURNMENT**

At 10:40 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 22, 2009.

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**Annapolis, Maryland**  
**Thursday, January 22, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

Prayer by Pastor Susan M. Hallager, Cape St. Claire United Methodist Church, Annapolis, Md.

(See Exhibit A of Appendix III)

The Journal of January 21, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 42)

**INTRODUCTION OF BILLS**

**Senate Bill 176 – Senators Pugh, Conway, Gladden, Jones, and McFadden**

AN ACT concerning

**Education – Baltimore City Community College – Academic Facility Bonds**

FOR the purpose of increasing the amount of available bond debt for Baltimore City Community College; authorizing Baltimore City Community College to issue bonds for academic facilities; and generally relating to bonding authority and Baltimore City Community College.

BY repealing and reenacting, with amendments,

Article – Education

Section 19–102

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 177 – Senators Glassman, Colburn, Edwards, Jacobs, Klausmeier, Pugh, and Robey**

AN ACT concerning

**Emergency Responders – Death Benefits and Funeral Expenses**

FOR the purpose of providing that certain individuals employed as emergency responders are eligible for certain death benefits and funeral expenses; defining certain terms; and generally relating to benefits for emergency responders.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–202  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 178 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Investment Manager Service Fees**

FOR the purpose of increasing certain limitations on certain fees paid by the Board of Trustees to certain investment managers; and generally relating to investment manager service fees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–315(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 179 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement Agency – Monitoring of Telephone Calls – Quality Assurance**

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to adopt regulations to manage, for a certain purpose, the monitoring and recording of certain telephone calls by the State Retirement Agency; and generally relating to the monitoring of telephone calls by the State Retirement Agency for quality assurance purposes.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–110(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 180 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Authority of Mayor to Remove Police Commissioner**

FOR the purpose of establishing that certain acts of the Mayor of Baltimore City do not interfere with the powers of the Baltimore City Police Commissioner; providing that the Police Commissioner is subject to removal at the pleasure of the Mayor; and generally relating to the authority of the Mayor of Baltimore City to remove the Baltimore City Police Commissioner.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (27)  
(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore City  
Section 16–5(e)  
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 Education, Health, and Environmental Affairs.

**Senate Bill 181 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Procedure – Restrictions on Pretrial Release – Offenses Involving Firearms – Repeat Offenders**

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain offense involving a firearm if the defendant previously was convicted of a certain offense involving a firearm; providing that a judge may authorize the pretrial release of a certain defendant on suitable bail or certain other conditions or both; requiring a judge to order the continued detention of a certain defendant under certain circumstances at a certain time; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; and generally relating to restrictions on pretrial release.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–202  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 182 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Procedure – No Good Time for Gun Crime**

FOR the purpose of decreasing the number of days per month that an inmate serving a term of confinement that includes a consecutive or concurrent sentence for a crime of possession of a regulated firearm by a certain person prohibited from possessing a regulated firearm is allowed as a deduction in advance from the inmate's term of confinement; making stylistic changes; and generally relating to possession of firearms by certain persons and diminution credit eligibility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 183 – Senators Pinsky, Rosapepe, Brochin, Conway, Dyson, Forehand, Frosh, Harrington, Kramer, Lenett, Madaleno, Peters, and Raskin**

AN ACT concerning

**College Textbook Competition and Affordability Act of 2009**

FOR the purpose of requiring certain institutions of higher education to develop and implement informational campaigns, certain textbook adoption processes, certain procedures relating to certain disclosures and certain affirmations, and certain best practices processes; requiring certain institutions to develop a certain process for the affirmation and acknowledgment by certain faculty of certain information; requiring certain publishers to disclose certain information in certain formats relating to certain prices, certain textbook–related information, certain content revisions, certain other formats, and certain variances in price; requiring certain publishers and certain bookstores to provide and sell certain textbooks and certain supplemental material in a certain manner and to work with certain faculty members to find certain alternatives under certain circumstances; requiring certain textbooks and certain supplemental material to be available in certain packages; requiring certain institutions to provide certain information to certain bookstores under certain circumstances, subject to certain notifications; requiring certain institutions to make certain information available by posting it on certain websites on or before a certain time; requiring certain institutions to allow certain bookstores to advertise and have certain access to certain students under certain circumstances; providing for a certain exception to the provisions of this Act; providing for the construction of this Act; requiring certain institutions to make certain reports to the Maryland Higher Education Commission regarding certain analyses of certain textbook prices and certain other information on or before a certain date; requiring the Commission to compile certain reports and forward the compilation to the Governor and the General Assembly on or before a certain date; requiring certain institutions to report regarding certain policies developed in accordance with this Act; requiring the Commission, in consultation with certain stakeholders, to conduct certain feasibility studies on or before a certain date; requiring the University System of Maryland to conduct a certain study regarding certain business models and report the results of the study to the Board of Regents and the General Assembly; defining certain terms; and generally relating to the sale of college textbooks.

BY adding to

Article – Education

Section 15–112

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 184 – Senators Lenett, Harrington, Madaleno, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Environment – Brominated Flame Retardants – Decabrominated Diphenyl Ether – Prohibition**

FOR the purpose of prohibiting, on or after a certain date, the manufacturing, processing, selling, or distributing of certain products that contain a certain amount of decabrominated diphenyl ether; providing that the prohibition does not apply to certain processing of certain recyclables, certain manufacturer replacement service parts or other products, certain vehicles, or certain products, parts, or replacement parts for use in certain vehicles; defining a certain term; providing for a delayed effective date; and generally relating to the use of brominated flame retardants.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–1201 and 6–1202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 185 – Senators Lenett, Astle, Conway, Della, Garagiola, Harrington, Klausmeier, Madaleno, Rosapepe, and Pugh**

AN ACT concerning

**Seniors Tax Relief Act of 2009**

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; 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 2008 Supplement)

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

**Senate Bill 186 – Senators Pugh, Forehand, Gladden, Harrington, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Correctional Facilities – Released Inmates – Identification Cards**

FOR the purpose of requiring the Commissioner of Correction to issue an identification card that meets certain requirements to an inmate before release from a certain State correctional facility; requiring the Commissioner of Correction to adopt certain regulations; and generally relating to identification cards for released inmates.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–609  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Correctional Services  
Section 9–609.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 187 – Senators Pugh, Conway, Exum, Glassman, Harrington, Lenett, McFadden, Muse, and Peters**

AN ACT concerning

**State Procurement – Structuring and Bundling of Procurements**

FOR the purpose of prohibiting a unit of State government subject to the State procurement law from structuring or bundling a procurement for the purpose of precluding or limiting participation by certain entities under certain circumstances; and generally relating to prohibitions governing the structuring or bundling of a procurement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement

Section 11-201  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 188 – Senators Pugh, Exum, Frosh, Garagiola, Glassman, Harrington, Jones, Kelley, Klausmeier, Lenett, McFadden, Peters, and Stone**

AN ACT concerning

**Maryland Strategic Energy Investment Fund – Allocation of Funds –  
Low-Income Renewable Energy Programs**

FOR the purpose of authorizing the use of certain moneys in the Maryland Strategic Energy Investment Fund for low-income renewable energy programs; and generally relating to the Maryland Strategic Energy Investment Fund and the allocation of moneys from the Fund.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9-20B-05(a) and (g)(3)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9-20B-05(h)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 189 – Senator Simonaire**

AN ACT concerning

**Vehicle Laws – School Buses and Former School Buses – Seat Belts**

FOR the purpose of clarifying that a certain type of school vehicle used by certain schools, camps, day nurseries, or day care centers to transport children is not required to be equipped with seat belts and is not subject to certain regulations; establishing that a motor vehicle that formerly was registered as a certain type of school vehicle is not required to be equipped with seat belts and is not subject to certain regulations if it is used by certain schools, camps, day nurseries, or

day care centers to transport children; making a stylistic change; and generally relating to seat belts on school buses.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–154 and 11–173  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 190 – Senators Brochin and Stone**

AN ACT concerning

#### **Criminal Law – Repeat Violent Offenders – Sentencing**

FOR the purpose of establishing that, notwithstanding any other law, an inmate who is convicted of committing a certain crime of violence during a period in which the inmate was paroled for a previous conviction for a certain crime of violence shall serve the full sentences for both crimes consecutively and is not entitled to a diminution of the inmate's terms of confinement for either crime, is not eligible for parole at any time for either crime during those sentences, and may not be allowed deductions from the inmate's terms of confinement for either crime for any period of presentence or postsentence confinement in a local correctional facility; prohibiting a court from suspending any part of either sentence; prohibiting a person from committing a certain crime of violence during a period in which the person was under a term of early release, including parole, probation, or other condition of reduction or sentence modification not resulting from an appeal, for a previous conviction for a certain crime of violence; providing penalties for a violation of this Act; prohibiting a court from imposing less than a certain mandatory minimum sentence for a violation of this Act; prohibiting a court from suspending any part of the mandatory minimum sentence; providing that a person sentenced under this Act is not eligible for parole during the mandatory minimum sentence; providing that a sentence imposed under this Act shall be consecutive to and not concurrent with any other sentence imposed for any crime based on the act establishing the violation of this Act; and generally relating to sentencing and crimes of violence.

BY adding to  
Article – Correctional Services

Section 3-702.1, 7-301.1, and 11-502.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Criminal Law  
Section 14-102.1  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 191 – Senators Frosh, Forehand, Garagiola, Kramer, Lenett,  
Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – National Center for  
Children and Families Youth Activities 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 Center for Children and Families, 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 192 – Senators Brinkley, Currie, Dyson, Haines, and Robey**

AN ACT concerning

**Criminal Law – Theft of Rental Property**

FOR the purpose of prohibiting a person from hiring or leasing personal property or equipment from another person who is in lawful possession of the personal property or equipment with intent to defraud that person of the rental due under the rental agreement; prohibiting a person from abandoning or willfully refusing to redeliver personal property as required under a rental agreement without the consent of the lessor or the lessor's agent with intent to defraud the lessor or the lessor's agent; establishing penalties for a violation of this Act; making technical corrections; and generally relating to the theft of rental property.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 7–104  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 193 – Senators Kelley, Conway, Exum, Garagiola, Harrington, Klausmeier, Pugh, Simonaire, and Stone**

AN ACT concerning

**Commission on the Monitoring of Guardians of Disabled Adults**

FOR the purpose of establishing the Commission on the Monitoring of Guardians of Disabled Adults; providing for the composition and staffing of the Commission; specifying the duties of the Commission; prohibiting Commission members from receiving certain compensation; requiring reimbursement for certain expenses; requiring the Commission to report on its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the Commission on the Monitoring of Guardians of Disabled Adults.

BY adding to

Article – Estates and Trusts  
Section 13–708.1  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 194 – Senators Kelley, Conway, Forehand, Harrington, Jacobs, Kasemeyer, and Stone**

AN ACT concerning

**Criminal Law – Electronic Harassment of a Minor**

FOR the purpose of prohibiting a person from making a certain electronic communication with the intent to terrify, intimidate, or harass a minor, or threaten to inflict injury or physical harm to a minor or property of the minor; providing that a violation of this Act is a misdemeanor; establishing certain penalties; providing for the application of this Act; providing that this Act may not be construed to have an effect on the lawfulness of certain policies of electronic mail service providers; defining certain terms; and generally relating to the electronic harassment of a minor.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–805.1(a)(1) and (4)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–805.2  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

### INTRODUCTION OF RESOLUTIONS

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Salisbury University Men's Lacrosse Team	Senator Stoltzfus	84

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 43)

### QUORUM CALL

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

(See Roll Call No. 44)

### ADJOURNMENT

At 10:29 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 23, 2009.

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**Annapolis, Maryland**  
**Friday, January 23, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:02 A.M.

Prayer by Reverend James Farmer, Sr., Severna Park United Methodist Church, guest of Senator Greenip.

(See Exhibit A of Appendix III)

The Journal of January 22, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 46)

**INTRODUCTION OF BILLS**

**Senate Bill 195 – Senators Simonaire and Greenip**

AN ACT concerning

**Anne Arundel County – Ultrasound Options**

FOR the purpose of requiring certain facilities in Anne Arundel County to require a health care provider to offer patients the option to receive certain information through the use of ultrasonography equipment before performing a certain medical procedure; and generally relating to ultrasound options in Anne Arundel County.

BY adding to

Article – Health – General

Section 20–211

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 196 – Senator Kelley**

AN ACT concerning

**Pharmaceutical Manufacturers – Disclosure of Payments to Physicians**

FOR the purpose of requiring pharmaceutical manufacturers to disclose to the Maryland Health Care Commission, in a certain form and manner, certain payments made to physicians; requiring the Commission to publish certain information in a certain manner; requiring the Commission to adopt certain regulations on or before a certain date; defining a certain term; and generally relating to disclosure of payments to physicians by pharmaceutical manufacturers.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 19–138  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 197 – Senator Lenett**

AN ACT concerning

**Election Law – Early Voting and Polling Places**

FOR the purpose of establishing a process to allow voters in the State to vote in elections at early voting polling places, instead of voting in the voters' assigned precinct on election day; authorizing a voter to vote by provisional ballot at any polling place in the State on election day; requiring the State Board of Elections, in collaboration with local boards of election, to designate the days and hours during a certain period in which early voting is allowed; requiring each local board to designate early voting polling places in the county; requiring each early voting polling place to meet certain requirements; requiring a local board to ensure that every voting style used in the State is available at each early voting polling place in that county; requiring the State Board to adopt certain regulations and guidelines; making certain provisions of law applicable to early

voting; requiring local boards to pay an election judge for each early voting day that the election judge actually serves; and generally relating to early voting in elections in the State.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 10–101 and 10–203  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–205  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 198 – Senator Garagiola**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Montgomery County –  
The Arc of Montgomery County Group Homes**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose and change the location of The Arc of Montgomery County Group Homes project from Rockville to Montgomery County.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01) (BQ) and (ZA02) (BB)

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

**Senate Bill 199 – Senators Garagiola, Brochin, Colburn, Dyson, Edwards,  
Glassman, Harrington, Kelley, King, Klausmeier, Lenett, Madaleno,  
Munson, Peters, Pugh, Raskin, Robey, and Stone**

AN ACT concerning

### **Biodiesel Requirements for the State Vehicle Fleet**

FOR the purpose of altering the requirement that the State ensure that at least a certain percentage of vehicles using diesel fuel in the State vehicle fleet in certain fiscal years use a blend of fuel containing at least a certain percentage of biodiesel fuel; and generally relating to biodiesel requirements for the State vehicle fleet.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–408  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 200 – Senators Frosh, Forehand, Garagiola, 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 \$400,000, the proceeds to be used as a grant to the Board of Trustees of Imagination Stage, 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 201 – Senators Kelley, Currie, Middleton, and Stone**

AN ACT concerning

#### **Real Property – Condominiums – Required Insurance Coverage**

FOR the purpose of clarifying that the council of unit owners of a condominium is responsible for the repair or replacement of condominium units, exclusive of improvements and betterments installed in units by unit owners, in the event of damage to or destruction of the condominium; clarifying that the council of unit owners is required to maintain certain insurance on a condominium's common elements and units, exclusive of improvements and betterments installed in

units by unit owners; making stylistic changes; and generally relating to condominiums and insurance coverage under the Maryland Condominium Act.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–108.1 and 11–114  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 202 – Senators Kelley, Conway, Currie, Forehand, Kasemeyer, Pugh, and Stone**

AN ACT concerning

**Identity Fraud – Seizure and Forfeiture of Property**

FOR the purpose of establishing seizure and forfeiture procedures for property obtained through or used in connection with identity fraud; establishing conditions that would exclude certain property from forfeiture; establishing how certain property subject to forfeiture may be seized, with certain exceptions; establishing circumstances that must be considered when determining whether to seize certain property; establishing a certain deadline for filing a complaint seeking forfeiture; providing for the contents and distribution of a certain complaint; providing for the forfeiture of interest in certain real property; providing for a stay of forfeiture of a certain family residence under certain circumstances; establishing a certain rebuttable presumption; providing for certain post-hearing orders; providing for the application of proceeds from a certain sale of forfeited property; defining certain terms; providing for the application of this Act; providing for the effective date of this Act; and generally relating to seizure and forfeiture of property used in connection with violation of the Identity Fraud law.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 12–101(c), (f), (g), (i), (k), and (o), 12–202, 12–203, 12–208 through 12–211, 12–301 through 12–308, 12–402, and 12–403  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Criminal Procedure  
Section 13–501 through 13–509 to be under the new subtitle “Subtitle 5. Violations of Identity Fraud Law”  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 203 – Senators Jones and Muse**

AN ACT concerning

**Residential Property – Foreclosure – Notice to Occupants**

FOR the purpose of requiring a secured party to send a written notice of intent to foreclose on residential property to the occupant of the property before a certain time; requiring the notice to contain certain information; requiring the occupant to be served in a certain manner with a copy of an order to docket or complaint to foreclose on residential property and certain other papers; authorizing service to be effected on an occupant in an alternative manner under certain circumstances; and generally relating to notice to occupants of an action to foreclose on residential property.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 204 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Public Accountancy – Required Peer Reviews**

FOR the purpose of expanding the kinds of services performed by a licensed certified public accountant that require a system review or an engagement review; repealing a requirement for a review report for certain licensed certified public accountants; requiring, as a condition for serving as a team captain of a system review, a peer reviewer to have and maintain ownership or management of a firm or comparable responsibility; repealing and adding certain defined terms; and generally relating to system and engagement reviews in connection with the practice of certified public accountancy.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–401(b), 2–4A–01, 2–4A–04, and 2–4A–05  
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 205 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Health and Mental Hygiene)**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Nursing – Licensing – Licensure by Endorsement –  
Provisional Practice Permits**

FOR the purpose of authorizing certain applicants for licensure by examination to enter into a remedial study agreement plan approved by the State Board of Nursing if they are deficient in certain qualifications; requiring prior Board approval before commencing a remedial study plan; requiring proof of successful completion of a remedial study plan; requiring the Board to adopt regulations for remedial training programs; authorizing the Board to waive certain education requirements under certain circumstances for licensure by endorsement; requiring the Board to adopt regulations for licensure by endorsement; establishing a provisional practice program for an applicant for licensure with certain deficient qualifications; authorizing an applicant for licensure by endorsement to petition the Board for a provisional practice permit; authorizing the Board to issue a provisional practice permit under certain circumstances; requiring the provisional practice permit to designate certain areas in which a provisional practice permit holder may practice; providing that a provisional practice permit is nonrenewable; limiting the term of a provisional practice permit; requiring certain conditions be met during a provisional practice period; requiring the Board to adopt regulations for the provisional practice program; requiring the Board to submit a certain report to the General Assembly on or before a certain date; making certain stylistic changes; clarifying certain eligibility requirements; providing for the termination of certain provisions of this Act; making this Act an emergency measure; and generally relating to the regulation and licensure of professional nurses by the State Board of Nursing.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–302 and 8–307  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health Occupations

Section 8-307.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 206 – Senators Robey, Harrington, Muse, Peters, Pugh, and Raskin**

AN ACT concerning

**Malfunctioning Traffic Light Act**

FOR the purpose of requiring a driver who is approaching a traffic control signal with no visible lighted indication to reduce speed and prepare to yield to other vehicles in or approaching the intersection under certain circumstances; and generally relating to malfunctioning traffic control signals.

BY adding to  
Article – Transportation  
Section 21-202(m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21-202(m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21-209  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 207 – Senator Stone**

AN ACT concerning

**Real Property Tax Assessments – Market Declines – Assessment Notices**

FOR the purpose of requiring a supervisor of assessments to provide a written notice of assessment for certain real property under certain circumstances in certain

years when the property is not valued or revalued; requiring a certain assessment notice to include certain information; and generally relating to written notices of assessment for certain real property under certain circumstances in certain years when property is not valued or revalued.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–401(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – Property  
Section 8–401(d–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 8–404(a) and 14–502(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 208 – Senators Brinkley and Pipkin**

AN ACT concerning

#### **Vehicle Laws – Drivers’ Licenses and Identification Cards – Lawful Presence in United States**

FOR the purpose of adding the requirement to provide certain documentation certifying that an individual is either a United States citizen or is lawfully present in the United States in accordance with federal law to the requirements for the issuance of a driver’s license or an identification card; prohibiting the Motor Vehicle Administration from issuing a driver’s license to an individual who cannot provide certain documentation certifying that the individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; limiting the effective term of a driver’s license or identification card issued to certain individuals; and generally relating to drivers’ licenses and identification cards and legal presence in the United States.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–128 and 16–106(a) and (e)(1)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(a) and (i), 16–103.1, and 16–115(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 16–106(e)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 209 – Senator Stone**

AN ACT concerning

#### **State Highway Administration – Snow Removal – Use of Farm Trucks**

FOR the purpose of authorizing the State Highway Administration to request the use of certain farm trucks to assist in snow removal under certain circumstances; authorizing the owner of a farm truck to refuse to allow the Administration to use the farm truck; requiring the Administration to compensate the owner of a farm truck that is used by the Administration for snow removal; authorizing the Administration to adopt certain regulations; defining certain terms; and generally relating to the use of farm trucks by the State Highway Administration for snow removal.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–602  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–921  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 210 – Senator Lenett**

AN ACT concerning

**Family Law – Final Protective Orders – Surrender of Firearms**

FOR the purpose of making it mandatory, rather than discretionary, for a final protective order to order the respondent to surrender certain firearms to law enforcement authorities and to refrain from possessing any firearm for a certain duration; making certain technical changes; and generally relating to the issuance and contents of protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506, 4–507(a), and 4–509(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 211 – Senators Pugh, Currie, Exum, Forehand, Lenett, McFadden,  
Muse, and Peters**

AN ACT concerning

**Minority Business Enterprise Program – Participation by Race or Gender**

FOR the purpose of authorizing a woman–owned business to participate in certain procurement contracts as either a woman–owned business or a business owned by a member of an ethnic or racial minority group for certain purposes within the Minority Business Enterprise Program; altering a provision relating to the Department of Transportation and the application of certain requirements to certain of its procurement contracts; altering a certain definition; and generally relating to participation in the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(e) and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301(i) and 14–302(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 212 – Senator Frosh**

AN ACT concerning

**Environment – Green Building Council**

FOR the purpose of expanding the responsibilities of the Green Building Council to include providing certain recommendations on how to expand green building; repealing certain obsolete dates; expanding the scope of certain recommendations that the Council is required to make relating to the implementation of a certain building program; and generally relating to the Green Building Council.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 4–809(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 4–809(f) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 213 – Senator DeGrange**

AN ACT concerning

**Income Tax – U.S. Government Employees’ Foreign Earned Income**

FOR the purpose of making permanent a subtraction modification under the Maryland income tax for certain foreign earned income of employees of the United States or of any agency of the United States; and generally relating to an income tax subtraction modification for certain foreign earned income of an individual earned as an employee of the United States or of an agency of the United States.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(w)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 214 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Linthicum Veterans Memorial**

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 Linthicum Veterans Memorial, 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 Budget and Taxation.

**Senate Bill 215 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Benson–Hammond House Renovation**

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 Anne Arundel 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 Budget and Taxation.

**THE COMMITTEE ON FINANCE REPORT #1**

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

**Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

**EMERGENCY BILL**

AN ACT concerning

**Medicare Supplement Plan A Policies – Individuals with a Disability – Rates**

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. 47)

**RECESS**

At 11:23 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:00 P.M. on Monday, January 26, 2009 in memory of Senators Cornell Dypski and Robert Hooper.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: January 23, 2009**  
**Calendar Day: Monday, January 26, 2009**  
**8:00 P.M. Session**

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At 8:03 P.M. the Senate resumed its session.

Prayer by Pastor Dan Mucci, Abundant Life Church, Glen Burnie, Md., guest of Senator DeGrange, Sr.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

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

(See Roll Call No. 49)

**INTRODUCTION OF BILLS**

**Senate Bill 216 – Senators Simonaire, Brinkley, Brochin, Colburn, Della, Edwards, Forehand, Frosh, Gladden, Glassman, Greenip, Haines, Harrington, Harris, Jacobs, Kelley, King, Kittleman, Lenett, Madaleno, Mooney, Muse, Peters, Raskin, Robey, Rosapepe, Stoltzfus, and Stone**

AN ACT concerning

**State Government – Commemorative Month – Young Heroes Month**

FOR the purpose of requiring the Governor to proclaim the month of October to be Young Heroes Month; and generally relating to Young Heroes Month.

BY adding to

Article – State Government

Section 13–503

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 217 – Senator Simonaire**

AN ACT concerning

**Natural Resources – Tree Services – Advertising**

FOR the purpose of prohibiting a person from advertising certain tree services unless certain information is included in the advertisement; and generally relating to advertising and tree services.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–423  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 218 – Senators Frosh, Brochin, Forehand, Garagiola, Jacobs, Mooney, Raskin, and Stone**

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 State’s Attorney to serve a certain written notice within a certain period; requiring the Department of Juvenile Services to provide the court with certain information and conduct certain follow-up; requiring that the form of certain petitions and pleadings and the procedures to be followed by a court under certain circumstances be

specified in the Maryland Rules; requiring that certain allegations be proven by clear and convincing evidence before a certain determination is made; 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 and 2008 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–8A–27(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(c), (j), and (m), 11–704, 11–705, and 11–707  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(k)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 219 – Senators Frosh, Dyson, Forehand, Jacobs, Madaleno,  
Mooney, Raskin, Robey, and Stone**

AN ACT concerning

**Vehicle Laws – Violations by Drivers Under the Age of 18 Years – Driver’s  
License Suspensions**

FOR the purpose of requiring a certain court to order the Motor Vehicle Administration to initiate an action to suspend the driving privilege of a child for certain periods of time on making a finding that the child has committed certain violations relating to alcoholic beverages, leaving the scene of an accident, or fleeing or eluding a police officer; prohibiting the Administration from issuing restricted licenses to individuals whose drivers' licenses are suspended under certain circumstances; requiring the Administration to retain certain reports of certain violations relating to leaving the scene of an accident or fleeing or eluding a police officer; requiring the Administration to suspend a child's license to drive for a certain period of time on notification by the clerk of the court that the child has been adjudicated delinquent for certain violations relating to leaving the scene of an accident or fleeing or eluding a police officer, or that certain findings were made that a child committed certain violations relating to leaving the scene of an accident or fleeing or eluding a police officer; providing that a suspension imposed under certain circumstances is to be consecutive to a certain other suspension; requiring the Administration to suspend the driver's license of the holder of a provisional driver's license who is under a certain age if the individual accumulates a certain number of points in a certain time period; authorizing an individual to request a hearing on certain suspensions or revocations of drivers' licenses under certain circumstances; establishing that a holder of a provisional driver's license who is under a certain age is guilty of the offense of high-risk driving if the holder commits certain violations of the Maryland Vehicle Law; requiring the Administration to suspend the driver's license of a certain individual for a certain period of time if the Administration receives satisfactory evidence of the commission of a certain high-risk driving violation; establishing that a driver's license suspension imposed for high-risk driving is separate from any other penalty imposed for a certain violation and consecutive to any other suspension imposed for a certain violation; and generally relating to the drivers' licenses of children.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–01(j), 3–8A–03(d)(2), and 3–8A–19(e)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(e)(1) and 3–8A–23(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–206(b) and 16–404  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation  
Section 21–905  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 21–1123  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 220 – Senators Pinsky, Frosh, Harrington, and Raskin**

AN ACT concerning

**State Government – Prohibition on Use of State Funds – Ethanol Derived  
from Corn**

FOR the purpose of prohibiting the use of State funds to encourage certain uses and production of ethanol derived from corn; prohibiting the Renewable Fuels Incentive Board from offering a certain production credit for ethanol derived from corn; altering certain definitions to remove certain financial incentives for the use of ethanol derived from corn; and generally relating to prohibiting the use of State funds to encourage the use and production of ethanol derived from corn.

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 10–1502 and 10–1504(b)(4) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture  
Section 10–1504(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development  
Section 10–801(a)  
Annotated Code of Maryland  
(2008 Volume)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–801(f)

Annotated Code of Maryland

(2008 Volume)

BY adding to

Article – State Finance and Procurement

Section 7–203

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 9–101(a) and 10–726(a)(1)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 9–101(d) and 10–726(a)(2)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 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 221 – Senator Lenett**

AN ACT concerning

#### **Health Care Facilities – Disclosures – Use of Life-Sustaining Procedures**

FOR the purpose of requiring certain health care facilities to provide certain information concerning the right to make certain decisions about health care, request a copy of existing advance directives under specified circumstances, and inform certain individuals or proxy decision makers about certain facility procedures; requiring the State Advisory Council on Quality Care at the End of Life to consult with certain groups before developing and making publicly available certain resources; defining certain terms; providing for a delayed effective date for certain provisions of this Act; and generally relating to the provision of information by health care facilities on an individual's admission to a facility.

BY renumbering

Article – Health – General

Section 5–615(c)  
to be Section 5–615(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–615(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing  
Article – Health – General  
Section 5–615(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 5–615(b) and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 222 – Senator Edwards**

AN ACT concerning

**Garrett County – Hotel Rental Tax**

FOR the purpose of altering the maximum hotel rental tax rate in Garrett County;  
and generally relating to the maximum hotel rental tax rate in Garrett County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–304(b)(8)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 223 – Senator Edwards**

AN ACT concerning

**Tax – Property – Assessment and Valuation – Forest Conservation and  
Management Agreement**

FOR the purpose of providing that woodland subject to a certain agreement may not be reassessed when less than a certain number of acres is timbered and the owner agrees the land will remain open space; making a technical correction; and generally relating to the reassessment of certain woodland that is timbered.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–211(a) and (i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 8–211(f) and (h)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 224 – Senator Edwards**

AN ACT concerning

**Garrett County – Code of Ordinances – Review of Salaries**

FOR the purpose of repealing the requirement that the Garrett County Salary Study Commission study the salary of the State’s Attorney; authorizing the Commission to recommend to the County Commissioners certain changes to the salary of the State’s Attorney; and generally relating to the salary of the State’s Attorney of Garrett County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County  
Section 32.43  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and 2007 Supplement, as amended)

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

**Senate Bill 225 – Senator McFadden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Maryland Independent College and University Association – Sojourner–Douglass College**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to authorize the Board of Trustees of Sojourner–Douglass College to include in kind contributions in the matching fund.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA00 (M)

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

**Senate Bill 226 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Participating Governmental Units**

FOR the purpose of clarifying the definition of a “local pension system” for participating governmental units in the State Retirement and Pension System; altering the period of time that certain employees of certain participating governmental units have to elect to participate in certain systems of the State Retirement and Pension System; and generally relating to participating governmental units in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 31–101(h), 31–111(a), 31–2A–01(f), 31–2A–04, 31–2B–01(e), and  
31–2B–04  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 227 – Senators McFadden and Jones (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Newly Constructed Dwelling Property Tax Credit –  
Modification and Reauthorization**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish certain maximum limits for a certain property tax credit; authorizing the Mayor and City Council of Baltimore City to establish certain application periods; authorizing the Mayor and City Council of Baltimore City to establish a

one-time application amnesty period subject to certain restrictions; altering the termination date applicable to certain provisions; requiring the Mayor and City Council of Baltimore City to establish necessary and appropriate procedures to carry out the property tax credit; and generally relating to the newly constructed dwelling property tax credit in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–304(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 228 – Senators Glassman, Harris, and Jacobs**

AN ACT concerning

**Harford County – Property Tax Credit for Homes Near a Refuse Disposal System**

FOR the purpose of repealing a certain requirement for a home to qualify for a certain property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems; providing for the application of this Act; and generally relating to certain authorization for Harford County to grant a property tax credit for certain residential real property in proximity to certain refuse disposal systems.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–314(a)(1)(x)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–314(a)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 229 – Senator Stone**

AN ACT concerning

**Public Health – Ephedrine, Pseudoephedrine, or Phenylpropanolamine  
Purchases – Statewide Electronic Logbook**

FOR the purpose of requiring the Alcohol and Drug Abuse Administration to assist in the regulation of the sale of ephedrine, pseudoephedrine, or phenylpropanolamine by establishing and maintaining a real-time statewide electronic logbook for the purpose of allowing pharmacies and retailers to enter into the logbook any transaction required to be reported by statute relating to the sale of ephedrine, pseudoephedrine, or phenylpropanolamine; requiring the Administration to adopt regulations requiring pharmacies and retailers to maintain electronic logs of certain ephedrine, pseudoephedrine, or phenylpropanolamine purchases, enter certain information about certain purchases into the statewide electronic logbook, and require a person purchasing, receiving, or otherwise acquiring ephedrine, pseudoephedrine, or phenylpropanolamine to produce certain proof of identity and sign the electronic log or a receipt that documents the date of the transaction, the name of the person, and the quantity of ephedrine, pseudoephedrine, or phenylpropanolamine purchased, received, or otherwise acquired; requiring the Administration to provide pharmacies and retailers in the State access to the electronic logbook for the purpose of entering transaction information required to be reported by statute and certain technical assistance; providing that the electronic logbook has the capability to calculate both State and federal ephedrine, pseudoephedrine, or phenylpropanolamine purchase limitations; providing that information entered into the electronic logbook is confidential and is not subject to the Freedom of Information Act; requiring the Administration to provide access to the real-time electronic logbook to certain persons and law enforcement officials; authorizing the Administration to destroy certain transaction records maintained in the real-time electronic logbook within a certain date from the date of entry unless the transaction record is being used in an ongoing criminal investigation or criminal proceeding; prohibiting a pharmacy or retailer from selling ephedrine, pseudoephedrine, or phenylpropanolamine in violation of this Act; prohibiting a person from knowingly releasing or disclosing to an unauthorized person confidential information collected and maintained under this Act or obtaining confidential information for a purpose not authorized by this Act; establishing penalties for a violation of this Act; making this Act subject to a certain contingency; providing for a delayed effective date; and generally relating to the sale or purchase of ephedrine, pseudoephedrine, or phenylpropanolamine.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 8-101(a) and (b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General

Section 8–406  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 230 – Senators Kasemeyer and Frosh**

EMERGENCY BILL

AN ACT concerning

**Maryland Uniform Prudent Management of Institutional Funds Act**

FOR the purpose of repealing certain provisions of law relating to the management of institutional funds; establishing the Maryland Uniform Prudent Management of Institutional Funds Act; establishing a standard of conduct in managing and investing a certain institutional fund; authorizing a certain institution to appropriate for expenditure or accumulate so much of a certain endowment fund as the institution determines is prudent for certain purposes; requiring the institution to consider certain factors in making a certain determination; providing certain rules of construction; providing for the delegation of certain management and investment functions; establishing how certain restrictions on the management, investment, or purpose of an institutional fund may be released or modified; requiring that compliance with this Act be determined in a certain manner; providing for the application of this Act; establishing that this Act modifies, limits, and supersedes certain provisions of federal law; defining certain terms; making this Act an emergency measure; and generally relating to the management of institutional funds.

BY repealing

Article – Estates and Trusts  
Section 15–401 through 15–409  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

BY adding to

Article – Estates and Trusts  
Section 15–401 through 15–410 to be under the amended subtitle “Subtitle 4.  
Maryland Uniform Prudent Management of Institutional Funds Act”  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 231 – Senator Della**

AN ACT concerning

**State Health Services Cost Review Commission – Health Care Facilities  
– Annual Reports of Compensation**

FOR the purpose of requiring certain health care facilities to submit to the State Health Services Cost Review Commission annual reports of certain compensation; and generally relating to the reporting of the compensation of officers, directors, and executives of health care facilities and of regulated lobbyists engaged by those facilities.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–212  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 232 – Senator Della**

AN ACT concerning

**Baltimore City – Alcohol Awareness Program – Certified Personnel Required  
at Licensed Premises During Hours of Sale**

FOR the purpose of requiring in Baltimore City that the holder of an alcoholic beverages license issued for use at an establishment or a certain person designated by the holder be certified by an approved alcohol awareness program and be present during the hours in which alcohol may be sold; and generally relating to persons in Baltimore City certified by an approved alcohol awareness program.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 13–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 13–101(c)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 233 – Senator Della**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Expiration of Licenses – Drinking Games**

FOR the purpose of altering the period of time after which an alcoholic beverages license in Baltimore City expires after the business has closed or alcoholic beverages business operations have ceased; altering the length of a hardship extension of an alcoholic beverages license that may be granted in Baltimore City; prohibiting a holder of a retail alcoholic beverages license or owner or operator of a bottle club in Baltimore City from promoting, encouraging, or allowing certain drinking games or contests on the premises; providing certain penalties; providing for the termination of certain provisions of this Act; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–504(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 21–105.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 234 – Senators King, Conway, Currie, Della, Exum, Harrington, Jones, Kasemeyer, Lenett, Madaleno, Peters, Pugh, Raskin, and Robey**

AN ACT concerning

**Education – Maryland’s Preschool for All Business Plan – Final Report Requirements**

FOR the purpose of requiring the State Department of Education to consult with and accept comments from certain county superintendents and certain local governing bodies regarding the Maryland’s Preschool for All Business Plan before preparing and publishing a certain version of a certain Business Plan;

requiring the Department to submit to the Governor and General Assembly a copy of a certain report that includes certain information on or before a certain date; defining certain terms; and generally relating to final report requirements for the Maryland's Preschool for All Business Plan.

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

**Senate Bill 235 – Senators King, Astle, DeGrange, Garagiola, Klausmeier, Lenett, Robey, and Rosapepe**

AN ACT concerning

**Education – MDK12 Digital Library**

FOR the purpose of establishing the MDK12 Digital Library in the State Department of Education; establishing certain legislative findings; establishing the purpose of the MDK12 Digital Library; establishing a steering committee within the MDK12 Digital Library; establishing the membership of the steering committee; establishing certain duties of the steering committee; establishing the membership of the MDK12 Digital Library, subject to certain limitations; establishing certain limitations to the membership of the MDK12 Digital Library; requiring certain individuals to perform certain duties; authorizing the MDK12 Digital Library to develop certain additional programs that support all residents of Maryland; requiring the Department to employ a certain position; requiring a certain report to be submitted by a certain date to the Department; defining a certain term; and generally relating to the MDK12 Digital Library.

BY adding to

Article – Education

Section 7–9A–01 through 7–9A–05 to be under the new subtitle “Subtitle 9A.  
MDK12 Digital Library”

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 236 – Senator Exum**

AN ACT concerning

**Income Tax – Subtraction Modification – Federal Pensions**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain retirement income received for employment with or services provided to the United States government; providing that the subtraction

modification does not include certain military retirement income that is included in a certain subtraction modification; providing that retirement income that is included in a certain subtraction modification may not be taken into account for purposes of a certain subtraction modification allowed under the income tax for certain individuals who are at least a certain age or who are disabled or have disabled spouses; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 237 – Harford County Senators**

AN ACT concerning

#### **Harford County – Gaming**

FOR the purpose of requiring the Sheriff of Harford County to charge a certain fee for a 50/50 license; increasing the maximum money prizes that may be awarded for certain games; authorizing certain organizations to conduct a game of 50/50 at a certain event if the organization acquires a license; and generally relating to gaming in Harford County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1501(a), (c), and (f), 13–1502(a), and 13–1503(b)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1503(d), 13–1504(b), 13–1505(c), and 13–1508  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 238 – Senators Kelley, Brochin, Exum, Harrington, and Lenett**

AN ACT concerning

**Civil Actions – Child Sexual Abuse – Statute of Limitations**

FOR the purpose of extending the statute of limitations in certain civil actions relating to child sexual abuse; 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 a delayed effective date; providing for the termination of certain provisions of this Act; and generally relating to child sexual abuse.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–117  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 239 – Senator Frosh**

AN ACT concerning

**Maryland Antitrust Act – Establishment of Minimum Sale Price for  
Commodities or Services – Prohibited**

FOR the purpose of providing that a contract, combination, or conspiracy that establishes a minimum price below which a retailer, wholesaler, or distributor may not sell a commodity or service is an unreasonable restraint of trade or commerce for purposes of a certain provision of the Maryland Antitrust Act; and generally relating to the Maryland Antitrust Act.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 11–204  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 240 – Senator Astle**

AN ACT concerning

**Natural Resources – Expanded Use of Waterway Improvement Fund**

FOR the purpose of authorizing grants from the Waterway Improvement Fund to be used for the purchase and installation of best management practices for implementation at public or private marine facilities for the designation or renewal of a marina as a Maryland Clean Marina or Clean Marina partner; prohibiting the amount of grants for the purchase and installation of best management practices from exceeding a certain percentage of the purchase and installation cost; restricting certain grants to facilities actively engaged in the process of a certain certification or recertification; requiring the Secretary of Natural Resources to determine the eligibility of a proposed best management practice for grant funding; establishing that the ownership, operation, and maintenance of any equipment acquired with certain grant funds shall be the sole responsibility of the marine facility; requiring projects for the purchase and installation of Maryland Clean Marina best management practices to be financed solely by the Waterway Improvement Fund; prohibiting certain grants to certain marine facilities from the Waterway Improvement Fund from exceeding certain amounts; providing for the disbursement of certain grant awards from the Waterway Improvement Fund; requiring reimbursement of certain grant awards from the Waterway Improvement Fund on the occurrence of certain conditions; increasing the amount of funds the Department of Natural Resources may spend from the Waterway Improvement Fund in a fiscal year; limiting the amount of funds from the Waterway Improvement Fund that may be used for certain projects; making stylistic changes; and generally relating to uses of the Waterway Improvement Fund.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–707, 8–708, and 8–709  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 241 – Senators Pugh, Conway, Harrington, Kelley, Muse, and Pinsky**

AN ACT concerning

**Education – Suspension and Expulsion Procedures – Attendance–Related  
Offenses**

FOR the purpose of prohibiting a principal from suspending or expelling a student from school solely for attendance–related offenses; and generally relating to school suspension and expulsion procedures.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–305  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 242 – Senators Pugh, Garagiola, Harrington, King, Lenett, Muse,  
and Raskin**

AN ACT concerning

**Pharmacy Permit Holders – Signs for Reporting Incorrectly Filled  
Prescriptions**

FOR the purpose of requiring pharmacy permit holders to post certain signs that include certain information regarding the process for resolving incorrectly filled prescriptions in accordance with certain regulations; requiring that certain signs be positioned and readable at certain points where certain drugs are dispensed to consumers; and generally relating to pharmacy permit holders and signs.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–403(b)(18) and (19)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–403(b)(20)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 243 – Senators Greenip, Brinkley, Colburn, Edwards, Harris, Middleton, and Stoltzfus**

AN ACT concerning

**State Capital Projects – High Performance Buildings – Green Globe Rating**

FOR the purpose of altering the definition of “high performance building” for purposes of certain requirements for certain State capital projects to include a building that achieves at least a certain globe rating; and generally relating to the construction and renovation of high performance buildings by the State.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1(a)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 244 – Senators Greenip, Brochin, Colburn, Edwards, Glassman, Harris, Jacobs, Kittleman, Klausmeier, Mooney, Stoltzfus, and Stone**

AN ACT concerning

**Vehicle Laws – Drivers’ Licenses, Identification Cards, and Moped Operators’ Permits – Proof of Lawful Presence**

FOR the purpose of requiring the Motor Vehicle Administration to issue an identification card or moped operator’s permit to an individual who, in addition to meeting certain other requirements, provides certain documentation certifying that an individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; prohibiting the Administration from issuing a driver’s license to an individual who cannot provide certain documentation certifying that the individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; requiring an application for a driver’s license to include certain documentation; providing that the effective term of an identification card, driver’s license, or moped operator’s permit issued to a certain individual may not exceed the time that the individual is authorized to remain in the United States in accordance with federal law; altering a certain provision that requires a driver’s license application to include a Social Security number to apply only to an applicant who is eligible for a Social Security number; requiring an applicant for a driver’s license who is not eligible for a Social Security number to provide certain documentation to the Administration; making certain technical corrections; and generally relating to individuals who are not lawfully present

in the United States and the issuance of identification cards, drivers' licenses, and moped operators' permits.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–128 and 16–106(a), (b), and (e)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(a) and (i), 16–103.1, 16–104.2, 16–106(c), and 16–115(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 16–106(e)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 245 – Senator Rosapepe**

AN ACT concerning

#### **State Aid for Police Protection – Grants**

FOR the purpose of requiring a certain grant for police protection to be paid from the State to each municipality that contains a certain institution of higher education with a certain undergraduate enrollment; requiring a certain municipality to provide a certain matching fund for a grant received under this Act; and generally relating to grants from the State Aid for Police Protection Fund.

BY adding to  
Article 41 – Governor – Executive and Administrative Departments  
Section 4–403(b–1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 246 – Senator Rosapepe**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County  
– College Park City Hall**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to expand the authorized uses of a certain grant to the Mayor and City Council of the City of College Park.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA02 (BI)

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

**Senate Bill 247 – Senators Rosapepe, Colburn, Greenip, Harrington, Harris,  
and Kelley**

AN ACT concerning

**Health Occupations – Maryland Athletic Trainers Act**

FOR the purpose of establishing the Athletic Trainer 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, and terms 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; prohibiting a licensee from surrendering a license under certain circumstances; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a 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; specifying the terms of the initial members of the Board; and generally relating to the establishment of an athletic trainer license and the Athletic Trainer Advisory Committee.

BY renumbering

Article – State Government

Section 8–403(b)(6) through (68), respectively  
to be Section 8–403(b)(7) through (69), respectively

Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health Occupations

Section 14–5D–01 through 14–5D–20 to be under the new subtitle “Subtitle 5D.  
Athletic Trainers”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(6)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

## INTRODUCTION OF BILLS

**Senate Bill 248 – Senators Jones, Conway, Currie, Gladden, Madaleno, McFadden, Muse, Peters, and Pugh**

AN ACT concerning

**State Government – Commemorative Days – Negro Baseball League**

FOR the purpose of requiring the Governor to proclaim annually the second Saturday in May as Negro Baseball League Day; and generally relating to commemorative days.

BY adding to

Article – State Government

Section 13–408

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 249 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**Data Warehouse – Agency Data Sharing**

FOR the purpose of authorizing the Comptroller to request certain information and assistance from certain agencies; requiring certain agencies under certain circumstances to provide certain information to the Comptroller in a certain manner for tax administration purposes; defining certain terms; and generally relating to the transfer of certain information from certain agencies to the Comptroller for the purpose of enforcement of tax laws.

BY adding to

Article – Tax – General

Section 13–804.1

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 250 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Traffic Control Signals – Motorcycles Not Detected by Vehicle Sensors**

FOR the purpose of authorizing the driver of a motorcycle at an intersection where traffic is controlled by a traffic control signal to proceed through a red signal under certain circumstances if a visible vehicle sensor operating the traffic control signal does not detect the presence of the motorcycle; and generally relating to traffic control signals.

BY adding to

Article – Transportation

Section 21–210

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 251 – Senator Astle**

AN ACT concerning

**State Board of Physicians – Polysomnographic Technologists – Education Requirements – Waiver**

FOR the purpose of requiring the State Board of Physicians to waive certain education requirements for certain polysomnographic technologists who meet certain eligibility requirements for a certain examination or who are actively enrolled in certain educational programs; and generally relating to the education requirements for polysomnographic technologists.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–5C–01(b) and 14–5C–09(c)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–10  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 252 – Senator Astle**

AN ACT concerning

**Rental Vehicle Parking Ticket Fairness Act**

FOR the purpose of repealing a provision of law that provides that an owner of a rental vehicle is not liable for any penalty in excess of the original fine for a parking violation under certain circumstances; providing that the owner of a rental vehicle for which a parking citation is issued is not liable for payment of the fine or for any penalty in excess of the fine if the rental vehicle was in the possession of a lessee of the vehicle at the time the parking citation was issued and if, within a certain period of time of receiving a mailed notice of the violation, the owner sends certain information in a certain manner to the appropriate political subdivision or State agency; authorizing a political subdivision or State agency to mail a certain citation under certain circumstances; prohibiting a political subdivision or State agency from authorizing the placement of a certain wheel clamp on a rental vehicle; defining certain terms; and generally relating to parking citations for rental vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–301  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 253 – Senator Astle**

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 2008 Supplement)

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

**Senate Bill 254 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Chesapeake Center for Youth  
Development**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$382,000, the proceeds to be used as a grant to the Board of Directors of the Chesapeake Center for Youth 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; 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 255 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Maryland Science Center Green Roof Project**

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 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 256 – Senators Raskin, Astle, Conway, Forehand, Frosh, Garagiola, Harrington, Kelley, King, Lenett, Madaleno, McFadden, Muse, Pinsky, Pugh, and Rosapepe**

AN ACT concerning

**Freedom of Association and Assembly Protection Act of 2009**

FOR the purpose of establishing that it is the public policy of the State zealously to respect and defend certain constitutional rights of certain persons; prohibiting a law enforcement agency from using certain covert techniques to investigate or infiltrate a certain entity unless a certain finding is made; requiring the Department of State Police to adopt certain regulations on or before a certain date; requiring certain law enforcement agencies to adopt certain policies on or before a certain date; requiring certain regulations and policies to include certain requirements; prohibiting a law enforcement agency from collecting, disseminating, or maintaining certain information in a criminal intelligence database unless the information is directly related to certain criminal activity; prohibiting a law enforcement agency from knowingly receiving, disseminating, or maintaining any information that has been obtained in violation of a law; authorizing a law enforcement agency to disseminate certain information to another law enforcement agency only if the information meets certain requirements; specifying that all requests for dissemination of certain information shall be evaluated and approved by the chief of the law enforcement agency receiving the request; requiring the dissemination of certain protected information to be through written transmittal or recorded in a certain manner; requiring a record of each dissemination to be maintained for a certain period of time; prohibiting certain information from being disseminated to certain nonlaw enforcement persons, except as authorized by law; requiring the Department of State Police to report to certain committees of the General

Assembly on certain matters on or before a certain date; defining certain terms; and generally relating to investigations of certain entities.

BY adding to

Article – Public Safety

Section 3–701 through 3–704 to be under the new subtitle “Subtitle 7.  
Investigations of Protest or Advocacy Entities”

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

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

**Senate Bill 257 – The President (By Request – Administration) and Senators Astle, Colburn, Dyson, Edwards, Forehand, Garagiola, Lenett, Peters, Robey, Simonaire, and Stone**

AN ACT concerning

**Interstate Compact on Educational Opportunity for Military Children**

FOR the purpose of establishing, through a certain Interstate Compact with certain other member states, the Interstate Compact on Educational Opportunity for Military Children for certain purposes; providing for the transfer of certain educational records and enrollment of certain children in certain schools; providing for the placement of certain children in certain courses, educational programs, and special education services on transfer; establishing certain eligibility criteria for certain school programs; establishing certain procedures to facilitate the graduation of certain students from high school; establishing a certain State Council for coordinating certain services; establishing the Interstate Commission on Educational Opportunity for Military Children; providing for the composition, meetings, and powers and duties of the Interstate Commission; providing for the organization and operation and the rulemaking functions of the Interstate Commission; providing for the oversight and enforcement of the Interstate Compact and the resolution of disputes between certain member states; providing for the financing of the Interstate Commission; establishing procedures for amending the Interstate Compact; establishing certain withdrawal and dissolution procedures for certain members of the Interstate Compact; defining certain terms; making this Act subject to a certain contingency; and generally relating to the Interstate Compact on Educational Opportunity for Military Children.

BY adding to

Article – Education

Section 7–1301 through 7–1303 to be under the new subtitle “Subtitle 13.  
Interstate Compact on Educational Opportunity for Military Children”

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 258 – The President (By Request – Administration)**

AN ACT concerning

**Maryland Heritage Structure Rehabilitation Tax Credit Program**

FOR the purpose of reestablishing and altering the Maryland Heritage Structure Rehabilitation Tax Credit Program to provide tax credits for rehabilitation of historic properties and other properties contributing to a historic district or a certified heritage area; requiring the Director of the Maryland Historical Trust in the Maryland Department of Planning to adopt certain regulations; providing limits on the amount of tax credits for certain purposes; providing for an additional credit if a certain rehabilitation meets a certain high performance building standard; providing for the issuance of credit certificates for certain rehabilitations, subject to certain requirements and limitations; providing certain limits on the amount of the credit that may be claimed for certain rehabilitations; authorizing the Director to charge a certain fee for certain purposes; prohibiting the Director from issuing credit certificates that exceed a certain amount and after a certain date; establishing the Maryland Department of Planning Tax Credit Administration Fund; providing for amended tax returns under certain circumstances; authorizing the allocation of the credit; providing for certain determinations by the Comptroller; providing for certain reporting requirements; providing for the recapture of the credit if certain work is performed; providing for the termination of the Program; requiring certain funds in the Heritage Structure Rehabilitation Tax Credit Reserve Fund to revert to the General Fund on a certain date; providing for the application of certain provisions of this Act; providing for the retroactive application of a certain provision of this Act; authorizing the Comptroller to make certain determinations and adopt certain regulations; defining certain terms; and generally relating to the Maryland Heritage Structure Rehabilitation Tax Credit Program.

BY adding to

Article – State Finance and Procurement

Section 5A–362 through 5A–370 to be under the new part “Part VI. Maryland Heritage Structure Rehabilitation Tax Credit Program”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–704.5

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments, and transferring to the Session Laws  
Article – State Finance and Procurement  
Section 5A–303  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 259 – The President (By Request – Administration) (Task Force to  
Combat Driving Under the Influence of Drugs and Alcohol) and  
Senator Forehand**

AN ACT concerning

**Criminal Procedure – Drunk and Drugged Driving – Probation Before  
Judgment**

FOR the purpose of extending the period of time preceding a subsequent violation by a  
defendant of certain alcohol– or drug–related driving offenses during which a  
previous conviction or probation of the defendant for certain alcohol– or  
drug–related driving offenses prohibits a court from staying entry of judgment  
and placing the defendant on probation for the subsequent violation; and  
generally relating to probation before judgment for certain alcohol– or  
drug–related driving offenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–220(d) and 6–230  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 260 – The President (By Request – Administration) (Task Force to  
Combat Driving Under the Influence of Drugs and Alcohol) and  
Senator Forehand**

AN ACT concerning

**Vehicle Laws – Testing of Drivers Involved in Fatal or Life–Threatening  
Accidents**

FOR the purpose of requiring a police officer to request a driver involved in a motor  
vehicle accident that results in death or life–threatening injury to voluntarily  
submit to a certain test for alcohol under certain circumstances; requiring a

police officer who asks a person to voluntarily submit to a certain test to advise the person that there is no sanction or consequence for refusing to submit to the test or for any test result; providing that a person is not subject to any criminal or civil sanctions for refusing to voluntarily submit to a test under this Act; prohibiting a certain test result from being used to prompt or be considered in any criminal or civil proceeding or administrative action; prohibiting a certain test result from being considered in the provision of motor vehicle insurance coverage; providing that a certain test result may be used only for certain research and statistical purposes; requiring a certain test result that is reported on a police report to be coded or noted in a certain manner; prohibiting a police officer from requesting a driver to submit to certain tests or charging a driver with certain offenses under certain circumstances; and generally relating to testing of a driver involved in a motor vehicle accident that results in a death or a life-threatening injury under certain circumstances.

BY adding to

Article – Transportation  
Section 16-205.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 261 – The President (By Request – Administration) (Task Force to Combat Driving Under the Influence of Drugs and Alcohol) and Senators Forehand and Dyson**

AN ACT concerning

**Criminal Law – Alcoholic Beverages – Underage Individuals – Prohibitions and Penalties**

FOR the purpose of prohibiting an individual under a certain age from consuming, or exhibiting certain effects from consuming, alcoholic beverages; providing certain exceptions; making the furnishing of an alcoholic beverage to a certain individual a crime under certain circumstances; establishing certain penalties for certain violations of this Act; requiring the Motor Vehicle Administration to suspend for a certain period of time the driver's license of a person who commits certain alcohol-related violations; authorizing the Motor Vehicle Administration to modify a certain suspension under certain circumstances; and generally relating to certain alcoholic beverage violations involving underage individuals under certain circumstances.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 10-113, 10-115, 10-117, 10-118, and 10-120

Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–114, 10–116, and 10–119  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY adding to  
Article – Criminal Law  
Section 10–121  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 16–206(c–1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 262 – The President (By Request – Administration) (Task Force to  
Combat Driving Under the Influence of Drugs and Alcohol) and  
Senator Forehand**

AN ACT concerning

**Vehicle Laws – Repeated Drunk and Drugged Driving Offenses – Suspension  
of License**

FOR the purpose of requiring the Motor Vehicle Administration to suspend for a certain period the driver's license of a person who has been convicted of certain drunk and drugged driving offenses within a certain time period after the person was previously convicted of certain drunk and drugged driving offenses; and generally relating to penalties for drunk and drugged driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205(e)(2), (3), and (4)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–902(a) through (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 263 – The President (By Request – Administration) (Task Force to  
Combat Driving Under the Influence of Drugs and Alcohol) and  
Senator Forehand**

AN ACT concerning

**Vehicle Laws – Alcohol Restriction on Driver’s License – Penalties for  
Violations**

FOR the purpose of establishing certain penalties for a violation of a driver’s license alcohol restriction imposed by the Motor Vehicle Administration; and generally relating to driver’s license alcohol restrictions.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–113(j), 27–101(c)(11), and 27–102  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 264 – The President (By Request – Administration) and Senators  
Kelley, Exum, Klausmeier, Conway, Gladden, Jones, King, Madaleno,  
Pinsky, Raskin, Robey, and Rosapepe**

AN ACT concerning

**State Employees – Collective Bargaining – Negotiations –  
“The Fair Share Act”**

FOR the purpose of authorizing collective bargaining negotiations pertaining to certain State employees 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 2008 Supplement)

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

**Senate Bill 265 – The President (By Request – Administration) and Senators  
Frosh, Robey, Forehand, and Dyson**

AN ACT concerning

**Vehicle Laws – Young Drivers – Driving Privileges**

FOR the purpose of increasing the minimum ages at which an individual may obtain a learner's instructional permit, provisional license, and full driver's license; increasing the maximum age under which an applicant for a learner's instructional permit must provide to the Motor Vehicle Administration a school attendance record; increasing the maximum age of an applicant for a learner's instructional permit for purposes of a prohibition against issuance of the permit if the applicant's school attendance record indicates more than a certain number of absences; altering the period after which the holder of a learner's instructional permit may take certain examinations for a provisional license under certain circumstances; requiring the Administration to cancel the driver's license of a minor if the cosigner on the minor's application for the license makes a certain request; altering the period after which the holder of a provisional license may be issued a full license under certain circumstances; altering the hours during which a holder of a provisional driver's license under a certain age may drive unsupervised; authorizing the Administration to conduct a driver improvement program for young drivers; requiring the Administration to impose certain restrictions on a provisional driver's license and suspend or revoke the license under certain circumstances; modifying a certain license restriction prohibiting a holder of a provisional driver's license from driving a vehicle carrying certain passengers under certain circumstances; providing for the application of a certain provision of this Act; clarifying language; making conforming and stylistic changes; and generally relating to driving privileges for young drivers.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–103, 16–105(a) and (d), 16–108, 16–111(d), 16–113(d), 16–212,  
16–213, and 21–1123  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–111(a), (b), and (c) and 16–113(d–1) and (i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 16–113(d–2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 266 – The President (By Request – Administration) and Senators  
Frosh and Lenett**

AN ACT concerning

**Public Safety – Department of State Police – Investigations Affecting First  
Amendment Rights**

FOR the purpose of requiring that a covert investigation of a certain person, group, or organization be based on a reasonable suspicion that the person, group, or organization is planning, or engaged in, criminal activity; authorizing that the investigation be conducted only under certain circumstances; requiring the Department of State Police to conduct all investigations involving certain activities for a legitimate law enforcement objective; requiring the Department to safeguard certain rights of all persons; prohibiting the Department from conducting certain activities for certain purposes; requiring the Department to terminate a certain investigation under certain circumstances; prohibiting the Department from collecting certain information under certain circumstances; requiring the Department to classify accurately certain information; authorizing the Department to disseminate certain information in a certain manner; prohibiting the Department from knowingly including certain information in certain files; providing for the construction of this Act; defining certain terms; and generally relating to investigations affecting First Amendment rights conducted by the Department of State Police.

BY adding to  
Article – Public Safety  
Section 2–314  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 267 – The President (By Request – Administration) and Senators Forehand, Frosh, Harrington, Lenett, and Raskin**

AN ACT concerning

**Family Law – Protective Orders – Surrender of Firearms**

FOR the purpose of making it mandatory, rather than discretionary, for a final protective order to order the respondent to surrender certain firearms to law enforcement authorities and to refrain from possessing any firearm for a certain duration; making certain technical changes; and generally relating to the issuance and contents of protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506, 4–507(a), and 4–509(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 268 – The President (By Request – Administration) and Senators Brochin, Forehand, Frosh, Harrington, Lenett, and Raskin**

AN ACT concerning

**Family Law – Temporary Protective Orders – Surrender of Firearms**

FOR the purpose of authorizing a judge in entering a temporary protective order to order a certain person to surrender to law enforcement authorities any firearm in the person's possession for a certain period of time; requiring a law enforcement officer to provide certain information to a respondent when a firearm is surrendered and to provide for the safe storage of the firearm; providing for the retaking of surrendered firearms by the respondent under certain circumstances; making it a misdemeanor subject to certain penalties to fail to comply with a certain order to surrender firearms; and generally relating to protective orders and surrender of firearms.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505 and 4–509  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Family Law

Section 4-506.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 269 – The President (By Request – Administration) and Senators  
Kelley and Middleton**

AN ACT concerning

**Financial Institutions – Mortgage Lenders and Mortgage Loan Originators**

FOR the purpose of altering certain provisions of law regulating mortgage lenders and mortgage loan originators to conform to the requirements of the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2009; expanding the authority of the Commissioner of Financial Regulation to adopt regulations to facilitate implementation of a multistate automated licensing system; requiring certain applicants and licensees to provide certain information and pay certain fees to a certain multistate automated licensing system at certain times; authorizing the Commissioner to use the multistate automated licensing system to request information from and distribute information to certain sources under certain circumstances; altering the required contents of an application for a mortgage lender license and a mortgage loan originator license; altering the terms of mortgage lender licenses and mortgage loan originator licenses; requiring a licensed mortgage lender to submit a certain annual report; increasing certain civil penalties; altering the circumstances under which a mortgage lender must require a borrower to provide certain information to the mortgage lender; prohibiting an individual from engaging in the business of a mortgage loan originator unless the individual holds a valid license or is exempt from certain provisions of law; establishing certain exemptions from the licensing requirement; providing that a license issued under certain provisions of law authorizes the licensee to act as a mortgage loan originator when acting within the scope of employment of a person exempt from licensing as a mortgage lender; altering the information the Commissioner must include on a mortgage loan originator license; altering the actions a licensed mortgage loan originator must take before acting as a mortgage loan originator under a certain name or for a certain employer; altering certain requirements for the issuance and renewal of a mortgage loan originator license; establishing certain education, testing, and surety bond requirements for certain applicants and licensees; authorizing certain licensees to comply with certain requirements on or before a certain date; authorizing the Commissioner to issue an interim mortgage loan originator license to certain individuals under certain circumstances; altering the circumstances under which the Commissioner must revoke the license of a mortgage loan originator; providing that certain requirements and privileges apply to certain information or material under certain circumstances; providing that certain information and material may be

shared with certain regulatory officials without the loss of certain privilege or confidentiality protections; authorizing the Commissioner to enter into certain information sharing agreements; requiring certain nonfederally insured credit unions to register certain employees with a certain multistate automated licensing system in a certain manner; requiring the Commissioner to report certain enforcement actions and information to the multistate automated licensing system and adopt regulations establishing a process to challenge the information entered into the system; requiring a mortgage loan originator's unique identifier to be displayed in a certain manner and under certain circumstances; defining certain terms; altering and repealing certain definitions; making stylistic and conforming changes; and generally relating to the regulation of mortgage lenders and mortgage loan originators.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–105.1(c), 11–501, 11–502(b), 11–505(d) and (e), 11–506(c), 11–506.1, 11–507, 11–508(b) and (d), 11–508.1(a), 11–511, 11–513(a), 11–515(b) and (d), 11–516(a), 11–517(a) and (c), 11–521(a), 11–523(b), 11–601, 11–602, 11–603, 11–605, 11–606, 11–607(a), 11–609, 11–612, 11–613(a), and 11–615(a), (c), and (f)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – Financial Institutions

Section 11–513.1, 11–605.1, 11–606, 11–606.1, and 11–619 through 11–623

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing

Article – Financial Institutions

Section 11–604

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 270 – The President (By Request – Administration) and Senators  
Kelley and Middleton**

EMERGENCY BILL

AN ACT concerning

**Unemployment Insurance – Eligibility – Part–Time Work**

FOR the purpose of authorizing an individual who is able to work only part time to be deemed eligible for certain benefits under certain circumstances; clarifying that the Secretary of Labor, Licensing, and Regulation may not use the disability of a qualified individual with a disability in finding that an individual is not available for work, actively seeking work, or eligible for benefits under this Act; providing that a part-time worker is not considered to be unemployed if the part-time worker is working all hours for which the part-time worker is available; defining a certain term; making this Act an emergency measure; and generally relating to unemployment insurance benefits for part-time workers.

BY renumbering

Article – Labor and Employment  
Section 8–101(v), (w), (x), (y), and (z), respectively  
to be Section 8–101(w), (x), (y), (z), and (aa), respectively  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Labor and Employment  
Section 8–101(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment  
Section 8–101(v)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 8–801 and 8–903  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 271 – The President (By Request – Administration) and Senators Colburn, Conway, Forehand, Harrington, Lenett, Middleton, Pinsky, and Raskin**

AN ACT concerning

**Aquaculture – Shellfish – Leasing**

FOR the purpose of repealing certain restrictions, eligibility requirements, and procedures relating to leasing certain areas in certain waters of the State for the

purpose of protecting, sowing, bedding, or cultivating certain shellfish; repealing certain provisions relating to revenue derived from private oyster culture; repealing a certain recording fee; requiring the Department of Natural Resources to designate a public shellfish area and prohibiting its leasing for shellfish aquaculture; requiring the Department to establish certain zones for growing shellfish for commercial purposes in the Chesapeake Bay; limiting the location of the zones; requiring the Department to hold a public hearing before establishing the zones and authorizing the Department to issue certain types of leases in the zones for certain purposes under certain circumstances; establishing a set-aside for certain leases to active tidal fish holders; designating the uses of leased areas; authorizing the issuance of submerged land leases in certain waters of the Chesapeake Bay; limiting the locations of submerged land leases and designating their uses in the Chesapeake Bay; authorizing the issuance of submerged land leases in the Atlantic Coastal Bays; limiting the locations of submerged land leases and designating their uses in the Atlantic Coastal Bays; establishing a process for designating in the Atlantic Coastal Bays areas preapproved for submerged land leasing, not approved for submerged land leases, and approved for leasing only on certain application; providing for a setback from the Assateague Island National Seashore; establishing an application process for aquaculture and submerged land leases; requiring surveys of leased areas; defining and requiring active use of a leased area; establishing a lease term; requiring payment of rent; establishing a process for advertising submerged land lease applications and considering protests of such applications; identifying leaseholder responsibilities for leased areas; providing for a waiver of the active use requirement under certain circumstances; prohibiting a leaseholder from engaging in certain activities; authorizing inspection of shellfish planted or harvested under aquaculture or submerged land leases; providing for renewal and termination of a lease; establishing a demonstration lease and defining its purposes, requirements, and limitations; requiring a record of each lease; designating a fund for payments of fees and revenues from aquaculture and submerged land leases; authorizing closure of areas to the catching or harvesting of shellfish in certain areas; prohibiting importation of shellfish without approval; requiring reports of lease activities; repealing certain restrictions relating to nonresident leasing in Somerset County; prohibiting interference with a lease under certain circumstances and increasing an administrative penalty for such interference; eliminating the prohibition on leasing on natural oyster bars; providing for certain provisions relating to the sale of seed oysters; repealing provisions related to aquaculture seed areas in certain counties; exempting certain leasing activities from a certain licensing requirement; requiring the Department of the Environment to revise certain regulations by a certain date; establishing certain requirements for existing shellfish leases; specifying a certain legislative intent; defining certain terms; making the provisions of this Act severable; and generally relating to shellfish aquaculture leasing in the Chesapeake Bay and the Atlantic Coastal Bays.

BY repealing and reenacting, without amendments,

Article – Environment  
Section 16–202(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 16–202(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1102, 4–1103, 4–11A–01, 4–11A–12, 4–11A–13, and 4–11A–15  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing  
Article – Natural Resources  
Section 4–11A–04 through 4–11A–11  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Natural Resources  
Section 4–11A–04 through 4–11A–11  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 272 – The President (By Request – Administration) and Senators Conway, Frosh, Harrington, Lenett, Madaleno, Pinsky, Raskin, and Robey**

AN ACT concerning

**Maryland False Health Claims Act of 2009**

FOR the purpose of prohibiting certain actions constituting false claims against a State health plan or a State health program; providing certain penalties for making false claims against a State health plan or a State health program; authorizing the State to file a civil action against a person who makes a false claim against a State health plan or a State health program under certain circumstances; authorizing a person other than the State to file a civil action on behalf of the person and the State against a person who makes a false claim

against a State health plan or a State health program; providing for the procedures to be followed in a civil action; providing for certain remedies under a civil action; requiring the State to investigate a civil action alleging a false claim against a State health plan or a State health program; authorizing the State to intervene and proceed with the action with or without the person that initiated the action; authorizing the State to elect not to intervene and proceed with the action but allow the person that initiated the action to proceed; authorizing the court to limit the participation of the person that initiated the action under certain circumstances; authorizing the State to intervene at a later time in the proceedings or to pursue alternative remedies; providing for certain damages and payments to the person that initiated the action under certain circumstances; providing for certain payments to the person charged under certain circumstances if the person charged prevails; providing certain limitations on civil actions filed under this Act; prohibiting an employer from taking retaliatory action against an employee under certain circumstances; authorizing an employee to file a civil action against an employer that takes retaliatory action against the employee under certain circumstances; providing certain remedies for retaliatory action; requiring an employer to make certain disclosures to employees; requiring the Comptroller to deposit a certain penalty or damages in the General Fund of the State; authorizing the Department of Health and Mental Hygiene or the Inspector General of the Department to adopt certain regulations; defining certain terms; and generally relating to false claims against State health plans and State health programs.

BY adding to

Article – Health – General

Section 2–601 through 2–610 to be under the new subtitle “Subtitle 6. False Claims Against State Health Plans and State Health Programs”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 273 – The President (By Request – Administration) and Senators Della, King, Klausmeier, Lenett, Madaleno, and Rosapepe**

AN ACT concerning

**Smart, Green, and Growing – Local Government Planning – Planning Visions**

FOR the purpose of revising the planning visions for the State’s Economic Growth, Resource Protection, and Planning Policy and for local comprehensive planning; requiring local jurisdictions to report on certain restrictions that are the result of an adequate public facilities ordinance; specifying the contents of the local jurisdiction’s report; requiring the Department of Planning to prepare a report on the statewide impacts of adequate public facilities ordinances; specifying the contents of the Department’s report; authorizing a certain local legislative body

to establish a transfer of development rights program within a priority funding area to assist in the purchase of land for public facilities; requiring the proceeds of the sale of the development right to be used to assist in the purchase of the site or the construction of the facility; limiting the transfer of development rights to a priority funding area; providing for the timing of certain reports; and generally relating to local government planning.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7A–01  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.01, 10.01, and 11.01  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 274 – The President (By Request – Administration)**

AN ACT concerning

#### **Tax Increment Financing and Special Taxing Districts – Transit–Oriented Development**

FOR the purpose of authorizing certain counties and municipal corporations to finance the costs of public improvements located in or supporting a transit–oriented development and owned by the Maryland Economic Development Corporation, the State, or certain other governmental units; authorizing certain counties and municipal corporations to designate special taxing districts, create special funds and provide for the levy of certain taxes and to pledge tax increment revenue pertaining to a development district to secure payment of obligations issued by the Corporation for infrastructure improvements located in or supporting a transit–oriented development; authorizing certain counties and municipal corporations to pledge under an agreement that amounts deposited in any special fund be paid to secure bonds issued by the Corporation for certain purposes; authorizing certain counties and municipal corporations through the levy of certain tax revenues, to fund the costs of infrastructure improvements, or operation and maintenance of those infrastructure improvements, located in or supporting a transit–oriented development; authorizing certain counties and municipal corporations to use certain alternative local tax revenues for tax increment financing in connection with a certain transit–oriented development; adding a certain county to the list of counties authorized to exercise certain powers

concerning the creation of special taxing districts; providing for the construction of this Act; making the provisions of this Act severable; defining certain terms; and generally relating to the use of special, ad valorem, tax increment, and alternative local tax revenues by certain counties and municipal corporations.

BY renumbering

Article – Economic Development

Section 12–201(j), (k), (l), (m), (n), and (o), respectively

to be Section 12–201(k), (l), (m), (n), (o), and (p), respectively

Annotated Code of Maryland

(2008 Volume)

BY repealing and reenacting, with amendments,

Article 23A – Corporations – Municipal

Section 44A(a), (b), (e), and (f)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 23A – Corporations – Municipal

Section 44A(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1301(a), (b), (c)(2), (f), (g), and (l)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1301(c)(1) and (e)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Economic Development

Section 12–201(j) and (q)

Annotated Code of Maryland

(2008 Volume)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 12–209 and 12–210

Annotated Code of Maryland

(2008 Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 275 – The President (By Request – Administration)**

AN ACT concerning

**Higher Education – Higher Education Investment Fund – Funding**

FOR the purpose of requiring the Comptroller to continue to distribute certain income tax revenue from corporations to the Higher Education Investment Fund; and generally relating to funding of the Higher Education Investment Fund.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 15–106.6(b)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–613.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 276 – The President (By Request – Administration) and Senators Della, Madaleno, and Rosapepe**

AN ACT concerning

**Smart, Green, and Growing – Annual Report – Smart Growth Measures and Indicators and Implementation of Planning Visions**

FOR the purpose of requiring certain local jurisdictions to file an annual report; requiring local jurisdictions to include information about smart growth measures and indicators and information about implementation of the planning visions in a certain annual report; requiring the Department of Planning to adopt regulations before a certain date on the measures and indicators; requiring a planning commission to hold a hearing on the annual report;

requiring the Department to consider certain factors when developing the measures and indicators; requiring the Task Force on the Future for Growth and Development to make certain recommendations on or before a certain date; providing for the date of the annual report; requiring the Department to provide technical assistance; and generally relating to annual reports.

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.02, 2.13, and 3.09  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY adding to  
Article 66B – Land Use  
Section 3.10  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 277 – The President (By Request – Administration) and Senators Robey, Forehand, Klausmeier, and Peters**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Statewide Authorization and Use in Highway Work Zones**

FOR the purpose of expanding to all counties and municipalities in the State the authority to use certain speed monitoring systems to enforce certain highway speed laws under certain standards and procedures; altering the speed of a motor vehicle at which a speed monitoring system will produce a recorded image of the vehicle; prohibiting the use of a speed monitoring system in a local jurisdiction unless authorized by the governing body by ordinance or resolution adopted after reasonable notice and a public hearing; requiring a county, before using a speed monitoring system at certain locations, to obtain certain approval, provide certain notice, and provide a municipal corporation instead of the county the opportunity to use a speed monitoring system at the locations; requiring certain local ordinances or resolutions to provide for the issuance of warnings during a certain period for certain violations; increasing the maximum speed limit for the purpose of establishing residential highways on which speed laws may be enforced using speed monitoring systems; requiring a local jurisdiction to publish a certain notice before activating a certain speed monitoring system; requiring a certain speed monitoring system placed in a certain location to be calibrated only to record images of motor vehicles traveling at or above a certain speed; repealing a certain requirement that an

individual provide certain information to satisfy a certain evidentiary burden; requiring the Chief Judge of the District Court to consult with certain agencies in adopting certain procedures; clarifying that certain fines for certain motor vehicle violations shall be paid to the District Court; expanding the pool of entities authorized to administer a speed monitoring program; authorizing the placement of certain work zone speed control systems on certain highways under certain circumstances; requiring the Comptroller to distribute to the State Highway Administration the revenues from civil fines collected under this Act in an amount to cover the costs of implementing and administering the work zone speed control system; limiting the issuance of citations to owners or drivers of vehicles that exceed certain speeds; requiring a work zone speed control system operator to complete certain training and follow certain procedures; requiring a work zone speed control system to undergo certain calibration; requiring the procurement of a work zone speed control system by a unit of State government to be conducted in a certain manner; requiring the State Highway Administration to place a certain road sign within a reasonable distance of a highway work zone containing a speed monitoring system; providing that certain owners or drivers of motor vehicles, recorded by a work zone speed control system while being operated in violation of certain speed limit laws, are subject to certain penalties; authorizing certain police departments to mail a certain citation to the owner of a motor vehicle; establishing certain civil penalties for a violation of certain provisions of this Act; requiring certain citations to include certain information; authorizing a police department to send a warning instead of a citation under certain circumstances; authorizing the police department to reissue a citation to the driver of a vehicle under certain circumstances; requiring certain citations to be mailed within certain time periods; requiring the District Court to prescribe a certain citation form and to indicate the amount of a certain civil penalty on the citation; establishing the standard of proof in a trial for certain violations of this Act; authorizing persons receiving certain citations to have the work zone speed control system operator be present and able to testify at trial; providing that certain persons are responsible for paying the civil penalty indicated on the citation under certain circumstances; providing that persons receiving certain citations may elect to stand trial in the District Court; establishing defenses that the District Court may consider; authorizing vehicle owners to submit a certain letter to the District Court to establish a certain defense; authorizing the Motor Vehicle Administration to impose certain penalties if the person cited for violating certain provisions of this Act fails to pay the civil penalty or contest liability; prohibiting certain violations under this Act from being considered for certain purposes; providing for the admissibility and use of certain evidence; modifying the jurisdiction of the District Court to include certain proceedings; providing for the handling of certain court costs and penalties; clarifying certain language; prohibiting an insurer from considering a certain civil penalty for purposes of reclassifying an insured; prohibiting the custodian of recorded images produced by a work zone speed control system from allowing inspection of the recorded images, subject to certain exceptions; requiring the Department of State Police and the State Highway Administration jointly to adopt

regulations establishing the standards and procedures for work zone speed control systems; requiring certain State and local entities to administer and process civil citations issued under this Act in consultation with the District Court; providing that the fees of certain contractors may not be contingent on the number of citations issued or paid under this Act; requiring the issuance of warnings for a certain time period for certain violations; defining certain terms; repealing a certain definition; altering a certain definition; making certain stylistic changes; making a technical correction; restricting the use of certain revenues generated by this Act; requiring a local jurisdiction to remit revenue generated from the use of speed monitoring systems to the Comptroller for deposit to the General Fund of the State if the revenue is not spent within a certain period of time; requiring a political subdivision to submit a certain report under certain circumstances; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; providing that certain provisions of this Act do not apply to certain speed monitoring systems in Montgomery County; requiring certain local jurisdictions to issue a certain report by a certain date; and generally relating to the use of speed monitoring systems to enforce certain laws regarding the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(13), 7–301(a), 7–302(e), and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 11–215(e) and 11–318(e)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(o)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–118(c), 21–809, 26–305(a), and 26–401  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 21–810

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 278 – Senator Pinsky and the President (By Request – Administration) and Senators Conway, Currie, Forehand, Frosh, Garagiola, Gladden, Harrington, Kelley, King, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, and Stone**

AN ACT concerning

**Greenhouse Gas Emissions Reduction Act of 2009**

FOR the purpose of setting forth certain findings of the General Assembly; requiring the Department of the Environment to publish and update certain inventories based on certain measures on or before certain dates; requiring the State to reduce greenhouse gas emissions by a certain amount by a certain date and to develop a certain plan, adopt certain regulations, and implement certain programs that reduce greenhouse gas emissions; requiring the Department to submit a proposed plan to the Governor and the General Assembly on or before a certain date; requiring the Department to make the plan available to the public; requiring the Department to convene a series of public workshops for comment on the plan; requiring the Department to adopt a final plan in accordance with certain requirements on or before a certain date; requiring the Department to consult with State and local agencies under certain circumstances; prohibiting State agencies from adopting certain regulations; requiring an institution of higher education in the State to conduct a certain study and submit it to the Governor and the General Assembly on or before a certain date; requiring the Governor to appoint a certain task force consisting of certain representatives to oversee the study; authorizing certain greenhouse gas emissions sources to receive certain credits under certain circumstances; requiring the Department to submit a certain report to the Governor and the General Assembly in accordance with certain requirements on or before a certain date; authorizing the General Assembly to maintain, revise, or eliminate certain greenhouse gas emissions reduction requirements under certain circumstances; requiring the Department to monitor the implementation of a certain plan and to submit certain reports to the Governor and the General Assembly on or before certain dates; defining certain terms; making the provisions of this Act severable; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the termination of a certain provision of this Act; and generally relating to the reduction of greenhouse gas emissions.

BY adding to  
Article – Environment

Section 2–1201 through 2–1211 to be under the new subtitle “Subtitle 12. Greenhouse Gas Emissions Reductions”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 279 – Senator Gladden and the President (By Request – Administration) and Senators Currie, Exum, Frosh, Jones, Kelley, King, Lenett, Madaleno, McFadden, 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 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; providing that it is the intent of the General Assembly that certain services shall be funded by savings resulting from the repeal of the death penalty; requiring the Governor’s Office of Crime Control and Prevention to submit a certain report to certain committees; requiring that certain funds be administered by the Governor’s Office of Crime Control and Prevention; 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

(2008 Replacement Volume and 2008 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

(2008 Replacement Volume)

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

(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b), and  
7–107(b)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing

## Article – Criminal Law

Section 2–103(h), 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 2008 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 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Health – General

Section 8–505(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Transportation

Section 16–812(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.**Senate Bill 280 – The President (By Request – Administration) and Senators  
Della, King, Lenett, Madaleno, and Rosapepe**

AN ACT concerning

**Smart, Green, and Growing – Smart and Sustainable Growth Act of 2009**

FOR the purpose of defining a certain term applicable to the exercise by a local jurisdiction of certain land use, water and sewer plan review, growth allocation, and annexation powers to require consistency with a local comprehensive plan under certain circumstances; altering the applicability of certain land use provisions to certain local jurisdictions; requiring a local jurisdiction to enact a certain land use plan; requiring a member of a local planning commission to complete a certain education course; requiring a member of a board of appeals to complete a certain education course; declaring the intent of the General Assembly; requiring a member of a local planning commission and a member of a board of appeals to complete a certain education course by a certain date; requiring the Task Force on the Future for Growth and Development to make certain recommendations; requiring the Department of Planning to develop a certain education course by a certain date; providing for the application of this Act; defining certain terms; and generally relating to land use.

BY renumbering

Article 66B – Land Use

Section 1.03

to be Section 1.04

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 66B – Land Use

Section 1.00(a), 1.01, and 4.09

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 66B – Land Use

Section 1.00(h) and (k), 1.02, 2.13, 3.01, 3.02, and 4.07

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article 66B – Land Use

Section 1.02

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 66B – Land Use

Section 1.04(e)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)  
(As enacted by Section 1 of this Act)

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

### ADJOURNMENT

At 8:19 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:19 P.M. on Monday, January 26, 2009.

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**Annapolis, Maryland**  
**Monday, January 26, 2009**  
**8:19 P.M. Session**

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The Senate met at 8:19 P.M.

**QUORUM CALL**

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

(See Roll Call No. 50)

The Journal of January 23, 2009 was read and approved.

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

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Rocky Rosen	Senator Zirkin	1822

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 51)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Ayushi Aggarwal	The President and all Members	71
Laura Migasiuk	The President and all Members	72
Scott Agnolutto	The President and all Members	73
Lauren White	The President and all Members	70
Dennis Jutras	The President and all Members	76
Michail Denchev	The President and all Members	74

Annalise Kenney

The President and all  
Members

75

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 52)

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 19 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sheriff – Salary**

**SB0019/568079/1**

BY:    Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 19

(First Reading File Bill)

On page 2, in lines 11 and 12, strike “IS ENTITLED TO” and substitute “SHALL BE ALLOWED”.

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 22 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Sheriff’s Salary**

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 67 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Proof of Good Standing for Foreign  
Business Entities**

Favorable report 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 recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 46 – Senator Conway**

AN ACT concerning

**Business Regulation – Returnable Containers – Purchases of Plastic Milk  
Crates**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

#### **QUORUM CALL**

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

(See Roll Call No. 53)

#### **ADJOURNMENT**

At 8:32 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 27, 2009.

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**Annapolis, Maryland**  
**Tuesday, January 27, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Reverend Doctor Gid Montjoy, Saint Anne's Parish Annapolis, Md., guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 26, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 55)

**INTRODUCTION OF BILLS**

**Senate Bill 281 – Senator Stone**

AN ACT concerning

**Criminal Law – Sexual Offenses in the Third and Fourth Degrees – Age of Victim**

FOR the purpose of altering the maximum age of a victim as an element of a sexual offense in the third or fourth degree; and generally relating to sexual offenses in the third and fourth degrees and the age of a victim.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–307 and 3–308  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 282 – Senator Stone**

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 2008 Supplement)

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

**Senate Bill 283 – Senator Peters**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Prince George’s County  
– Knights of St. John Hall**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to allow the proceeds of a grant to the Board of Trustees of Knights of St. John Hall, Inc. to be used for an addition to the historic meeting hall of the Knights of St. John.

BY repealing and reenacting, with amendments,  
Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item ZA01(BE) and ZA02(BJ)

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

**Senate Bill 284 – Senators Peters, Colburn, DeGrange, Edwards, Garagiola,  
Glassman, Greenip, Harrington, Jacobs, Kasemeyer, King, Klausmeier,  
McFadden, Muse, Pugh, Robey, Rosapepe, Simonaire, Stoltzfus, Zirkin,  
and Munson**

AN ACT concerning

**Income Tax – Military Retirement Income**

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income; providing for the application of this Act; providing for a delayed effective date; 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 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 65 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**State Retirement and Pension System – Line of Duty Death Benefits – Maryland Transportation Authority Employees**

**SB0065/399538/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 65

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Transportation)” insert “and Senators Kasemeyer, McFadden, Robey, Brinkley, Edwards, Jones, King, Kramer, Madaleno, Munson, Peters, Stoltzfus, and Zirkin”.

#### AMENDMENT NO. 2

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 7, after “Authority;” insert “making this Act an emergency measure;”.

On page 2, strike in their entirety lines 1 and 2 and substitute:

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

The preceding 2 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 #3**

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

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**State Personnel – Maryland Whistleblower Law – Confidentiality of Information Obtained During Investigations of Complaints**

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 83 – Chair, Finance Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Human Services – Child Welfare Workforce**

**SB0083/957470/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 83

(First Reading File Bill)

On page 3, in line 3, strike “PUBLIC”.

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:

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Notice of Cancellation or Nonrenewal – Mailing Address**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Barry Levinson	The President and All Members	153

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 56)

### **THE COMMITTEE ON FINANCE REPORT #3**

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

#### **Senate Joint Resolution 2 – Senator Middleton**

A Senate Joint Resolution concerning

#### **The Jim McKay Maryland Million**

**SJ0002/347674/1**

BY: Finance Committee

#### AMENDMENT TO SENATE JOINT RESOLUTION 2

(First Reading File Joint Resolution)

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Garagiola, Glassman, Kelly, and Pugh”.

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 45 Members present.

(See Roll Call No. 57)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #2**

**Senate Bill 84 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

**EMERGENCY BILL**

AN ACT concerning

**Medicare Supplement Plan A Policies – Individuals with a Disability – Rates**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 58)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 59)

**ADJOURNMENT**

At 10:38 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 28, 2009 in Honor of Senators Britt and Hooper.

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**Annapolis, Maryland**  
**Wednesday, January 28, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Pastor Byron Brought, Calvary Methodist, Annapolis, Md., guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 27, 2009 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senators Forehand, Frosh, Madaleno, 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. 61)

**INTRODUCTION OF BILLS**

**Senate Bill 285 – Senator Glassman**

AN ACT concerning

**State School Construction Payments – Remittance of Reimbursement to  
County**

FOR the purpose of requiring the State, when the State provides reimbursement of forward funded public school construction or public school capital improvement projects, to remit the funds to the county and not to the county board; and generally relating to State payments of public school construction and capital improvement costs.

BY adding to

Article – Education  
Section 5–301(h–1)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 286 – Senator Munson**

AN ACT concerning

**Criminal Law – Buying of Minors – Prohibition**

FOR the purpose of prohibiting a person from buying or offering to buy a minor for money, property, or anything else of value; establishing that certain penalties apply to a violation of this Act; establishing that a person who violates this Act is subject to a provision of law that authorizes the State to institute a prosecution for the offense at any time and, for purposes of the Maryland Constitution, that deems the person to have committed an offense the punishment for which is confinement in the penitentiary, and who may reserve a point or question for a certain in banc review; and generally relating to the crime of buying a minor.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–603

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

**Senate Bill 287 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State or Local Retirement or Pension System – Transfer of Service Credit  
– Ordinary Disability Retirees**

FOR the purpose of exempting from certain benefit calculations certain individuals who retire from the State Retirement and Pension System with a certain retirement allowance within 5 years of transferring into one of the several systems of the State Retirement and Pension System; and generally relating to the transfer of service credit for ordinary disability retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 37–203(f)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 288 – Senators Lenett, Harrington, Jones, Madaleno, McFadden, Muse, Raskin, and Robey**

AN ACT concerning

**Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young Child**

FOR the purpose of prohibiting the driver of a motor vehicle in which a person who is under a certain age is a passenger from smoking a tobacco product or allowing a passenger to smoke in the motor vehicle; establishing a penalty for a violation of this Act; providing that a violation of this Act is not a moving violation; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to

Article – Transportation  
Section 21–1127 and 27–115  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 289 – Senator DeGrange**

AN ACT concerning

**Public Safety – Emergency Medical Services Board – Membership**

FOR the purpose of altering the membership of the State Emergency Medical Services Board by increasing the number of members who are from the public at large and by adding one member who is a helicopter pilot employed by the Department of State Police within the Aviation Division; and generally relating to the State Emergency Medical Services Board.

BY repealing and reenacting, with amendments,

Article – Education  
Section 13–505  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 290 – Senators Exum, Conway, Dyson, Garagiola, Glassman, Kelley, and Peters**

AN ACT concerning

**Assisted Living Programs – Elevator Installation – Exemption**

FOR the purpose of exempting certain licensed assisted living programs from the registration and inspection requirements for installing an elevator; defining a certain term; and generally relating to assisted living programs and the registration and inspection of elevators.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–804  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 291 – Senator Edwards**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Easement Properties  
– Natural Gas Drilling**

FOR the purpose of authorizing a landowner whose land is subject to a certain agricultural easement to drill for natural gas; and generally relating to authorized uses of land subject to an agricultural land preservation easement.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–513(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 292 – Senator Edwards**

AN ACT concerning

**Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Sunset Repeal**

FOR the purpose of repealing a certain termination provision relating to motor vehicle and bicycle racing events; and generally relating to motor vehicle and bicycle racing events.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1211  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 211 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 293 – Senator Edwards**

AN ACT concerning

**Natural Resources – Black Bear Damage – Funds for Reimbursement**

FOR the purpose of requiring application fees for the black bear hunting permit lottery to be used to reimburse certain persons for certain damage; and generally relating to reimbursement for certain damage caused by black bears.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–423.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 294 – Senator Edwards**

AN ACT concerning

**State Government – Hoye Crest on Backbone Mountain – Highest Point in Maryland**

FOR the purpose of designating Hoye Crest on Backbone Mountain as the highest point in the State.

BY adding to

Article – State Government  
Section 13–322  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 295 – Senators Edwards and Colburn**

AN ACT concerning

**Alcoholic Beverages – Maximum Alcohol Content**

FOR the purpose of prohibiting a person from selling at retail an alcoholic beverage with an alcohol content of a certain percentage or more; providing for a certain penalty; and generally relating to alcoholic beverages.

BY adding to

Article 2B – Alcoholic Beverages  
Section 16–505.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 296 – Senators Stone and Della**

**EMERGENCY BILL**

AN ACT concerning

**Automotive Dismantlers, Recyclers, and Scrap Processors – Notice of Vehicle Acquisition**

FOR the purpose of expanding the exception to the requirement that an automotive dismantler and recycler or scrap processor provide certain notice of vehicle acquisition to include vehicles obtained through an out-of-state salvage certificate; making this Act an emergency measure; and generally relating to notice of vehicle acquisition by automotive dismantlers, recyclers, and scrap processors.

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 15–511  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 297 – Senator Exum**

AN ACT concerning

**Workers’ Compensation – Sole Proprietors – Coverage**

FOR the purpose of establishing that a certain sole proprietor is a covered employee under workers’ compensation law unless the sole proprietor makes a certain election on a certain form; altering the requirements for submission of a certain form; eliminating the circumstances under which an individual is presumed to be a sole proprietor who is not a covered employee; and generally relating to covered employment for sole proprietors.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–227 and 9–508  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 298 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Property Tax – Payment Deferral**

FOR the purpose of authorizing the governing body of Anne Arundel County to provide, by law, a certain payment deferral of the county property tax for certain residential real property; requiring the governing body of Anne Arundel County under certain circumstances to specify the duration and certain amounts, restrictions, and income and age eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; requiring the governing body of Anne Arundel County under certain circumstances to provide certain information in a taxpayer’s annual property tax bill; requiring that a payment deferral be authorized by a certain written agreement to be recorded in certain land records; providing for a certain lien attachment under certain circumstances; requiring the governing body of Anne Arundel County to provide certain notification under certain circumstances; providing for the application of this

Act; and generally relating to property tax deferrals in Anne Arundel County for certain residential real property.

BY adding to

Article – Tax – Property

Section 10–204.5

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 299 – Senator Simonaire**

AN ACT concerning

**Child Custody and Visitation – Relocation of Child – Consent and Court Approval**

FOR the purpose of authorizing a court, in a custody or visitation proceeding, to include as a condition of a custody or visitation order a requirement that either party obtain the consent of the other party or the approval of the court before relocating the child outside the State; requiring a court to waive certain consent or court approval requirements under certain circumstances; establishing certain defenses to certain actions brought for violations of certain consent or court approval requirements; clarifying language; and generally relating to child custody and visitation and the relocation of a child.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 9–106

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 300 – Senators Glassman, Astle, Colburn, Garagiola, Jacobs, Klausmeier, Mooney, Munson, Peters, and Stone**

AN ACT concerning

**State Department of Assessments and Taxation – Property Tax Assessment Appeals Ombudsman**

FOR the purpose of requiring the Director of the State Department of Assessments and Taxation to designate a property tax assessment appeals ombudsman; establishing certain duties of the property tax assessment appeals ombudsman; and generally relating to a property tax assessment appeals ombudsman.

BY renumbering

Article – Tax – Property

Section 1–403

to be Section 1–404

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – Property

Section 1–403

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 301 – Senators Glassman, Astle, Colburn, Garagiola, Haines, Jacobs, Klausmeier, Lenett, Mooney, Peters, Simonaire, and Stone**

AN ACT concerning

**Property Tax – Notice of Assessment – Appeal**

FOR the purpose of extending the time period within which certain parties may appeal the value or classification in a notice of assessment to the supervisor of assessments for a county; and generally relating to appeals to the supervisor of assessments for a county.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–502(a)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 302 – Senators Glassman, Astle, Colburn, Garagiola, Klausmeier, Mooney, Peters, and Stone**

AN ACT concerning

**Property Tax – Assessment Freeze and Annual Reassessment**

FOR the purpose of altering the triennial assessment cycle for real property for property tax purposes to an annual assessment cycle; requiring the State Department of Assessments and Taxation to review certain real property assessments each year and to physically inspect the exterior of certain real

property at least once every three years as part the review; altering the maximum homestead property tax credit percentage for the State, county, and municipal property tax for a certain year; providing for the application of this Act; repealing certain obsolete provisions; providing for the termination of certain provisions of this Act; and generally relating to the valuation and assessment of real property for property tax purposes and the homestead property tax credit.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 1–402(9) and (11), 2–203, 8–103, 8–104, 8–401, and 9–105(e)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 303 – Senators Kramer, Astle, Madaleno, Robey, and Rosapepe**

AN ACT concerning

### **Silver Alert Program – Establishment**

FOR the purpose of requiring the Department of State Police to establish a Silver Alert Program to disseminate information to assist in locating certain missing persons who suffer certain impairments; requiring the Department to adopt guidelines and develop procedures for issuing a Silver Alert for a certain missing person; requiring the Department to provide training to local law enforcement agencies on the guidelines and procedures to be used to handle a report of a certain missing person; requiring the Department to provide assistance to a local law enforcement agency as necessary to assist in the safe recovery of certain missing persons; requiring the Department to recruit certain persons to assist in developing and implementing the Silver Alert Program; requiring the Department to consult with the State Highway Administration to establish a certain plan for providing information to the public; requiring the Department to consult with the State Board of Education to develop a program to allow high school students to assist in the search for a missing person and receive student service credit; requiring a certain person to notify a certain local law enforcement agency and the Department regarding certain information under certain circumstances; defining certain terms; and generally relating to the establishment of a Silver Alert Program.

BY adding to

Article – Public Safety

Section 3–604

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

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

**Senate Bill 304 – Senators Kramer, DeGrange, Forehand, Glassman, Haines, Middleton, Muse, and Stone**

AN ACT concerning

**Crimes – Financial Exploitation of Elderly – Penalty**

FOR the purpose of prohibiting a person from knowingly and willfully obtaining by deception, intimidation, or undue influence the property of an individual that the person knows or reasonably should know is of at least a certain age, with intent to deprive the individual of the individual's property; altering a certain definition of "undue influence" to include the exercise, under certain circumstances, of certain dominion and influence over an individual of at least a certain age; applying certain penalties; making conforming changes; and generally relating to the financial exploitation of the elderly.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 8–801

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

**Senate Bill 305 – Senators King, Astle, DeGrange, Lenett, Madaleno, Muse, Raskin, and Robey**

AN ACT concerning

**Mortality and Quality Review Committee – Sunset Repeal**

FOR the purpose of repealing the termination date for a provision of law relating to certain reports regarding incidents of injury and certain recommendations and findings by the Mortality and Quality Review Committee; and generally relating to the Mortality and Quality Review Committee and reportable incidents of injury.

BY repealing and reenacting, with amendments,

Chapter 268 of the Acts of the General Assembly of 2006

Section 3

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

**Senate Bill 306 – Senators King, Astle, Kramer, Lenett, Madaleno, Muse, Raskin, and Robey**

AN ACT concerning

**Developmental Disabilities Administration – Adult Autism Care Training Program**

FOR the purpose of requiring the Developmental Disabilities Administration to select a certain service provider to develop and implement an Adult Autism Care Training Program; providing for the purpose of the Program; providing certain eligibility criteria for certain service providers; requiring an eligible service provider to submit a certain proposal to be considered for selection by the Administration; requiring the payment of certain rate enhancements to certain service providers under certain circumstances; providing for the termination of this Act; and generally relating to the care of adults with autism spectrum disorders.

BY adding to

Article – Health – General

Section 7–205.1

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 307 – The President**

EMERGENCY BILL

AN ACT concerning

**Judicial Compensation Commission**

FOR the purpose of providing that for the 2009 Session of the General Assembly only, the failure of the General Assembly to pass the joint resolution of the Judicial Compensation Commission by a certain day of that session may not be deemed to have made effective the salary increases recommended in the joint resolution; providing that the Commission shall, beginning in 2009 and every 4 years thereafter, meet to review judicial salaries and pensions and make written recommendations to the Governor and the General Assembly; making this Act an emergency measure; and generally relating to judicial compensation and the Judicial Compensation Commission.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1–708

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 308 – Senator Simonaire**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Historical Freetown  
Renovation**

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 Freetown Improvement Association 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 309 – Senator Conway**

AN ACT concerning

**State Board of Pharmacy – Pharmacy Permit – Term and Renewal**

FOR the purpose of altering the term of a pharmacy permit; requiring the State Board of Pharmacy to send out a certain notice within a certain time of the expiration of a pharmacy permit; and generally relating to a pharmacy permit term and renewal.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–407  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 310 – Senators Middleton and Dyson**

AN ACT concerning

**Creation of a State Debt – Charles County – Hospice House**

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 Hospice of Charles 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; 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 – Senators Kramer, Forehand, Frosh, King, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Renovation of “Falling Green” at OBG 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 Directors of the Olney Boys and Girls Community Sports 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 Budget and Taxation.

**Senate Bill 312 – Senators Kramer, Forehand, Frosh, King, Lenett, and Madaleno**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County – Damascus Heritage Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to extend the deadline by which the Board of Directors of the Damascus Heritage Society, Inc. may present evidence to the Board of Public Works that a matching fund will be provided.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA02 (AX)

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

**Senate Bill 313 – Senators Kramer, Forehand, Frosh, King, Lenett, and Madaleno**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Montgomery County – Sharp Street United Methodist Church Modular Building**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the location and matching fund requirements of a certain grant to the Board of Trustees of the Sharp Street United Methodist Church, Inc.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01) (BP) and (ZA02) (BA)

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

**Senate Bill 314 – Senator Mooney**

AN ACT concerning

**Public Safety – Boilers and Pressure Vessels – Inspection Fees**

FOR the purpose of repealing certain fees for certain required inspections of certain boilers and pressure vessels by the Chief Boiler Inspector or a deputy boiler inspector; and generally relating to inspection fees for boilers and pressure vessels.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–909(i)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 315 – Senator Mooney**

AN ACT concerning

**Task Force on the Correlation Between Population Size of Middle and High Schools and Academic Achievement**

FOR the purpose of establishing a Task Force on the Correlation Between Population Size of Middle and High Schools and Academic Achievement; establishing the membership and staffing of the Task Force; providing for the designation of the chair of the Task Force; requiring the Task Force to evaluate and make policy recommendations regarding certain issues; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive certain reimbursements; 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 the Task Force on the Correlation Between Population Size of Middle and High Schools and Academic Achievement.

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

**Senate Bill 316 – Senators Brinkley and Mooney**

AN ACT concerning

**Creation of a State Debt – Frederick County – Mental Health Association Building**

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 Mental Health Association of Frederick 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; 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 Gladden**

AN ACT concerning

**Criminal Law – Salvinorin A and Salvia Divinorum – Controlled Dangerous Substances**

FOR the purpose of establishing that a material, compound, mixture, or preparation that contains Salvinorin A or Salvia divinorum, with a certain exception, is a Schedule I controlled dangerous substance.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–402(a)

Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 318 – Senators Gladden, Della, Madaleno, and Stone**

AN ACT concerning

**Criminal Law – Crimes Relating to Animals – Limitations on Possession of  
Breeding Dogs**

FOR the purpose of prohibiting a person from owning, possessing, controlling, or otherwise having custody of more than a certain number of breeding dogs at any time; establishing enclosure size and exercise requirements to be met by a person owning, possessing, controlling, or otherwise having custody of more than a certain number of breeding dogs; establishing a penalty for a violation of this Act; exempting certain facilities from the requirements of this Act; defining certain terms; and generally relating to limitations on the possession of breeding dogs.

BY adding to  
Article – Criminal Law  
Section 10–624  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 319 – Senator Gladden**

AN ACT concerning

**Respiratory Illness Prevention Act**

FOR the purpose of prohibiting the operation of a public school bus on or after a certain date if the bus does not have certain diesel emission control equipment; requiring a certain percentage of public school buses in a fleet to have certain diesel emission control equipment before a certain date; requiring a county to include a certain contract clause in public school bus transportation contracts; providing for an extension of the deadline for public school buses to have the

required equipment under certain circumstances; prohibiting the application of a certain equipment requirement if the Department of the Environment makes certain findings; prohibiting the venting of crankcase emissions from a public school bus after a certain date; authorizing compliance of the prohibition on venting of crankcase emissions to be accomplished by certain means; requiring the Department of the Environment to adopt certain regulations regarding the venting of crankcase emissions; requiring the Director of the Asthma Control Program to include installation of diesel emissions control equipment on public school buses in the statewide asthma control plan; requiring the Asthma Control Program to identify and promote certain educational programs for students; requiring the Asthma Control Program to set up a certain grant program; requiring the grants to be used for the installation of diesel emission control equipment on public school buses; requiring the grants to be funded by certain federal and State funds; requiring a unit to require that certain information regarding diesel emissions control equipment be included in a bid for a certain State contract; requiring certain State procurement contracts to include certain clauses regarding diesel emissions control equipment; requiring the State to reimburse a certain contractor a certain percentage of the cost of installing certain diesel emissions control equipment on certain construction equipment and vehicles; requiring that the reimbursement be paid from certain federal and State funds; defining certain terms; and generally relating to the installation of diesel emissions control equipment.

BY adding to

Article – Education  
Section 7–808  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 2–301  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 13–1701, 13–1702, 13–1703, and 13–1706  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 13–1704 and 13–1705  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–205  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 13–218.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 320 – Senator Gladden**

AN ACT concerning

#### **Voter’s Rights Protection Act of 2009**

FOR the purpose of altering the circumstances under which an individual may be offered the opportunity to cast a provisional ballot; requiring the State Board of Elections to ensure that the program of instruction for election judges incorporates a thorough and detailed treatment of certain information; requiring a local board to extend the hours that a polling place shall be open under certain circumstances; prohibiting a vacancy in polling place staff from delaying the opening of the polling place; prohibiting an election judge from requiring a voter to present photo identification before voting, except as authorized by State or federal law; requiring certain election judges to document for further investigation any malfunction of the voting system and other issues that arise during the course of an election; regulating the activities of challengers or watchers at the polling place; prohibiting certain persons from distributing, disseminating, or publishing, or being responsible for certain activities, with respect to any item of campaign material that contains certain fraudulent representations or implications; prohibiting the use of electronic mail or telephone facilities or equipment with the intent to prevent, obstruct, or delay the broadcast or exchange of certain registration information or the registration of a person having a lawful right to register; prohibiting the use of electronic mail or telephone facilities or equipment with the intent to prevent, obstruct, or delay the broadcast or exchange of election–related information, or the use of a telecommunications device to engage in certain communication; making conforming changes; defining certain terms; prohibiting certain election officials from preventing an individual from registering to vote or allowing a challenge to an individual’s registration status under certain circumstances; prohibiting a person from willfully and knowingly engaging in certain conduct and submitting certain evidence as the basis to challenge the right of certain

individuals to register to vote or to vote; authorizing a court to impose certain penalties under certain circumstances; authorizing the Attorney General or a registered voter to institute a court action for certain relief under certain circumstances; making technical changes; requiring the State Administrator of Elections and the Office of the Attorney General to review and report on issues relating to voting over the Internet; and generally relating to voter registration and voting procedures and requirements under the State election law.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–404, 10–206, 10–301, 10–305, 10–310, 10–311, 16–101, 16–201, and 16–1002

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY adding to

Article – Election Law

Section 13–401.1 and 16–201.1

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

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

### **Senate Bill 321 – Senator Brochin**

AN ACT concerning

#### **Estimated Income Tax Deficiencies – Interest**

FOR the purpose of altering the interest rate owed for deficiencies in certain required estimated tax payments; and generally relating to the interest rate for certain deficiencies in estimated tax payments.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 13–602

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13–604

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 322 – Senator Colburn**

AN ACT concerning

**Corrections – First Degree Murder – Minimum Sentence**

FOR the purpose of requiring that a person convicted of murder in the first degree 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 murder in the first degree.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704, 4–305(b), and 7–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 323 – Senator Colburn**

AN ACT concerning

**Criminal Law – Misrepresentation or False Statement as to Age – Driver’s License Suspension**

FOR the purpose of providing for the suspension of a driver’s license for certain alcoholic beverages violations; altering the period of a driver’s license suspension for certain alcoholic beverages violations under certain circumstances; and generally relating to suspension of a driver’s license for certain alcoholic beverages violations.

BY repealing  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(e)(1)(ii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(e)(1)(iii), (iv), and (v)  
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 10–113 and 10–119(f)(2) and (3)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–119(k)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–206(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–206(d)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 324 – Senator Colburn**

AN ACT concerning

#### **Department of Natural Resources – State Boat Act – Auctioneers**

FOR the purpose of exempting certain auctioneers from the State Boat Act; and generally relating to the State Boat Act.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–701(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–701(c)  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 325 – Senator Colburn**

AN ACT concerning

**Election Law – Special Election to Fill Vacancy in the Office of United States Senator**

FOR the purpose of altering the process for filling a vacancy in the office of United States Senator; repealing the authority of the Governor to make an appointment to fill a vacancy in the office of United States Senator under certain circumstances; requiring the Governor to issue a proclamation to call for a special election to fill a vacancy in the office of United States Senator under certain circumstances; authorizing the Governor to fill a vacancy in the office of United States Senator temporarily under certain circumstances; and generally relating to filling a vacancy in the office of United States Senator.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 8–601  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–602  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 326 – Senator Colburn**

AN ACT concerning

**Election Law – General Election to Fill Vacancy in the Office of United States Senator**

FOR the purpose of altering the process for filling a vacancy in the office of United States Senator; specifying that the individual appointed by the Governor to fill the vacancy serve only for a certain period until a successor is elected; providing that the successor to fill the remainder of the term of United States Senator in

the event of a vacancy be elected at a certain general election; repealing certain provisions relating to the authority of the Governor to issue a certain proclamation calling for certain special elections to fill a vacancy in the office of United States Senator; and generally relating to filling a vacancy in the office of United States Senator at a general election.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 8–601  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–602  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **Senate Bill 327 – Senator Colburn**

AN ACT concerning

#### **Election Law – Runoff Election**

FOR the purpose of providing that a candidate may not be nominated for or elected to certain public offices in the State unless the candidate receives a majority of the votes cast in the election; requiring that a runoff election be held if no candidate receives a majority of the votes cast in certain elections; specifying the dates for a runoff election; providing for a substitute candidate in the event a candidate initially eligible for the runoff election dies, withdraws, or is found to be ineligible for the runoff election; accommodating a write-in candidate who qualifies to participate in the runoff election; providing for only the participation of certain voters in the runoff election; requiring the State Board to adopt certain regulations; and generally relating to runoff elections.

BY renumbering  
Article – Election Law  
Section 8–103  
to be Section 8–104  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Election Law

Section 8–103  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 328 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Tax Sales – Auctioneer Fees**

FOR the purpose of altering the fees auctioneers are allowed at tax sales in Caroline County; and generally relating to tax sales in Caroline County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–813(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 329 – Senator Colburn**

AN ACT concerning

**Dorchester County – Bay Restoration Fee – Lien Against Property**

FOR the purpose of establishing in Dorchester County that an unpaid Bay Restoration Fee is a lien against the property on which the wastewater facility, onsite sewage disposal system, or holding tank is located; requiring a notice of lien to be recorded in the land records of Dorchester County; and generally relating to the Bay Restoration Fee.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 330 – Senator Colburn**

AN ACT concerning

**Dorchester County – Board of Education – Benefits**

FOR the purpose of providing certain benefits to elected members of the Dorchester County Board of Education under certain terms and conditions; providing that the benefits established under this Act may not be considered compensation for certain purposes; and generally relating to the Dorchester County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–5A–04  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 331 – Senator Colburn**

AN ACT concerning

**Dorchester County Board of Education – Annual Election of Board Officers**

FOR the purpose of altering the date of the annual election of officers of the Dorchester County Board of Education; and generally relating to the date of the annual election of officers of the Dorchester County Board of Education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 3–5A–01(a) through (d)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–5A–03  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 332 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Winery License**

FOR the purpose of authorizing the Dorchester County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7-day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; and generally relating to alcoholic beverages in Dorchester County.

BY adding to

Article 2B – Alcoholic Beverages

Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery Licenses”; and 11–510(b)(15)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 11–510(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 333 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Act of 2009**

FOR the purpose of authorizing the Dorchester County Board of License Commissioners to issue a Class B caterer's license to certain persons; providing an annual license fee; specifying the privileges conferred by the Class B caterer's license; specifying certain requirements that a holder of a caterer's license must meet and certain restrictions on the use of a caterer's license; requiring a holder of a caterer's license at a catered public event to issue wristbands to certain individuals; prohibiting the serving of alcoholic beverages to individuals without wristbands; authorizing the Board to issue a beer and wine sampling or tasting (BWST) license to certain persons; authorizing certain holders of a BWST license to hold only beer tastings or samplings; specifying certain conditions for the use of a BWST license; specifying certain maximum quantities of alcoholic beverages that may be consumed under certain

conditions; specifying certain requirements for applying for a BWST license, resubmitting an application, and issuing a BWST license; specifying certain license fees; requiring that the holder of a BWST license dispose of certain alcoholic beverages at a certain time; clarifying a certain prohibition concerning the granting of a new license within a certain distance of certain buildings; exempting from the prohibition applications for certain licenses in certain municipalities and certain premises; repealing the authority of a holder of an on-sale alcoholic beverages license in the county to make sales at any time on New Year's Day; altering the annual compensation of the Chairman and the regular members of the Board; authorizing the county inspector to serve summonses; 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 alcoholic beverages in Dorchester County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–713 and 8–405.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–210, 15–109(k), and 16–410(b)(2)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article 2B – Alcoholic Beverages  
Section 11–402(k)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 334 – Senator Colburn**

AN ACT concerning

#### **Talbot County – Alcoholic Beverages – Limited Wineries**

FOR the purpose of authorizing a holder of a Class 4 manufacturer's (limited winery) license in Talbot County to produce wine and pomace brandy at each warehouse for which the holder has been issued an individual storage permit; prohibiting a holder from serving or selling wine and pomace brandy to the public at a warehouse; making a stylistic change; and generally relating to holders of Class 4 manufacturer's licenses in Talbot County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–205(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–205(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–205(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 335 – Senator Colburn**

AN ACT concerning

#### **Talbot County – Property Tax Credit for Habitat for Humanity of Talbot & Dorchester Counties, Inc.**

FOR the purpose of authorizing the governing body of Talbot County or of a municipal corporation in Talbot County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain real property owned by Habitat for Humanity of Talbot & Dorchester Counties, Inc.; requiring Habitat for Humanity of Talbot & Dorchester Counties, Inc. to submit certain reports to Talbot County; authorizing the governing body to set, by law, the amount, terms, scope, and duration of 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 for certain real property owned by Habitat for Humanity of Talbot & Dorchester Counties, Inc.

BY adding to  
Article – Tax – Property  
Section 9–322(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 336 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – YMCA Fire Safety System Upgrade**

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 the Young Men’s Christian Association of Talbot 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; 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.

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 4 – The President**

A Senate Joint Resolution concerning

**Judicial Compensation Commission – Recommendations**

FOR the purpose of proposing an alteration to the compensation of the members of the Judiciary in this State in accordance with Section 1–708 of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

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

**MESSAGE TO THE SENATE**

January 28, 2009

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 Thursday, January 29, 2009 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 Frick and Haddaway 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 Rice, Ivey and Frank.

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 Lieutenant Governor to the House Chamber. We have appointed Delegates Valderrama, Haynes and Beitzel.

BY ORDER,

MARY MONAHAN  
CHIEF CLERK

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

January 28, 2009

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 Thursday, January 29, 2009 at 12:00 Noon, and your proposal of 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 Kasemeyer, Kittleman and Gladden 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 McFadden, Jacobs and Kramer to escort the Lt. Governor to the House Chamber.

By Order,

William B.C. Addison, Jr.  
Secretary of the Senate

Read and adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 62)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #3**

**Senate Bill 19 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sheriff – Salary**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 63)

The Bill was then sent to the House of Delegates.

**Senate Bill 22 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Sheriff's Salary**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 64)

The Bill was then sent to the House of Delegates.

**Senate Bill 67 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Proof of Good Standing for Foreign  
Business Entities**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 65)

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. 66)

**ADJOURNMENT**

At 10:26 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:30 A.M. on Thursday, January 29, 2009.

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**Annapolis, Maryland**  
**Thursday, January 29, 2009**  
**11:30 A.M. Session**

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The Senate met at 11:36 A.M.

Prayer by Senator Lowell Stoltzfus.

(See Exhibit A of Appendix III)

The Journal of January 28, 2009 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 68)

**INTRODUCTION OF BILLS**

**Senate Bill 337 – Senator Raskin**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility of Employees of the Federal  
Government Stationed in a Foreign Country**

FOR the purpose of providing that a homeowner who is an employee of the federal government stationed in a foreign country may qualify for the homestead property tax credit if the homeowner is otherwise eligible for the credit but does not actually reside in a dwelling for the required time period under certain circumstances; providing for the calculation of the homestead property tax credit for a certain taxable year under certain circumstances; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(1) through (3) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – Property  
Section 9–105(c)(6)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 338 – Senators Raskin, Astle, Forehand, Frosh, Garagiola, Glassman, Greenip, Harrington, Harris, Jacobs, Kelley, King, Kramer, Lenett, Madaleno, Muse, Pinsky, Pugh, and Zirkin**

AN ACT concerning

**Alcoholic Beverages – Direct Wine Shipper’s License**

FOR the purpose of repealing provisions that provide for a direct wine seller’s permit; establishing a direct wine shipper’s license to be issued by the Office of the Comptroller to certain persons in or outside of the State; requiring a person to be licensed before the person may engage in shipping wine directly to a resident in the State; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from performing certain actions; providing for the qualifications and requirements of license applicants; providing for the fee and renewal of a license; specifying certain requirements and conditions to receive a direct shipment of wine; authorizing the Office of the Comptroller to adopt certain regulations; prohibiting a person without a license from shipping wine directly to consumers in the State; providing a certain penalty; defining certain terms; altering certain definitions; and generally relating to the establishment of a direct wine shipper’s license.

BY repealing

Article 2B – Alcoholic Beverages  
Section 7.5–101 through 7.5–110 and the title “Title 7.5. Direct Wine Seller’s Permit”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 2–101(b)(1)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 7.5–101 through 7.5–110 to be under the new title “Title 7.5. Direct Wine Shipper’s License”

Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 5–101(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 5–101(f) and 5–201(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 339 – Senator Raskin**

AN ACT concerning

**Real Property – Abatement of Nuisance – Prostitution**

FOR the purpose of establishing that the habitual use of real property for the purpose of prostitution is a nuisance that may be the subject of a certain action for abatement; defining a certain term; and generally relating to prostitution and abatement of nuisance actions.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–301(c)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–120  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 340 – Senators Pugh, Conway, Garagiola, Gladden, Harrington, Kelley, Lenett, McFadden, and Muse**

AN ACT concerning

**Education – High School Diploma – GED Options Program**

FOR the purpose of requiring the State Board of Education to establish a GED Options Program that provides certain students with an alternative course for obtaining a high school diploma beginning on a certain date; providing for certain Program requirements; requiring students enrolled in a certain program to be counted in the average daily attendance of a certain school system; requiring the State Board to adopt certain regulations; and generally relating to the GED Options Program for obtaining a high school diploma.

BY adding to

Article – Education  
Section 7–206  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education  
Section 7–301(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 341 – Senators Pugh, Astle, Della, Exum, Gladden, Glassman, Harrington, Jones, Kelley, Klausmeier, Lenett, Madaleno, McFadden, Raskin, and Rosapepe**

AN ACT concerning

**Prosthetic Parity Act**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide certain coverage for prosthetic devices, components of prosthetic devices, and repairs to prosthetic devices; prohibiting certain benefits from being subject to a certain copayment or coinsurance requirement; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a certain dollar maximum on certain coverage and from establishing certain requirements for medical necessity or appropriateness; repealing a certain requirement for certain health insurance contracts that is rendered inconsistent by this Act; making certain provisions of this Act applicable to health maintenance organizations; defining a certain term; providing for the application of this Act; and generally relating to health insurance coverage for prosthetic devices, components of prosthetic devices, and repairs to prosthetic devices.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–820  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Insurance  
Section 15–844  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 19–706(ttt)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 342 – Senators Pugh, Della, Gladden, Lenett, Madaleno, Pinsky,  
Raskin, and Rosapepe**

AN ACT concerning

**Consumer Protection – Fur Labeling Requirements for Articles of Clothing**

FOR the purpose of prohibiting a merchant from displaying for sale, offering for sale, or selling an article of clothing made wholly or partly from animal fur unless a label or tag is attached to the article of clothing identifying certain names of animals and certain countries of origin; exempting a merchant who displays for sale, offers for sale, or sells a used article of clothing made wholly or partly from animal fur; authorizing certain identification information to be added to a certain label or tag or affixed in a certain manner to an article of clothing; exempting a merchant from liability under certain circumstances; authorizing the Attorney General to initiate a certain civil action and recover certain penalties; providing that each article of clothing that is not labeled or tagged in accordance with this Act constitutes a separate violation; defining certain terms; providing for a delayed effective date; and generally relating to fur labeling requirements for articles of clothing.

BY adding to  
Article – Commercial Law  
Section 14–1322  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 343 – Senator Edwards**

AN ACT concerning

**Allegany County – Video Lottery Construction – Local Impact Grants – Rocky Gap Construction Costs**

FOR the purpose of authorizing local impact grants from proceeds of certain video lottery terminals to be used in Allegany County for certain purposes and to pay down certain debt incurred by the county in the construction and related costs for the golf course, lodge, and other improvements in Rocky Gap State Park; and generally relating to video lottery gaming and local impact grants from gaming proceeds in Allegany County.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–02(b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–31(b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 344 – Senator Exum**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Drive–Through Purchase Facilities**

FOR the purpose of prohibiting the Board of License Commissioners in Prince George’s County from issuing a new alcoholic beverages license on or after a certain date for use in a drive–through purchase facility in which alcoholic beverages are sold at retail and dispensed through a door or window to purchasers in or on a motor vehicle; providing for the application of this Act; and generally relating to alcoholic beverages sales in Prince George’s County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(a)

Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–217(n)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 345 – Senator Exum**

AN ACT concerning

**Prince George’s County – Board of License Commissioners – Petition Requirement**

FOR the purpose of specifying that the Board of License Commissioners of Prince George’s County may consider a petition as a factor in determining whether to take the action sought only if each signature on the petition has been verified by the County Board of Elections as that of a registered voter in the county; 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 9–217(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–217(n)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 346 – Senator Exum**

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Appeal of Order to Close Place of Business**

FOR the purpose of specifying that, in an appeal from a decision of the Board of License Commissioners of Prince George's County, the court may not stay an order of the Board to close a place of business that is licensed to sell alcoholic beverages; 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 16–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 16–101(b)(4)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 347 – Senator McFadden (By Request – Baltimore City Administration)**

EMERGENCY BILL

AN ACT concerning

**Baltimore City – Foreign Trade Zones**

FOR the purpose of authorizing Baltimore City to apply for establishing, maintaining, and operating foreign trade zones in the Baltimore port of entry and in the State of Maryland within a radius of a certain number of miles beyond the port of entry limits, and to maintain and operate the foreign trade zones; making this Act an emergency measure; and generally relating to the Baltimore Foreign Trade Zone.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (9)  
(2007 Replacement Volume, as amended)

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

**Senate Bill 348 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Tax Sales – Fees**

FOR the purpose of altering the type of expenses for which a holder of a certificate of sale may be reimbursed under certain circumstances; providing for the application of this Act; and generally relating to tax sales.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–843(a)(3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 349 – Senators Pinsky, Harrington, Madaleno, and Raskin**

AN ACT concerning

**Education – Protection of Privacy – Release of Test Results – Military Recruiters**

FOR the purpose of prohibiting school officials from releasing the test results of the Armed Services Vocational Aptitude Battery to military recruiters without certain consent; and generally relating to the release of test results by public school officials to military recruiters.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–111  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 350 – Senators Pinsky and Harrington**

AN ACT concerning

**Municipal Corporations – Annexations – Small Parcels**

FOR the purpose of providing that certain consent provisions and certain referendum provisions do not apply to a proposed annexation by a municipal corporation of a parcel that is a certain acreage or less and is part of a lot that contains certain parcels under certain circumstances; prohibiting a municipal corporation from annexing a certain maximum number of acres under this Act; providing for the termination of this Act; and generally relating to annexations by municipal corporations.

BY repealing and reenacting, without amendments,  
Article 23A – Corporations – Municipal  
Section 19(a) and (b)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 23A – Corporations – Municipal  
Section 19(t)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 351 – Senators Brinkley and Mooney**

AN ACT concerning

**Creation of a State Debt – Frederick County – The John Hanson Memorial**

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 The John Hanson Memorial 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 352 – Senators Peters, Frosh, Harrington, Lenett, Pinsky, and Rosapepe**

AN ACT concerning

**Public Utility Tree Management Act of 2009**

FOR the purpose of requiring certain public utilities to prepare a certain plan in accordance with certain requirements under certain circumstances; requiring a certain public utility to submit a certain plan to the Department of Natural Resources and certain local governments within a certain amount of time; requiring a certain public utility to enter into a certain agreement with the Department under certain circumstances; requiring certain programs and plans to be published in accordance with certain requirements; authorizing the Department to issue a stop-work order under certain circumstances; providing for certain penalties under certain circumstances; authorizing the Department to adopt certain regulations; defining a certain term; and generally relating to public utilities and tree preservation.

BY adding to

Article – Natural Resources

Section 5–1901 through 5–1905 to be under the new subtitle “Subtitle 19. Public Utility Tree Preservation”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 353 – Senators King, Currie, Forehand, Garagiola, Klausmeier, Kramer, Madaleno, Peters, and Raskin**

AN ACT concerning

### **Task Force on Public Health Risks Linked to Bullying**

FOR the purpose of creating the Task Force on Public Health Risks Linked to Bullying; providing for the composition, chair and subcommittee chairs, and staffing of the Task Force; providing that a member of the Task Force may not receive compensation but may be reimbursed for certain expenses; requiring the Task Force to conduct certain hearings, review certain data and studies, and develop certain guidelines or make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor and to the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Public Health Risks Linked to Bullying.

BY adding to

Article – Health – General

Section 13–2801 through 13–2804 to be under the new subtitle “Subtitle 28. Task Force on Public Health Risks Linked to Bullying”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 354 – Senators King, Brochin, DeGrange, Forehand, Garagiola, Madaleno, Peters, and Robey**

AN ACT concerning

**Correctional Services – Crimes of Violence – Diminution Credits**

FOR the purpose of prohibiting the earning of more than a certain percentage of diminution credits to reduce the term of confinement of an inmate committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility if the inmate has been convicted of certain crimes of violence, in certain circumstances; providing for the application of this Act; and generally relating to the allowance of diminution credits to inmates convicted of certain violent crimes.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702 and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 7–301(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 355 – Senators Exum, Currie, Gladden, Harrington, Jones, McFadden, and Pugh**

AN ACT concerning

**Minority Business Enterprise Certification – Personal Net Worth Requirement – Repeal**

FOR the purpose of repealing the requirement regarding personal net worth for certification as a minority business enterprise; and generally relating to the requirements for certification as a minority business enterprise.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301(i)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 356 – Senators Frosh, Harrington, Lenett, Pinsky, and Rosapepe**

AN ACT concerning

**Family Day Care Homes and Child Care Centers – Emergency Preparedness Plans**

FOR the purpose of requiring the adoption of certain regulations that require certain family day care providers and certain child care centers to have certain emergency preparedness plans for certain emergency situations; requiring certain plans to include certain relocation sites, certain evacuation routes, and certain procedures; requiring certain family day care providers and certain child care centers to train certain staff and ensure that certain staff are familiar with certain plans; and generally relating to the emergency preparedness plans of family day care homes and child care centers.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–501(e) and (f), 5–551(a), and 5–573(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Family Law  
Section 5–551(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–573(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 357 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Healthy Start Client Service Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Directors of the 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.

**QUORUM CALL**

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

(See Roll Call No. 69)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #4**

**Senate Bill 65 – Chair, Budget and Taxation Committee (By Request – Departmental – Transportation) and Senators Kasemeyer, McFadden, Robey, Brinkley, Edwards, Jones, King, Kramer, Madaleno, Munson, Peters, Stoltzfus, and Zirkin**

**EMERGENCY BILL**

AN ACT concerning

**State Retirement and Pension System – Line of Duty Death Benefits – Maryland Transportation Authority Employees**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 70)

The Bill was then sent to the House of Delegates.

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**State Personnel – Maryland Whistleblower Law – Confidentiality of Information Obtained During Investigations of Complaints**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 71)

The Bill was then sent to the House of Delegates.

**Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Human Services – Child Welfare Workforce**

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

Affirmative – 43      Negative – 0      (See Roll Call No. 72)

The Bill was then sent to the House of Delegates.

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Notice of Cancellation or Nonrenewal – Mailing Address**

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

Affirmative – 44      Negative – 0      (See Roll Call No. 73)

The Bill was then sent to the House of Delegates.

**Senate Joint Resolution 2 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, and Pugh**

A Senate Joint Resolution concerning

**The Jim McKay Maryland Million**

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

Affirmative – 44      Negative – 0      (See Roll Call No. 74)

The Bill was then sent to the House of Delegates.

### RECESS

At 11:54 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until Noon on Thursday, January 29, 2009 in memory of Dr. William Lemmel.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Thursday, January 29, 2009**  
**12:00 Noon Session**

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At 12:11 P.M. the Senate resumed its session.

**QUORUM CALL**

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

(See Roll Call No. 75)

**JOINT SESSION**

GOVERNOR MARTIN O'MALLEY

THE STATE OF THE STATE  
*Forward Again, Protecting our Families;*  
*A Better Future for Our Children*

January 29, 2009

Mr. Speaker, Mr. President, Mr. Lieutenant Governor; Madame Treasurer, Mr. Comptroller; Congresswoman Edwards; Former Governors; Mr. Ambassador; my colleagues in local government; men and women of the Maryland General Assembly; Katie O'Malley; Members of the Cabinet; my fellow citizens:

I have never felt more energized, more positive about or more committed to the tough work ahead. And the work that we do has never been more needed than it is today by Maryland's families.

Since 1788, the State House dome, under which we gather, has served as a beacon of progress and hope.<sup>1</sup> Standing tall and resolute even over times of disagreement, adversity and conflict, this State House has symbolized for our diverse people a clear unity of purpose. From time to time, the foundations have cracked, piping and wiring has failed, but with renewed commitment, energy, and investment, the repairs have been made; the dome has been secured.

And so today, that unity of purpose continues: to strengthen and grow the ranks of Maryland's upwardly mobile middle class. To improve public safety and public

education; and, to expand opportunity – this is our unity of purpose. This is our mission, as we fight to make our State government work again for the people we serve.

It is a mission and purpose founded upon the belief we share in the dignity of every individual; and upon the belief we share in our own individual responsibility to advance the common good.

It is a unity of purpose that is even more important for Maryland families in these very tough and challenging economic times.

In our short time together, I would like to talk with you about our hard-won progress, the serious economic challenges at hand, and the choices and actions we must take today in order to stand up for the families of our State in these tough economic times,...

And finally, I want to talk with you about how, together, we will emerge from this recession with the real hope of a better future for all of Maryland's children.

### **Making Progress Again**

Thanks to the tough decisions we've made together over these last two years, the state of our State is once again strong enough to overcome the very challenging times at hand. And with the inspired leadership of our new President Barack Obama, we finally have a federal partner who shares our commitment to progress.

Even as we face the most serious national economic crisis in recent history, our unemployment rate in Maryland is 19% lower than the national rate.<sup>2</sup> We remain one of only seven states to earn a Triple A bond rating.<sup>3</sup> And we continue to draw upon clear competitive advantages in key Maryland business sectors like life-sciences, bio-technology, information technology, aerospace and healthcare.

How do we measure our progress in these hard times?

- We measure our progress in public safety by the 66 fewer Marylanders we lost to homicides in the last year, our second largest single-year reduction in nearly a quarter century;<sup>4</sup> by the 34 fewer lives we lost to fire deaths last year, and by 60 fewer lives lost on our roads to traffic accidents last year – all thanks to the heroic work of our police officers, firefighters, and emergency medical staff.<sup>5</sup>
- We measure our progress in education by the #1 ranking we received this year from Education Week Magazine.<sup>6</sup> Let's say it again shall we? Maryland has the best public schools in America. Thank you Armistead Gardens – last year's highest scoring elementary math class in Baltimore City – for being here to represent the generation which makes us so proud.

- We measure our progress by the 28,000 additional Marylanders who, because of your hard work now have health care.<sup>7</sup> And by the huge numbers of children from humble families who will be able to see a dentist when they get a toothache instead of risking death.<sup>8</sup>
- We measure our progress by the vision and plans we now have in place to build a statewide transportation system that strikes a better balance between roads and mass transit like the Purple Line, the Red Line, improved MARC service, transit oriented development, and the inter-county connector – which is now under construction. And perhaps best of all, we now have a new president who believes that America’s transportation future is worth the investment.
- We measure our progress by the strides we are taking – along with our newly revitalized Public Service Commission and Maryland Energy Administration – to reduce our energy consumption by 15% by 2015; by the strides we are making to increase our Renewable Energy Portfolio by 20% by 2022; and by the strides we are taking to reduce enough peak energy usage to total the production of more than five power plants.<sup>9</sup>
- We measure our progress for our environment by the nearly 21,000 ecologically valuable acres we have protected through Program Open Space – this represents already five times as many acres as our predecessors.<sup>10</sup> And we measure our progress by the first successful auction of carbon credits through the Regional Greenhouse Gas Initiative conducted this year, and by the nation-leading launch of BayStat and the Maryland GreenPrint.<sup>11</sup>
- And we measure our progress in expanding opportunity to more and more Marylanders by the most important measures of all – by Mackenlov Dorival, Jessica Rindos and Tad Greenleaf who are with us in the Gallery this afternoon. Mackenlov is a senior at Bowie State and Jessica and Tad are seniors at the University of Maryland College Park. Because of the strides we have made together, more and more young people in our State like Mackenlov, Jessica and Tad are able to afford college.<sup>12</sup>

### **Standing up for Working Families**

But for all of our progress, I cannot sugarcoat the difficulty of these times.

I receive letters every day from fellow citizens throughout our State, hard-working and honest people, bravely searching for a way forward in this tough economy. I want to share a few words from a letter very much like the letters that I know each of you is receiving.

This one happens to be written by one of our citizens from Allegany County, to whom, out of respect for her privacy and dignity, I will refer to as, “Sandra.” She writes:

*“I have been blessed in many ways living in Maryland,... [but] I’m at a loss as to how I can keep a warm home and the food in my refrigerator properly cool with the high cost of electricity. I’m sure this sounds like the ‘same ole song and dance.’ And I know you are working hard, but the situation is getting downright heart wrenching,... what can you do to prevent my son and I from becoming homeless due to electricity? I’ve been informed by the landlord if my electric is turned off,... I will be given a notice to move.”*

We have neighbors like “Sandra” in every part of our State. Resilient Marylanders who have worked hard all their lives and played by the rules, only to have the rug pulled out from under them. Who continue to be driven by faith and hope and just want to be able to provide for themselves and their kids.

People like “Robert” from Baltimore County, a 53 year old college student one trimester away from graduating college. Robert wrote to me in December, and I want to share with you part of his letter as well:

*“Unfortunately my funds and loans have been depleted at this point,... I’m a father of three and my oldest son recently had to move back home due to kidney failure and [congestive] heart disease. This has increased my [wife’s and my] financial struggles. It is my most humble request that your office or any part thereof assist me financially in paying for my final trimester in College. This has been a long journey for me and to graduate with honors would truly be a major blessing,... I’m six months away from a 35 year old dream.”*

We have all “been blessed in many ways living in Maryland,” and it is because of “Robert,” and it is because of “Sandra,” that you and I get out of bed each morning and fight to turn our difficult days into better tomorrows. They, along with so many families across our State have shown a steadfast determination ever since this crisis hit. It is our job and our shared responsibility to stand up and fight for them.

It is up to us in Maryland to respond to the inaugural challenge of our new President, who called upon us *“to pick ourselves up, dust ourselves off, and begin again the work of remaking America.”*<sup>13</sup>

The year ahead will be difficult, but we’re fighting back and we’re moving forward:

1. As Maryland families sit at their kitchen tables this year to complete their income taxes, the vast majority will be eligible for greater State refunds this year in these difficult times. Why? Because we’ve raised the personal exemption for all but the wealthiest Marylanders.<sup>14</sup>
2. We are working to help Maryland families fight back against the threat of rising energy prices. Last year, through our Public Service Commission – fighting once again for the public interest – we secured \$2 billion in rate relief for Maryland energy consumers, the largest settlement, of its kind, in American history.<sup>15</sup>

What's more, we won a major victory for consumers with federal regulators, ending unfair practices that added \$85 million a year in costs to our energy bills. We assembled a multi-State coalition to protect our citizens from being overcharged for electricity. And, we are now offering energy-saving audits to help every family in Maryland determine what they can do themselves, in their own homes, to save on their electricity bills.<sup>16</sup>

3. We are leading the nation in the fight against the rising tide of foreclosures.<sup>17</sup> Thanks to Chief Judge Bell, we've assembled an army of more than 700 volunteer lawyers to aid at-risk homeowners. With our faith-based and non-profit partners we've invested millions of dollars to provide the services of foreclosure prevention counselors to thousands of Maryland families. And we've negotiated agreements with half a dozen loan servicers to help borrowers and lenders find alternatives to foreclosure.<sup>18</sup>

Unfortunately, some companies like Wells Fargo continue to ignore this crisis, with no regard for the hardworking families of our State. Rather than stepping-up-to-the-plate (let alone even picking up the phone) for our most vulnerable neighbors, they choose short term profit over long-term homeownership. Rest assured, we're not going to let the self-interest of a few prevent us from making progress for the many.

4. With 33 One Stop Centers, which provide resume, computer training, and job search services, we are reaching out to neighbors who have lost their jobs.<sup>19</sup> And what's more, we're dispatching rapid response teams to meet and assist our fellow citizens who are on the verge of being laid off.<sup>20</sup>
5. We are now for the first time distributing unemployment assistance via debit cards and direct deposit, thus saving taxpayers hundreds of thousands of dollars in mailing and printing costs while at the same time saving our struggling families from having to turn to unscrupulous, profiteering check cashing centers that gouge their modest assistance in tough times with outrageously high check-cashing fees.<sup>21</sup>
6. We are expanding opportunity to more women and minority business owners, increasing State awards to MBE firms by \$300 million between fiscal years 2006 and 2008.<sup>22</sup>
7. Working together as One Maryland, we not only passed the nation's first living wage law, but under the leadership of Secretary Perez, we've now recovered \$1.2 million in unpaid wages owed to our workers.<sup>23</sup>

With a state government that is working again, we are making progress for Maryland families, but there is much more work to be done. Our great challenge for this session is to redouble our efforts; doing all that we can to stand up for Maryland families and to power through the other side of this recession ahead of every other state.

- I need your help – to provide a record \$132 million in energy assistance for more than 125,000 Marylanders who are struggling to pay their heating bills this cold winter.<sup>24</sup>
- I need your help – to expand health care coverage to more of our families. Together we can make a real difference by investing \$15 million to assist small businesses with obtaining health care coverage for their employees. And together we can keep 700,000 Marylanders insured by investing \$5.5 billion in Medicaid and the Maryland Children’s Health Program.
- Many of our neighbors rely on part time jobs in order to feed their families. This year, I need your help – to make them eligible to receive unemployment benefits for the first time in our State.<sup>25</sup>
- I need your help – to crack down on the shameful practice of cheating workers out of rights and benefits by fraudulently “misclassifying” employees as independent contractors when clearly they are not.<sup>26</sup>
- I also need your help to guarantee a prevailing wage to workers on 118 more state–sponsored construction projects.<sup>27</sup>
- And I need your help to give State workers the right to organize themselves, if they should so chose, by passing Fair Share enabling legislation.

### **A Lean Budget that Protects Our People**

In Maryland, we are in a better position than other states to climb out of this national recession, but until that day comes, as every family in our State is forced to do more with less, so too must we.

During the past two years, we’ve made some very difficult and painful decisions to attack an inherited structural deficit by reducing \$2.2 billion in spending, and by eliminating 1,500 state government jobs as they became vacant. In fact, right now our State ranks 43rd out of 50 states in per capita state and local government employment – 43rd out of 50.<sup>28</sup>

Were it not for these choices, our fiscal outlook would be far worse.

But because of the downturn in the national economy, and even after all of the spending reductions already made, today we face a \$2 billion shortfall in revenues for Fiscal Year 2010.<sup>29</sup>

It is my hope, and it is my belief, and it is my expectation that the balanced budget we were required by law to submit to you this month, will be a better budget by the time it’s up for final consideration in April. Why? Two reasons. Barack,... Obama.<sup>30</sup>

I am hopeful and I am optimistic, but because of these challenging times, the balanced budget – as it currently stands before you – is very painfully lean.

Currently, there are more cuts in this budget than in any prior budget in our State's history; and we've proposed for the first time ever in Maryland, a negative spending affordability rate of -1.57%.<sup>31</sup> On many worthy initiatives, the best that we have been able to do in this budget, is to protect them by funding them at the same level at which they were funded last year.

But despite these challenges, we can and must protect our core priorities.

- We are, therefore, proposing the largest investment our State has ever made in our public schools of \$5.4 billion,... even in these tough times.<sup>32</sup>
- We are also investing more in college affordability,... even in these tough times.
- We are investing more in public safety,... even in these tough times.
- And because of these tough times, we are increasing funding to provide a stronger safety net to support our hardest hit families,...

Let's talk about the better, stronger future we prefer.

## **The Better, Stronger Future We Prefer**

### Education and Our Economy

In Maryland, we have the nation's best public schools and therefore one of the best and most highly skilled workforces in the United States.<sup>33</sup>

Under Lt. Governor Brown's dedicated leadership, we are working to harness the vast potential of the BRAC process to bring 40,000 to 60,000 jobs to Maryland.<sup>34</sup>

At the center of our job-creation strategy is Maryland's greatest asset: the skills, creativity, talents and ingenuity of our people.<sup>35</sup> Now that we have the best public schools in America, we must strive through our first-ever statewide Teacher Survey,<sup>36</sup> and with expanded Career and Technical Education, and renewed emphasis on Science, Technology, Engineering and Math (or STEM) to make Maryland public schools the best in the world.<sup>37</sup>

The road is steep, but our legs are strong.

And there is no single investment we can make that expands opportunity to more Marylanders like the investments we make to put the dreams of a college education within the grasp of more hard-working Maryland families.

This isn't merely about trying to move up in some ranking, or generating another clip for a scrap book; this is about investing in our future. This is about doing for our children's generation, what the GI Bill did for my father's generation.

Is the fight for affordable college about politics??? You're darn right it's about politics. It's about the politics of inclusion. It's about the politics of prosperity. It's about the politics of opportunity. It's about the politics of posterity. It's about the politics of my kids and yours. It's about the politics of the hardworking people we serve. You're darn right it's about politics.

### Public Safety

The road is steep, but our legs are strong, and last year, with a government that works, we saved a lot of lives by partnering like never before with our local jurisdictions and the District of Columbia, – by cracking down on repeat violent offenders through our Violence Prevention Initiative; by ramping up our efforts to use DNA and digitally enhanced fingerprint evidence to solve crimes; and by supporting our courageous police officers, fire fighters, and first responders.<sup>38</sup>

We can build upon this progress with better technology, better law enforcement coordination, and better re-entry programs. We can build upon this progress with your support of our Child Safety Net legislation, and your support to take firearms out of the hands of domestic abusers.

And we could have even more resources to accomplish all of these important life-saving goals, if you would follow me in abolishing an outdated, expensive, and utterly ineffective death penalty in Maryland.

I'd like to publicly thank former Attorney General Civiletti who is with us in the Gallery today, and everyone who served on the Maryland Commission on Capital Punishment for your hard work, dedication, fairness, and your respect for differences of opinion.

Decent people can disagree on this issue, but as your Governor – I ask that you give this important moral question of repeal of the death penalty a fair up-or-down vote in both houses of this legislature.

### The Health of Our Children and Our Environment

As I conclude today, I would like to talk with you briefly about two closely related and inextricably connected challenges – the health of our environment and the health of our children.

There are many things we do not know about the future, but there are many things we surely know about the present.

We know for example that a child who goes to bed hungry, wakes up hungry, and goes to school hungry is a child that is not likely to reach his or her full potential in God's eyes or ours. We also know that if the climate continues to rise, and we continue to

treat the land, the air and the water with the same disregard that we have for the last 30 years, then the natural soul of our State, the Chesapeake Bay, will live no more.

There is a Native American proverb that holds, “*the way we treat the earth is a reflection of how we treat one another...*” “*The way we treat the earth is a reflection of how we treat one another.*” Sadly do I see this truth. But I also have faith and belief in its corollary – that how we treat one another, might just usher forth a new era in how we treat the earth.

So let this year be the year that our great State becomes the first in the nation to humbly acknowledge this important duality, not only by pledging to redouble our efforts on land, water, and air to save the Chesapeake Bay, but let this also be the year, that we come together as the first State in the union to commit ourselves to eradicating childhood hunger by 2015. It is a matter of choosing and doing; and, we serve a people who want to help.

The road is steep, but our legs are strong.

This better future is ours, if we are willing to fight, and sacrifice, and work for it.

## Conclusion

We have some very important choices to make in the months ahead, choices which will help determine who we are as a people and what kind of future we will leave to our children.

As we make these choices, the very good news is that we actually have a President and a Congress who – rather than looking at government as the enemy – are committed to moving us forward again as a nation.

For there is a truth that thundered across the Mall in Washington, DC last week, and we hear it rumbling still – a growing and renewed sense of hope and optimism, based on the values of our community and our sense of personal responsibility. A reaffirmation that we are all in this together, and that tough times don’t last but tough people do.

And just as our challenges cannot be underestimated, neither can our strengths. One Maryland: twelve stars in a circle, and one star still at the center.<sup>39</sup>

Thank you.

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<sup>1</sup> Source: Maryland State Archives: The exterior portion of Maryland’s State House dome was completed in 1788.

<sup>2</sup> Source: Department of Labor, Licensing and Regulation. Maryland’s December unemployment rate was 5.8% versus a national unemployment rate of 7.2%.

<sup>3</sup> Source: Office of the Maryland Treasurer: AAA received from Fitch Ratings, Moody's Investors Service, and Standard & Poor's.

<sup>4</sup> Source: StateStat – 2008 recorded the 2nd highest percentage drop in homicides since 1985.

<sup>5</sup> Source: Maryland State Police. In 2007, Maryland experienced 561 homicides compared to 495 in 2008, showing nearly a 12% drop year over year. Source for traffic fatalities: Maryland Department of Transportation. Decreased 10% from 610 a year ago to 550. Source for fire deaths: Maryland State Police. A decrease last year from 94 in 2007 to 60 in 2008 (36%). Additionally, the Maryland Department of Juvenile Services indicates non-custodial juvenile homicides decreased 9% compared to the prior year.

<sup>6</sup> Source: Education Week's Quality Counts report, January 2009. Maryland's Public Schools ranked #1 in the nation overall. Additionally, the Milken Institute ranks Maryland as #1 in terms of the investments we make in our "human capital" – the skills and talents of our people. And our elementary and middle school students achieved the highest MSA scores ever recorded this year, with elementary math and reading scores each increasing by 29 percent compared to just five years ago.

<sup>7</sup> Source: StateStat. 28,000 Marylanders are now receiving coverage under the Working Families and Small Business Health Coverage Act of 2007 (Special Session). This legislation has made more than 100,000 Marylanders eligible.

<sup>8</sup> Source: DHMH. As an example of our dental initiatives, we are developing and expanding school-based dental programs, we increased reimbursements for dentists for providing Medicaid services, and we've removed bureaucratic roadblocks which had been preventing dental hygienists from providing a full array of legally permissible services at public health clinics.

<sup>9</sup> Source: Maryland Energy Administration and Public Service Commission. Additionally, the new Maryland Clean Energy Center promises to expand our efforts to create and attract new clean energy jobs.

<sup>10</sup> Source: Department of Natural Resources. In our first two years we protected 20,752 acres compared to the first two years of the prior administration where 3,968 were protected.

<sup>11</sup> Maryland participated in two RGGI auctions last year and because of these efforts we are able to invest \$34.3 million in programs to promote cleaner energy sources, energy efficiency and conservation, and provide rate relief for low and moderate income households – all of which will go a long way to fight climate change and lower our electricity bills.

<sup>12</sup> What's more, four of our colleges are rated by the Princeton Review as being among America's Top 50 Values in higher education. And Kiplinger's rates the University of Maryland as America's 9th best higher education value. Overall, in just three years, we have moved from the 6th highest tuition to the 16th – and we anticipate that we'll move to 18th this year.

<sup>13</sup> President Barack Obama's Inaugural Address to the nation. January 23, 2009.

<sup>14</sup> Source: Department of Budget and Management. In addition, families eligible for the earned income tax credit will receive important new resources to help them through these difficult times, because we've increased Maryland's Earned Income Tax Credit by 25%.

<sup>15</sup> Source: Public Service Commission.

<sup>16</sup> Source: PSC and Maryland Energy Administration. We formed a coalition of four states, consumer advocates, industrial users, municipal power companies and co-ops in order to file a \$12 billion complaint with federal regulators against overcharges that the citizens of our State and others have been paying for generation incentives that are serving only to juice the profits of generation holding companies. In addition to these accomplishments, we moved forward toward making smart meters and smart pricing a reality in Maryland, so our families can save more on their utilities and avoid costs in the future. We also created tax incentives for homeowners and businesses to help them transition to green energy. What's more, a \$40 audit fee will be waived for homeowners who agree to allow compact fluorescent light bulbs and low flow shower heads to be installed in their homes. We are also offering discounts for energy efficient retrofits, lighting and appliances that help our families decrease their utility bills.

<sup>17</sup> We've passed what the Washington Post called "among the most sweeping [foreclosure reforms] in the country" to help our most vulnerable neighbors. In addition to enacting strong regulatory and legal reform, we've creating new financing products, launched an aggressive advertising campaign called

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“Mortgage Late? Don’t Wait,” and created a Foreclosure Prevention Assistance Network to get homeowners the help they need. Families should call the Maryland HOPE hotline at 1-877-462-7555 or visit [www.problemsolver.maryland.gov](http://www.problemsolver.maryland.gov) for more information.

<sup>18</sup> Source: Department of Labor, Licensing and Regulation. Participating servicers include Citi, Ocwen, HSBC, Litton Loan Servicing, GMAC ResCap and AmeriNational Community Service.

<sup>19</sup> Source: Department of Labor, Licensing, and Regulation. Additionally, in 2008 alone, we were able to reach 143,000 of our citizens through these important Centers.

<sup>20</sup> Source: DLLR. More than 3,000 employees who were laid off from more than 40 companies received information and services through the rapid response programs in 2008.

<sup>21</sup> Source: DLLR.

<sup>22</sup> Source: Office of Minority Business Enterprise. We awarded over \$1.3 billion to MBEs in FY 2008 as compared to \$1.0 billion in FY 2006. This represents a 30% growth in awards over the past 2 fiscal years. MBE participation for 10 StateStat reporting agencies collectively in FY 2008 was 27.2%, the highest in our State’s history. MBE participation for all cabinet agencies was 22.5% and 20.3% for all agencies and departments statewide in FY 2008. And in just one example of our progress, yesterday our Public Service Commission announced that they successfully pressured a large and growing group of utilities to commit to a goal of 25% in MBE purchases.

<sup>23</sup> Source: DLLR.

<sup>24</sup> Senator Barbara Mikulski, Senator Ben Cardin, Majority Leader Steny Hoyer, as well as Congressmen Elijah Cummings, Dutch Ruppersberger, Chris Van Hollen, Jon Sarbanes, Roscoe Bartlett, Congresswoman Donna Edwards, (and former Congressmen Al Wynn and Wayne Gilchrest), have successfully secured an increase in our federal energy assistance allocation, which will allow us to assist as many as 10,000 additional Marylanders.

<sup>25</sup> Governor’s Legislative Package. Employers pay unemployment taxes for part-time workers, but the workers themselves are ineligible for unemployment benefits.

<sup>26</sup> Governor’s Legislative Package. Our Workplace Fraud bill would impose strict penalties on employers who engage in this practice.

<sup>27</sup> Governor’s Legislative Package. At present we have a \$500,000 threshold for the prevailing wage on State-sponsored – one of the highest thresholds in America. Our legislation would lower this threshold to \$100,000.

<sup>28</sup> Source: Department of Budget and Management.

<sup>29</sup> Source: DBM.

<sup>30</sup> We drafted this FY 2010 budget with the very conservative assumption that we will receive \$350 million in federal stimulus funds from the American Recovery and Reinvestment Act. However, we have received encouraging news in recent days, and we have reason to hope and believe we’ll be receiving significantly more assistance from a federal government which, under new leadership, is working again. But make no mistake about it, we need to do all we can to support President Obama and our Congressional delegation as they work to urgently pass the stimulus. It’s up to us in Maryland to use these funds responsibly,... To put our children first and protect our priorities in this fiscal year, and to plan ahead for the next year as our country continues to weather this economic downturn.

<sup>31</sup> Source: Department of Budget and Management. Overall general fund expenditures in this budget will decrease by 1.3%.

<sup>32</sup> Source: DBM. FY 2010 Proposal includes a record K-12 investment of \$5.4 billion. FY 2009 was a record at \$5.3 billion.

<sup>33</sup> Source: The Milken Institute report on Technology Economy Preparedness ranked Maryland one of two States best positioned to take advantage of the 21st century technology economy.

<sup>34</sup> Source: Office of the Lt. Governor.

<sup>35</sup> To prepare our workforce for the demands of the 21st century economy – and to make sure we have the services in place to protect our families who are hardest hit by this recession – we’ve instated a Workforce Creation and Job Security Cabinet, which has been meeting regularly for a year. Much of our future economic competitiveness rests in our growing life sciences sector. The strength of our bioscience sector’s rating for potential job creation rose in the last year from #4 to #2 in America, according to the Milken Institute, and – like our public schools – we want to be #1. This year we

announced Bio2020: an initiative which represents the largest investment into the future that any State has ever made in its biosciences sector. Why? Because the life–sciences create jobs for Maryland families.

<sup>36</sup> Starting next month, we will begin surveying every teacher and principal in Maryland to get their input on the teaching conditions in their schools; to find out where the challenges and opportunities lie; and to guide our efforts to recruit and retain the best teachers and principals in America.

<sup>37</sup> We’ve made STEM education a priority, and it is one of the issues for which our P–20 Council is working to bring together stakeholders from the educational and business communities in common cause.

<sup>38</sup> Source: Governor’s Office of Crime Control & Prevention. There is no reason why one of the smartest and most compassionate states in the union should content itself with being one of the most violent states in the union.

<sup>39</sup> When Washington’s Army was outnumbered and surrounded on Brooklyn Heights in August of 1776, 400 Marylanders threw themselves at the overwhelming British force so that the Continental Army and The United States, could live to fight another day. 256 of these Maryland patriots lie buried in Brooklyn, NY near where they fought and fell. They fought under a flag with twelve stars in a circle, and one at the center.

## ADJOURNMENT

At 12:48 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 30, 2009 in memory of Sabrina Neal Rice.

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**Annapolis, Maryland**  
**Friday, January 30, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:09 A.M.

Prayer by Reverend Jim Kirk (retired), guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 29, 2009 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. 78)

**INTRODUCTION OF BILLS**

**Senate Bill 358 – Senators Middleton, Dyson, Garagiola, and Glassman**

**EMERGENCY BILL**

AN ACT concerning

**Agriculture – Agricultural Preservation Easements – Renewable Energy  
Generation**

FOR the purpose of authorizing a landowner whose land is subject to an agricultural preservation easement to use the land for the generation of power or heat from solar or wind energy under certain circumstances; making this Act an emergency measure; and generally relating to the Maryland Agricultural Land Preservation Foundation and renewable energy generation.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513(b)(1)

Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 359 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – American Visionary Arts Museum**

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 American Visionary Arts 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 Budget and Taxation.

**Senate Bill 360 – Senator Gladden**

AN ACT concerning

**Crimes – Elder Abuse – Increased Penalties and Restrictions on Pretrial Release (The John H. Taylor Act)**

FOR the purpose of altering the penalties for the crime of causing abuse or neglect of a vulnerable adult in the first or second degree; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with causing abuse or neglect of a vulnerable adult in the first or second degree; providing that a judge may authorize the pretrial release of the defendant on certain conditions; requiring the judge to order the continued detention of the defendant if neither suitable bail nor other conditions will reasonably ensure that the defendant will not flee or pose a danger to a certain person or the community before the trial; and generally relating to elder abuse and increased penalties and restrictions on pretrial release.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–604(b) and 3–605(b)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–604(c) and 3–605(c)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 5–202(f)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 361 – Senator Gladden**

AN ACT concerning

**Environment – Reducing Lead Risk in Housing – Lead Paint Dust Testing**

FOR the purpose of altering the requirements for certain property owners to satisfy certain lead risk reduction standards relating to certain changes in occupancy in certain properties; requiring certain lead risk reduction standards to be performed in accordance with certain requirements; making certain conforming changes; and generally relating to reducing lead risk in housing.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–815(a) and (b), 6–816, and 6–819(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing  
Article – Environment  
Section 6–819(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 362 – Senator Haines**

AN ACT concerning

**Agricultural Land Preservation Easements – Residential Uses**

FOR the purpose of authorizing a landowner whose land is subject to an agricultural land preservation easement, subject to the approval of the Maryland Agricultural Land Preservation Foundation, to convert the landowner's existing dwelling house into a tenant house and to build a dwelling house for the landowner's use; providing that such a dwelling house is subject to certain restrictions; and generally relating to use of land under an agricultural land preservation easement for residential purposes.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 363 – Senators Haines and Glassman**

AN ACT concerning

**Homestead Property Tax Credit – Applications – Use of Social Security Numbers**

FOR the purpose of prohibiting the State Department of Assessments and Taxation from requiring homeowner Social Security numbers on applications for qualification for the homestead property tax credit; and generally relating to homestead property tax credits.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(d)(6)(i)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(d)(6)(ii)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 364 – Senator Gladden**

AN ACT concerning

**Real Property – Mechanic’s Lien – Certified Interior Design Services**

FOR the purpose of establishing that work done for or about a building, for purposes of establishing a mechanic’s lien, includes certain interior design services provided by a certified interior designer; and generally relating to mechanics’ liens.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 9–102(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 365 – Senator Stone**

AN ACT concerning

**Criminal Law – Assault – Law Enforcement Officers and Parole and Probation Agents**

FOR the purpose of prohibiting a person from intentionally causing physical injury to another if the person knows or has reason to know that the other is a parole or probation agent engaged in performing the agent’s official duties; establishing penalties for a violation of this Act; increasing the penalty for the crime of intentionally causing physical injury to another if the person knows or has reason to know that the other is a law enforcement officer engaged in the performance of the officer’s official duties; and generally relating to assaults on law enforcement officers and parole and probation agents.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–201  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–203  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 366 – 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 2008 Supplement)

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

**Senate Bill 367 – Senators Klausmeier, Astle, Brinkley, Della, Edwards, Exum, Forehand, Frosh, Garagiola, Gladden, Glassman, Greenip, Jones, Kasemeyer, Kelley, King, Kramer, Middleton, Munson, Peters, Pinsky, Pipkin, Pugh, and Stone**

AN ACT concerning

**Commission on the Establishment of a Maryland Women in Military Service Monument – Extension of Termination Date**

FOR the purpose of codifying the provisions of law enacted in 2006 that created and provided for the membership, staff, and duties of the Commission on the Establishment of a Maryland Women in Military Service Monument; providing for the termination date for the Commission; repealing a certain termination date in certain prior Acts of the General Assembly relating to the Commission that are rendered obsolete by this Act; and generally relating to the Commission on the Establishment of a Maryland Women in Military Service Monument.

BY adding to  
Article – State Government  
Section 9–8A–01 to be under the new subtitle “Subtitle 8A. Commission on the Establishment of a Maryland Women in Military Service Monument”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 281 of the Acts of the General Assembly of 2006  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 282 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 368 – Senators Raskin, Brochin, Frosh, Gladden, Harrington, King, Klausmeier, Kramer, Lenett, Madaleno, Muse, Peters, Pugh, Robey, Rosapepe, and Zirkin**

AN ACT concerning

**Lilly Ledbetter Fair Pay Restoration Act of 2009**

FOR the purpose of clarifying that a certain unlawful employment practice occurs when a certain decision or practice is adopted, when an individual becomes subject to a certain decision or practice, or when an individual is affected by application of a certain decision or practice, including each time certain compensation is paid under a discriminatory compensation decision or practice; authorizing the recovery of certain back pay where a certain unlawful employment practice is similar or related to a certain other unlawful employment practice; declaring the intent of the General Assembly; providing for the application of this Act; providing that a certain Supreme Court ruling is not to be applied to any cases brought under certain provisions of law; and generally relating to unlawful discriminatory compensation practices.

BY adding to

Article – State Government

Section 20–607 and 20–1009(b)(5)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–607 and 20–608

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–1012(b) and 20–1013(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

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

**Senate Bill 369 – Senators Stone, Jacobs, Klausmeier, and Simonaire**

AN ACT concerning

**Vehicle Laws – Proof of Lawful Presence Act of 2009**

FOR the purpose of requiring the Motor Vehicle Administration to issue an identification card or a moped operator's permit to an individual who, in addition to meeting certain other requirements, provides certain documentation certifying that an individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; prohibiting the Administration from issuing a driver's license to an individual who cannot provide certain documentation certifying that the individual is either a United States citizen or is lawfully present in the United States in accordance with federal law; providing that the effective term of an identification card, driver's license, or moped operator's permit issued to a certain individual may not exceed the time that the individual is authorized to remain in the United States in accordance with federal law; altering a certain provision that requires a driver's license application to include a Social Security number to apply only to an applicant who is eligible for a Social Security number; requiring an applicant for a driver's license who is not eligible for a Social Security number to provide certain documentation to the Administration; requiring an applicant for a driver's license to submit certain documentation with the application; clarifying language; and generally relating to the issuance of driver's licenses, moped operator's permits, and identification cards and proof of lawful presence in the United States.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–128 and 16–106(a), (b), and (e)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(a) and (i), 16–103.1, 16–104.2, 16–106(c), and 16–115(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 16–106(e)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 370 – Senators Stone, Conway, Dyson, Gladden, Klausmeier, Kramer, Munson, Muse, Peters, Raskin, Robey, Rosapepe, and Simonaire**

EMERGENCY BILL

AN ACT concerning

**Maryland Quiet Vehicles and Pedestrian Safety Task Force – Extension and Membership**

FOR the purpose of extending the duration of the Maryland Quiet Vehicles and Pedestrian Safety Task Force; altering the membership of the Task Force; altering the date on which the final findings and recommendations of the Task Force are due; requiring the Task Force to report its final findings and recommendations to the Governor; making this Act an emergency measure; making a certain technical correction; and generally relating to the Maryland Quiet Vehicles and Pedestrian Safety Task Force.

BY repealing and reenacting, with amendments,  
Chapter 384 of the Acts of the General Assembly of 2008  
Section 1 and 2

BY repealing and reenacting, with amendments,  
Chapter 385 of the Acts of the General Assembly of 2008  
Section 1 and 2

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

**Senate Bill 371 – Senator Gladden**

AN ACT concerning

**State Buildings and Public Educational Institutions – Display of President’s Photograph**

FOR the purpose of requiring certain State agencies and county boards of education to display an official photograph of the President of the United States in certain buildings and public schools; and generally relating to the display of the photograph of the President of the United States in certain buildings and public schools.

BY repealing and reenacting, with amendments,  
Article – Education

Section 7–105(b)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – State Finance and Procurement  
Section 4–210  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 372 – Senators Currie, Colburn, Conway, DeGrange, Harrington, Kasemeyer, King, Madaleno, McFadden, Peters, Pinsky, and Robey**

AN ACT concerning

**Foster Care – Tuition Exemption – Expanded Eligibility**

FOR the purpose of altering a certain definition to include younger siblings of an adopted individual if the younger sibling is adopted concurrently with the older sibling for purposes of determining eligibility for a certain tuition exemption; and generally related to tuition exemption for foster care recipients.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 373 – Senators Currie, Colburn, Conway, DeGrange, Greenip, Harrington, King, Madaleno, McFadden, Peters, and Robey**

AN ACT concerning

**Higher Education – Maryland National Guard Members – Nonresident Tuition Exemption**

FOR the purpose of exempting certain members of the National Guard from paying nonresident tuition at public institutions of higher education; and generally relating to exemptions from paying nonresident tuition for military personnel at public institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.4  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 374 – Senators Currie, Colburn, Conway, Greenip, King, Madaleno, McFadden, Munson, Peters, and Robey**

AN ACT concerning

**Institutions of Higher Education – College Textbooks – Publication of International Standard Book Numbers and Retail Prices**

FOR the purpose of requiring certain institutions of higher education to publish certain International Standard Book Numbers and certain retail price information of certain textbooks and supplemental materials; requiring certain publications to be made on certain websites on or before certain dates; defining certain terms; and generally relating to the publication of International Standard Book Numbers and retail price information of college textbooks.

BY adding to  
Article – Education  
Section 15–112  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 375 – Senator Middleton**

AN ACT concerning

**Criminal Procedure – Reports to “Crime Stoppers” Organization – Inadmissibility and Confidentiality**

FOR the purpose of establishing that evidence of a communication or information contained in the communication between an individual reporting alleged criminal activity to a certain “Crime Stoppers” organization and the individual who accepts the report on behalf of the organization is not admissible in a court proceeding; establishing that a law enforcement agency that receives information concerning alleged criminal activity from a certain “Crime Stoppers” organization may not disclose the identity of an individual providing

information about the criminal activity under a promise of anonymity; defining a certain term; and generally relating to crime reporting.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1103 to be under the new subtitle “Subtitle 11.  
Anonymous Crime Reporting”

Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 376 – Senator Middleton**

AN ACT concerning

#### **Charles County – Workers’ Compensation – Auxiliary Volunteer of Sheriff’s Office**

FOR the purpose of establishing that each auxiliary volunteer of the Charles County Sheriff’s Office is a covered employee while performing work assigned by the Sheriff of the county; and generally relating to workers’ compensation coverage of volunteers in the Charles County Sheriff’s Office.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–233

Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 377 – Senator Middleton**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Business Regulation – Home Builder Guaranty Fund – Fee**

FOR the purpose of requiring certain home builders to pay the Home Builder Guaranty Fund fee to a municipal corporation; requiring certain home builders to pay the fee for residential units in multiple–unit developments to a county or municipal corporation; requiring a municipal corporation to remit a certain fee to the Consumer Protection Division of the Office of the Attorney General; authorizing a county or municipal corporation to retain a certain amount of certain fee revenues to recover certain administrative costs; making this Act an

emergency measure; and generally relating to the Home Builder Guaranty Fund fee.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 4.5–101(d), 4.5–601(a), and 4.5–703(a) and (b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 4.5–704  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 378 – Senator Stoltzfus**

AN ACT concerning

#### **Somerset County – Fire Company – Appropriations**

FOR the purpose of requiring the County Commissioners of Somerset County to appropriate to certain organized volunteer fire companies in the county certain amounts for certain fiscal years; requiring that the appropriations required for a certain fiscal year remain in effect for subsequent fiscal years unless altered by a future enactment; and generally relating to appropriations for organized volunteer fire companies in Somerset County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Somerset County  
Section 2–304  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2007 Supplement, as amended)

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

### **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 42 – Senator Conway**

AN ACT concerning

**Natural Resources – BayStat Subcabinet – Membership**

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:

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Sale of Land  
Preservation Easements – Confidentiality of Records**

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:

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Baltimore City Community  
College)**

AN ACT concerning

**Baltimore City Community College – Term of Student Trustee**

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:

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Valuation of Terminated Easements**

Favorable report 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 60 – Chair, Finance Committee (By Request – Departmental – Public Service Commission)**

AN ACT concerning

**Maryland Transit Administration – Mass Transit Service Alterations – Public Service Commission and People’s Counsel Reporting Requirements**

**SB0060/997871/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 60

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “Reporting” insert “and Representation”; in line 4, after “of” insert “repealing a requirement that the People’s Counsel to the Public Service Commission appear and represent the public interest at certain public hearings;”; and in line 24, after “Section” insert “7–506(f) and”.

AMENDMENT NO. 2

On page 2, after line 20, insert:

“[(f) The People’s Counsel shall appear and represent the public interest at each hearing called by the Administration under this section.]”.

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 with amendments:

**Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Uniform Commercial Code – Financing Statements – Termination by Government Employees**

**SB0062/787275/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 62  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “statement” in line 8 and substitute “requiring a certain filing office to send a copy of the termination statement to a certain secured party along with a certain notice; providing that on the filing of the termination statement, a certain financing statement ceases to be effective as to the government employee; authorizing the secured party to file an action to reinstate a financing statement under certain circumstances; requiring the secured party to provide a certain certified copy of certain judgment to a certain filing office under certain circumstances; requiring the filing office to file the judgment in a certain manner; providing that on the filing of a certain judgment, a certain financing statement shall be effective and shall be considered never to have been ineffective as against a certain person; authorizing the secured party to file a continuation statement under certain circumstances”; in line 9, after “statement;” insert “providing that the secured party shall pay the costs, reasonable attorney’s fees, and expenses incurred by a government employee in a certain action under certain circumstances; making certain conforming and stylistic changes;”; and in line 14, after “9–513” insert “and 9–515(d)”.

AMENDMENT NO. 2

On page 3, after line 13, insert:

**“(A) THE DEBTOR IS A GOVERNMENT EMPLOYEE; AND”;**

in line 14, strike **“(A)”** and substitute **“(B)”**; in line 15, strike **“STATEMENT; AND”** and substitute **“STATEMENT.”**; strike in their entirety lines 16 through 22, inclusive, and substitute:

**“(4) ON THE FILING OF A TERMINATION STATEMENT UNDER THIS SUBSECTION, THE FILING OFFICE SHALL SEND A COPY OF THE TERMINATION STATEMENT BY FIRST-CLASS MAIL TO THE SECURED PARTY OF RECORD FOR THE FINANCING STATEMENT ALONG WITH A NOTICE STATING THAT THE FINANCING STATEMENT HAS BEEN TERMINATED.”;**

strike in their entirety lines 27 and 28 and substitute:

**“(6) (A) THE SECURED PARTY BELIEVES IN GOOD FAITH THAT THE FINANCING STATEMENT WAS AUTHORIZED AND PROPERLY FILED, THE SECURED PARTY, WITHIN 60 DAYS AFTER THE DATE THE NOTICE OF TERMINATION IS SENT, MAY FILE AN ACTION TO REINSTATE THE FINANCING STATEMENT IN THE CIRCUIT COURT WHERE THE FILING OFFICE IS LOCATED OR WHERE THE GOVERNMENT EMPLOYEE RESIDES.**

**(B) IF THE COURT DETERMINES THAT THE FINANCING STATEMENT SHOULD BE REINSTATED, THE SECURED PARTY SHALL PROVIDE A CERTIFIED COPY OF THE FINAL JUDGMENT TO THE FILING OFFICE.**

**(C) ON RECEIPT, THE FILING OFFICE SHALL FILE THE JUDGMENT IN A MANNER THAT IDENTIFIES THE FINANCING STATEMENT TO WHICH THE FINAL JUDGMENT RELATES AND INDICATES THAT THE FINANCING STATEMENT HAS BEEN REINSTATED.**

**(7) (A) ON THE FILING OF A FINAL JUDGMENT REINSTATING A FINANCING STATEMENT UNDER PARAGRAPH (6) OF THIS SUBSECTION, THE FINANCING STATEMENT SHALL BE EFFECTIVE AND SHALL BE CONSIDERED**

NEVER TO HAVE BEEN INEFFECTIVE AS AGAINST A PERSON THAT IS NOT A PURCHASER OF THE COLLATERAL FOR VALUE.

(B) IF A FINANCING STATEMENT THAT IS REINSTATED WOULD HAVE LAPSED DURING THE PERIOD OF TERMINATION, THE SECURED PARTY MAY FILE A CONTINUATION STATEMENT WITHIN 30 DAYS AFTER THE FINAL JUDGMENT OF THE COURT REINSTATING THE FINANCING STATEMENT IS FILED.

(8) A FEE MAY NOT BE CHARGED FOR A FILING OF A TERMINATION STATEMENT UNDER THIS SUBSECTION.

(9) IF THE COURT IN AN ACTION TO REINSTATE A FINANCING STATEMENT DETERMINES THAT THE FINANCING STATEMENT IS FRAUDULENT, THE SECURED PARTY OF RECORD THAT FILED THE FINANCING STATEMENT SHALL PAY THE COSTS, REASONABLE ATTORNEY'S FEES, AND EXPENSES INCURRED BY THE GOVERNMENT EMPLOYEE IN THE ACTION.”;

And in line 30, strike “upon” and substitute “ON”.

AMENDMENT NO. 3

On page 4, after line 2, insert:

“9-515.

(d) [A] EXCEPT AS PROVIDED IN § 9-513(D), A continuation statement may be filed only within six months before the expiration of the five-year period specified in subsection (a), the 30-year period specified in subsection (b), or the date the financing statement ceases to be effective under § 9-705(c) of this title, whichever is applicable.”.

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 63 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Oral Health Safety Net Program – Sunset Repeal**

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. 79)

**ADJOURNMENT**

At 11:44 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 2, 2009 in memory of former Senator Charles Smelser.

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**Annapolis, Maryland**  
**Monday, February 2, 2009**  
**8:00 P.M. Session**

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The Senate met at 8:09 P.M.

Prayer by Bishop Gene Robinson, Episcopal Bishop of New Hampshire, guest of Senator Madaleno.

(See Exhibit A of Appendix III)

The Journal of January 30, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 81)

**INTRODUCTION OF BILLS**

**Senate Bill 379 – Senators Robey, Peters, Forehand, Frosh, Harrington, King,  
Madaleno, Middleton, and Rosapepe**

AN ACT concerning

**Task Force to Study the County and Municipal Revenue Structure**

FOR the purpose of establishing a Task Force to Study the County and Municipal Revenue Structure; providing for the membership and duties of the Task Force; providing for the designation of a chair of the Task Force; requiring the Department of Legislative Services to provide staff for the Task Force; prohibiting members of the Task Force from receiving compensation; authorizing a member to receive certain reimbursement; requiring the Task Force to report its 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 a Task Force to Study the County and Municipal Revenue Structure.

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

**Senate Bill 380 – Senators Garagiola, Astle, Della, Exum, Glassman, Kelley, Kittleman, Klausmeier, Middleton, Pipkin, and Pugh**

AN ACT concerning

**Health Maintenance Organizations – Payments to Nonparticipating Providers**

FOR the purpose of altering the rate that a health maintenance organization must pay to certain trauma physicians for certain covered services provided to certain enrollees of the health maintenance organization; requiring health maintenance organizations to pay certain health care providers for certain evaluation and management services no less than the greater of certain rates; requiring health maintenance organizations to pay certain health care providers for certain services that are not evaluation and management services no less than the greater of certain rates; requiring the Maryland Health Care Commission to annually review certain payments and report certain findings to the Maryland Insurance Administration; authorizing the Administration to take certain actions to investigate and enforce a violation of certain provisions of this Act; requiring the Administration, in consultation with the Commission, to adopt certain regulations; defining certain terms; providing for a delayed effective date; providing for the termination of this Act; and generally relating to payments by health maintenance organizations to nonparticipating providers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–710.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 381 – Senators Lenett, Astle, Harrington, Pinsky, and Rosapepe**

AN ACT concerning

**Financial Exploitation Prevention Act of 2009**

FOR the purpose of altering the definition of “vulnerable adult” to include a person who lacks a certain capacity to consent for purposes of certain prohibitions against causing certain abuse or neglect or sexual abuse of a certain vulnerable adult; prohibiting a person from knowingly and willfully obtaining by a certain illusory consent the property of an individual that the person knows or reasonably should know is a vulnerable adult with intent to deprive the

vulnerable adult of the vulnerable adult's property; defining certain terms; and generally relating to vulnerable adults.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–604 and 8–801  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–605 and 3–606  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 382 – 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 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 publishers 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 publishers 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 8–222(b)(2) and 11–513(b)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–222(e)(1), (4), (5), and (6)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 531 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–204.1(c)(1)(iii)5.

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 184 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 15–102.1(f)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 22–109(a)(2)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 468 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article 66B – Land Use

Section 4.01(d) and 5.05(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 21–208(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 4–304.1(d)(1), 4.5–202(c)(5), 8–405(e) and (f)(2), 11–1203(a), 16–210(b),  
and 17–1804(d)(2) and (3)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11–304(l)(1) and (m)(2)(ii), 12–105(c)(4), 13–204(14)(ii), and  
13–301(10)(ii)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

- BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 2–418(a)(5)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–511(a), 8–209(a), 9–202(a)(3)(i), and 9–504(a)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(n)(1), 3–819 (b)(1)(ii)1., 3–823(k), and 3–8A–27(a)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–303(d)(3)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)  
(As enacted by Chapter 345 of the Acts of the General Assembly of 2008)
- BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–105(a)(9)(ix), 10–221(b), and 12–210(c)  
Annotated Code of Maryland  
(2008 Replacement Volume)
- BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–445(b)(12)(iii) and 13–503(a)(3)  
Annotated Code of Maryland  
(2008 Volume)
- BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 12–211(a)  
Annotated Code of Maryland  
(2008 Volume)  
(As enacted by Chapter 306 of the Acts of the General Assembly of 2008)
- BY repealing  
Article – Economic Development

The part designation “Part III. Consumer Affairs” immediately preceding former Section 13–628  
Annotated Code of Maryland  
(2008 Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 6–302(a)(3), 7–426(b)(2) and (3), 7–910(a), 10–205(c),  
11–105(e)(3), 11–501, 11–502(b)(4), 14–302(a), 17–104(a)(1),  
18–402(b), 18–601(a)(5), (d)(3)(i), (ii), and (vi), and (g),  
18–705(a)(3)(ii), 24–106(c)(2), and 24–524(b)(1)

Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing

Article – Education

The subtitle designation “Subtitle 1. Correctional Institutions” immediately preceding former Section 22–101

Annotated Code of Maryland  
(2008 Replacement Volume)

(As enacted by Chapter 134 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Environment

Section 1–607(a)(3)(iii) and (b)(4)(ii), 2–403(c)(3), and 9–421(b)

Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1617.1(b)(3)

Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 121 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–323(d)(3)(iv), 5–3B–22(b)(1)(iii)5., 10–301(o), (x), and (y), and  
10–350(a)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 13–801(a)

Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

- BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–509(c)(7), 18–206(g)(2)(ii)6., 19–120(h)(2)(iii), 19–344(c)(1),  
19–1401(a), and 24–1605(k)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Health Occupations  
The subtitle designation “Subtitle 2. State Board of Chiropractic and Massage  
Therapy Examiners” immediately preceding Section 3–201  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 3–201  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–410(c)(7), 12–101(s)(1)(viii), 14–5B–04(b)(1), 14–5B–06(2) and (3), and  
16–311(a)(21)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)
- BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–4A–03(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 532 of the Acts of the General Assembly of 2008)
- BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 17–405.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 505 of the Acts of the General Assembly of 2008)
- BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–415(c)(1), 9–303(c), and 11–906(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 11–806

Annotated Code of Maryland

(2008 Replacement Volume)

(As enacted by Chapter 134 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1–403(c), 3–104(n)(1), 4–735(d), 4–1008(a)(3), and 5–903(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–2A–03(b)(6) and (c)(1)(i)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 121 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–2A–04(c)(2)(iv), 8–1801(a)(4), 8–1802(a)(4), and 8–1808.1(e)(1)(ii)1.

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 14–3A–01(e)(1) and (2)

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 2–110(c)(3), (6), (10)(i) and (ii), and (12), 6–206(b)(1),  
6–210(b)(3), 7–211(f)(3), 12–311(e), and 13–208(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–203.1(a)(5) and (6), 8–402.4(c)(4), 11–103.1(b)(2), and  
14–120(o)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

## BY repealing

Article – State Finance and Procurement

The subtitle designation “Subtitle 4. Information Processing” immediately preceding Section 3–401

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

## BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 3–401, 5–7A–01(6), 7–326(c), and 11–203(a)(1)(xii)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

## BY repealing and reenacting, with amendments,

Article – State Government

Section 2–10A–11(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 469 of the Acts of the General Assembly of 2007)

## BY repealing and reenacting, with amendments,

Article – State Government

Section 2–1505(j)(1), 10–502(c)(4) and (h)(1)(ii)3., and 10–616(p)(5)(viii)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

## BY repealing

Article – State Government

Section 9–1801 through 9–1809, 9–1811, and 9–1812 and the subtitle “Subtitle 18. Council on Management and Productivity”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

## BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(c)(10)(vi) and 23–407(c)(10)(vi)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

## BY repealing and reenacting, with amendments,

Article – Tax – General

Section 5–101(d)(2)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 702 of the Acts of the General Assembly of 2008)

## BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–211.1(a) and 10–305(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–211(c) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 338 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–812  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103(f)(2)(ii) and (g)(2)(ii), 5–1002(d), and 8–610(h)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–208  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 25–111(i)(1)(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 131 of the Acts of the General Assembly of 2008  
Section 3(b)

BY repealing and reenacting, with amendments,  
Chapter 211 of the Acts of the General Assembly of 2008  
Section 5(b)(7)

BY repealing and reenacting, with amendments,  
Chapter 212 of the Acts of the General Assembly of 2008  
Section 5(b)(7)

BY repealing and reenacting, with amendments,  
Chapter 261 of the Acts of the General Assembly of 2008  
Section 5

BY repealing and reenacting, with amendments,  
Chapter 417 of the Acts of the General Assembly of 2008  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 659 of the Acts of the General Assembly of 2008  
Section 2(a) and (d)

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

**Senate Bill 383 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Automotive Vocational  
Training Center**

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 Directors of the National Center on Institutions and Alternatives, 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 384 – Senators Harris, Dyson, and Frosh**

AN ACT concerning

**Program Open Space – Impervious Surface Projects – Prohibition**

FOR the purpose of prohibiting a local government body from using certain Program Open Space funds for the development of impervious surface; defining a certain term; and generally relating to the use of funds for Program Open Space.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–901 and 5–903(b)  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–903(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 385 – Senator Simonaire**

AN ACT concerning

**Higher Education – Senatorial and Delegate Scholarships – Qualifications**

FOR the purpose of requiring an applicant for a senatorial or delegate scholarship to be a citizen or a legal permanent resident of the United States to qualify for a certain award; requiring a certain recipient of a senatorial scholarship to be a citizen or legal permanent resident of the United States to hold the award for a certain number of years; and generally relating to qualifications for senatorial and delegate scholarships.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–402, 18–406, and 18–502  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 386 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Health Department – Overdose Prevention Pilot Program**

FOR the purpose of establishing an Overdose Prevention Pilot Program in the Baltimore City Health Department; authorizing the Baltimore City Health Department to issue and renew certain certificates to certain individuals, conduct certain educational and training programs and written and oral examinations, approve certain educational and training programs and written and oral examinations, and charge certain fees; requiring certain educational and training programs to include certain information; requiring applicants for a

certificate to meet certain qualifications and to perform certain acts; requiring the Baltimore City Health Department to issue a certificate to an applicant who meets certain requirements; requiring certain information to be included on the certificate; providing for the renewal and replacement of a certificate; authorizing a certificate holder to perform certain acts; providing immunity for certain persons acting under certain circumstances; providing that certain provisions of this Act do not affect, and may not be construed as affecting, certain immunities or defenses; providing that this Act may not be construed to create a duty to obtain a certificate; providing that an individual may not be held civilly liable under certain circumstances; requiring the Secretary of Health and Mental Hygiene, in consultation with the Baltimore City Health Department, to adopt certain regulations; requiring a certain report on or before a certain date and annually thereafter; defining certain terms; providing for the termination of this Act; and generally relating to the Overdose Prevention Pilot Program in the Baltimore City Health Department.

BY adding to

Article – Health – General

Section 24–8A–01 through 24–8A–10 to be under the new subtitle “Subtitle 8A. Overdose Prevention Pilot Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 387 – Senator McFadden**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Dayspring Square**

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 Dayspring Programs, 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 388 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Vehicle Laws – Speed Monitoring Systems**

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Baltimore City; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Baltimore City; requiring certain local police departments in Baltimore City to mail citations to the owners of vehicles that are recorded by speed monitoring systems in Baltimore City in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Baltimore City Department of Finance or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Baltimore City Department of Finance and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; and generally relating to the imposition of liability, in Baltimore City, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 389 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Allegany County – Allegany Museum**

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 Western Maryland Station 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 390 – Senators Conway, Colburn, DeGrange, Exum, Glassman, Klausmeier, Pugh, and Stone**

AN ACT concerning

**Food, Drugs, and Cosmetics – Auction and Internet Sales – Prohibition – Exception**

FOR the purpose of prohibiting a person from selling drugs, medicines, cosmetics, and certain infant formula and baby food at certain auction sales unless the person makes a certain notification; authorizing the Secretary of Health and Mental Hygiene to make certain inspections; prohibiting a person from selling drugs, medicines, cosmetics, and certain infant formula and baby food at an auction sale under certain circumstances; and generally relating to auction sales of drugs, cosmetics, and certain food.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–1110  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–1206  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 391 – Senator Exum**

AN ACT concerning

**Prince George’s County – Council Member – Ethics Laws Governing Campaign Contributions, Participation, and Voting**

FOR the purpose of repealing the provision of law prohibiting a certain person from making a certain payment to a member of the Prince George’s County Council during the pendency of a certain application; repealing the provision of law prohibiting a member of the County Council from voting on a certain application or participating in a certain proceeding; and generally relating to local ethics provisions governing campaign contributions, participation, and voting by a member of the Prince George’s County Council.

BY repealing and reenacting, without amendments,  
Article – Election Law

Section 13–501  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–831  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 392 – Senator Exum**

AN ACT concerning

**Business Regulation – Registration of Retail Service Station Dealers and Sale of Gasoline Products**

FOR the purpose of extending the expiration date of the conditional prohibition against the Comptroller on the issuance of a certificate of registration to a retail service station dealer who markets motor fuel through a retail service station that has been altered, enlarged, or structurally modified; altering the date after which a producer, refiner, or wholesaler of motor fuel is required to extend voluntary allowances uniformly to all retail service station dealers that are supplied by the producer, refiner, or wholesaler; and generally relating to certificates of registration for retail service station dealers and the sale of gasoline products.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 10–304 and 10–312  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 393 – Senators Madaleno, Brochin, Forehand, Garagiola, Kelley, King, Lenett, Middleton, Muse, Pugh, and Raskin**

AN ACT concerning

**Managing for Results – Evidence–Based Practices**

FOR the purpose of requiring the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the

State Department of Education to submit to the Department of Budget and Management certain descriptions of the use of certain evidence-based practices for certain purposes; requiring that certain descriptions include certain items; and generally relating to the Department of Health and Mental Hygiene, the Department of Human Resources, the Department of Juvenile Services, and the State Department of Education, managing for results, and evidence-based practices.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3-1002(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 394 – Senators Klausmeier, Pugh, and Robey**

AN ACT concerning

**Health Insurance – Coverage of Autism Spectrum Disorders**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for the diagnosis of autism spectrum disorders and the treatment of autism spectrum disorders in certain individuals; requiring certain treatment for autism spectrum disorders to be provided by certain individuals; limiting coverage to a certain maximum benefit; providing for the annual adjustment of the maximum benefit; clarifying that certain benefits otherwise available to an individual are not limited by this Act; prohibiting certain limits on visits to an autism services provider; requiring a certain notice; providing that a certain determination constitutes an adverse decision under certain provisions of law; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to request an updated treatment plan at certain intervals; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to pay the cost of the updated treatment plan; providing that certain insurers, nonprofit health service plans, and health maintenance organizations are not required to provide reimbursement for certain services; making the provisions of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; providing for a delayed effective date; and generally relating to requiring health insurance coverage of autism spectrum disorders.

BY adding to  
Article – Health – General  
Section 19-706(ttt)  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 15–844

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 395 – Senators Glassman and Peters**

AN ACT concerning

#### **Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process**

FOR the purpose of establishing a Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process; establishing the composition of the Task Force; requiring the Governor to designate the chair of the Task Force; providing for the staffing for the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing a member of the Task Force to receive certain reimbursements; requiring the Task Force to conduct certain studies and make certain evaluations and recommendations; requiring that the Task Force issue a report by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Review Property Tax Assessment Procedure and the Assessment Appeals Process.

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

### **Senate Bill 396 – Senator Glassman**

AN ACT concerning

#### **State Commission of Real Estate Appraisers and Home Inspectors Fund**

FOR the purpose of establishing the State Commission of Real Estate Appraisers and Home Inspectors Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; repealing a provision of law requiring the State Commission of Real Estate Appraisers and Home Inspectors to pay certain money into the General Fund of the State; authorizing the Commission to set certain fees for its services beginning on a certain date; requiring the Commission to publish a certain fee schedule; requiring the Commission to pay certain fees to the Comptroller beginning on a certain date; requiring the Comptroller to distribute certain fees to the Fund; altering certain application, renewal, reinstatement, and license fees; providing for the purpose, administration, composition, use, investments, and expenditures of the Fund;

requiring the Legislative Auditor to audit the Fund; requiring the Secretary of Labor, Licensing, and Regulation, in consultation with the Commission, to calculate certain costs annually; requiring the Commission to establish fees based on certain calculations beginning on a certain date; prohibiting certain fees from increasing more than a certain amount each year; defining certain terms; requiring that certain fees in effect on a certain date shall remain in full force and effect until certain other fees are adopted and made effective; providing for a delayed effective date; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors Fund.

BY repealing

Article – Business Occupations and Professions  
Section 16–217  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 16–217  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 16–303(a), 16–308(c), 16–310, 16–3A–03, 16–3A–05, 16–3A–08(a),  
16–505, 16–510(c), 16–512, 16–5A–01(b), and 16–5A–04(b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 16–3A–07(c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 160 of the Acts of the General Assembly of 2008)

BY adding to

Article – Business Regulation  
Section 2–106.7 and 2–106.8  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 397 – Harford County Senators**

AN ACT concerning

**Harford County – Alcoholic Beverages – Winery License**

FOR the purpose of authorizing the Harford County Liquor Control Board to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7-day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Harford County.

BY adding to

Article 2B – Alcoholic Beverages

Section 4-301 to be under the new subtitle “Subtitle 3. Class W Winery Licenses”; and 11-513(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 398 – 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 not to exceed \$150,000, 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; 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 399 – Senator Rosapepe**

AN ACT concerning

**Forest Conservation Fund Authorized Uses – Street Side Shrub Planting**

FOR the purpose of authorizing certain State and local authorities to use the Forest Conservation Fund to fund the planting of shrubs and similar plants along streets and in medians if the Department of Natural Resources determines that the planting of trees is not practicable in these areas; and generally relating to the use of the Forest Conservation Fund.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–1610  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 400 – 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 not to exceed \$50,000, 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 401 – 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 \$300,000, the proceeds to be used as a grant to the Board of Directors of the 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 Budget and Taxation.

**Senate Bill 402 – Senators Conway, Currie, Dyson, Exum, Gladden, Harrington, Jones, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, 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 certain determinations concerning certain programs approved or implemented during or after certain dates under certain circumstances; requiring the Commission to include certain findings as part of certain determinations; authorizing the Commission to take certain actions as a result of certain determinations; providing that certain decisions of the Commission concerning certain duplication of academic programs are subject to judicial review in the circuit court in accordance with certain rules and certain provisions of the Administrative Procedure Act; providing that this Act shall be construed to require the Commission to review certain determinations regarding certain duplication of academic programs; requiring Morgan State University or the University of Baltimore to accept certain students enrolled in a certain program at Towson University that has been discontinued under a certain order of the Commission or a court; 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  
(2008 Replacement Volume)

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

**Senate Bill 403 – Senators Harrington, Muse, and Peters**

AN ACT concerning

**Prince George’s County – Green Businesses – Tax Credits**

FOR the purpose of authorizing the governing body of Prince George’s County to grant, by law, a tax credit against the county property tax imposed on certain

property owned or leased by certain businesses; authorizing the governing body of Prince George's County to provide, by law, for eligibility and certification criteria for the credit, the amount and duration of the credit, certain regulations and procedures, and any other provision necessary to carry out the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit in Prince George's County for certain property owned or leased by certain businesses.

BY adding to

Article – Tax – Property  
Section 9–318(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 404 – Senator Harrington**

AN ACT concerning

#### **Public Schools – Physical Education Facilities**

FOR the purpose of requiring the State Department of Education to adopt regulations that require certain public schools occupied after a certain date to include a gymnasium and support spaces for physical education instruction and to adopt guidelines for facilities for physical education programs; and generally relating to physical education facilities in public schools.

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–409  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 405 – Senator Conway**

AN ACT concerning

#### **Procurement – Apprenticeship Training Programs**

FOR the purpose of establishing a State Apprenticeship Training Fund in the Department of Labor, Licensing, and Regulation; requiring certain payments and certain penalties to be deposited in the Fund; providing for the administration of the Fund; requiring the Secretary of Labor, Licensing, and Regulation to use money in the Fund for a certain purpose; requiring certain

contractors and subcontractors to provide certain written verification to a certain unit in accordance with certain requirements under certain circumstances; requiring certain contractors and subcontractors to make certain payments in a certain manner under certain circumstances; requiring a contractor to report certain payments on certain records; authorizing a contractor or subcontractor to make a certain request; requiring the Secretary to make a good-faith effort to accommodate a certain request; establishing certain penalties for certain violations; requiring the Secretary to adopt certain regulations; authorizing the Secretary to file a lawsuit under certain circumstances; requiring a court to require a contractor or subcontractor to pay certain penalties and costs under certain circumstances; defining certain terms; and generally relating to apprenticeship training programs.

BY adding to

Article – State Finance and Procurement

Section 17–601 through 17–606 to be under the new subtitle “Subtitle 6.

Apprenticeship Requirements for Public Works Contracts”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 406 – Senators Conway, Pugh, Currie, Della, Exum, Forehand, Frosh, Gladden, Harrington, Jones, Kelley, King, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Prevailing Wage Rates – Public Works Contracts – Suits by Employees**

FOR the purpose of expanding rights and remedies for private enforcement suits under the State prevailing wage law; authorizing certain employees to seek certain compensation and additional remedies from certain employers under certain circumstances; authorizing certain employees to file certain court actions; requiring that certain actions be brought within a certain time period; providing that a certain contract is not a bar to the recovery of certain remedies; authorizing a court to award certain employees certain wages, other compensation, and fees in certain circumstances; authorizing certain employees to bring an action on their behalf and on behalf of certain other employees; subjecting certain persons to certain civil penalties; making it a crime for an employer to engage in certain conduct against certain employees; prohibiting a contractor or subcontractor from engaging in certain conduct against certain employees; subjecting a contractor or subcontractor to certain penalties for certain violations; and generally relating to private enforcement actions under the State prevailing wage law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–224  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 407 – Senators Miller and Dyson**

AN ACT concerning

**Calvert County – Winery Special Event Permits – Farmers’ Markets**

FOR the purpose of authorizing a limited winery in Calvert County to be issued a winery special event permit for unlimited use during the calendar year at certain farmers’ markets in Calvert County; and generally relating to winery special event permits used at farmers’ markets in Calvert County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–101(u)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 408 – Senators Simonaire, Brochin, Colburn, Forehand, Gladden, Harrington, Lenett, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Environment – Water Pollution Control – Incentives and Penalties**

FOR the purpose of requiring the Department of the Environment to adopt regulations providing performance improvement incentives for the owner or operator of certain wastewater systems; requiring the incentives adopted by regulation to be in the form of reductions in certain penalties; increasing certain penalties for certain violations of the water pollution control law; requiring certain regulations to be considered when imposing a certain penalty; and generally relating to water pollution control.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–320 and 9–342  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 409 – Senator Simonaire**

AN ACT concerning

**Public Schools – Office Discipline Referrals – Accountability Policy**

FOR the purpose of requiring the State Board of Education to develop a certain model policy for accounting for certain office discipline referrals submitted in certain schools by a certain date; requiring a certain model policy to include certain information; requiring certain county boards of education to establish certain policies to account for certain office discipline referrals submitted in certain schools; requiring certain policies established by county boards of education to include certain components; requiring county boards to develop certain policies in consultation with certain groups; requiring certain county board policies to include information on certain procedures; requiring county boards to submit certain policies to the State Superintendent of Schools on or before a certain date; defining a certain term; and generally relating to an accountability policy by public schools for office discipline referrals.

BY adding to

Article – Education

Section 7–311

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 410 – Senators King, Forehand, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Northgate Homes Lighting Upgrade**

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 Northgate Homes 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 411 – Senators King, Forehand, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – RCI Group Home Renovations**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$275,000, the proceeds to be used as a grant to the Board of Directors of Residential Continuum, 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 412 – Senators King, Forehand, Garagiola, Kramer, Lenett, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Lake Whetstone Facilities**

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 Montgomery Village 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 413 – Senator King (Joint Committee on Children, Youth, and Families) and Senators Conway, Forehand, Garagiola, Greenip, Jacobs, Jones, Klausmeier, Kramer, Middleton, Muse, Peters, and Robey**

AN ACT concerning

**Joint Committee on Children, Youth, and Families – Repeal of Sunset**

FOR the purpose of repealing the termination date of the Acts that established the Joint Committee on Children, Youth, and Families; and generally relating to the Joint Committee on Children, Youth, and Families.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–10A–06  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 362 of the Acts of the General Assembly of 1999, as amended by  
Chapter 491 of the Acts of the General Assembly of 2002  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 363 of the Acts of the General Assembly of 1999, as amended by  
Chapter 491 of the Acts of the General Assembly of 2002  
Section 2

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

**Senate Bill 414 – Senators King, DeGrange, Jones, Klausmeier, Kramer, Madaleno, Muse, Raskin, and Robey**

AN ACT concerning

**Family Law – Maryland Quality Ratings and Improvement System for Child Care Programs**

FOR the purpose of requiring the State Department of Education to establish the Maryland Quality Ratings and Improvement System (QRIS); establishing certain requirements for the Maryland QRIS; clarifying the purpose of the Maryland QRIS; requiring the Department to use existing State and federal resources to fund the Maryland QRIS; authorizing the use of certain funds for certain purposes; requiring the Department to select an independent party to evaluate the validity and reliability of the Maryland QRIS; requiring the Department to provide certain information to the public on child care programs evaluated by the Maryland QRIS; requiring the Department to reduce unannounced visits to certain child care programs under certain circumstances; authorizing the Department to adopt regulations to implement this Act; requiring the Department to submit a certain report to the Governor and General Assembly each year; defining certain terms; and generally relating to the Maryland Quality Ratings and Improvement System for child care programs.

BY adding to

Article – Family Law

Section 5–585.1

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 415 – Senators Dyson and Conway**

EMERGENCY BILL

AN ACT concerning

**Election Law – Voting Systems – Requirements**

FOR the purpose of specifying that a voting system selected and certified by the State Board of Elections shall meet certain federal performance and test standards; specifying an alternative entity that may serve as the certification agent for testing laboratories for voting systems used in the State; altering and clarifying provisions relating to accessibility standards governing voting systems selected, certified, and implemented in the State; making this Act an emergency measure; and generally relating to voting system selection and certification.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–102

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

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

**Senate Bill 416 – Senator Currie**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County  
– New Revival Center of Renewal – Reauthorization**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the location of the New Revival Center of Renewal to Prince George’s County; and extending the deadline for the grantee to present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter  
219 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(CA) and ZA02(BU)

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

**Senate Bill 417 – Senators Pugh, Conway, Currie, Exum, Harrington, Kelley,  
King, Lenett, Madaleno, Middleton, Peters, Raskin, and Rosapepe**

AN ACT concerning

### **Prescription Confidentiality Act**

FOR the purpose of prohibiting certain patient–identifiable or prescriber–identifiable information from being licensed, transferred, used, or sold for any commercial purpose by certain entities; making certain provisions inapplicable to certain actions under certain circumstances; prohibiting certain provisions from being construed to prohibit certain actions; defining certain terms; and generally relating to the confidentiality of certain information on a prescription.

BY adding to

Article – Health – General  
Section 21–220.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 21–1215  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 418 – Senators Pugh, Conway, Exum, Harrington, King, Lenett,  
Peters, Rosapepe, and Stone**

AN ACT concerning

### **Commercial Law – Gift Certificates – Balances – Presumption of Abandonment**

FOR the purpose of providing that on a certain date the balance remaining on a gift certificate sold in the State shall be presumed to be abandoned; requiring each issuer of gift certificates sold in the State to report to the Comptroller certain information regarding certain gift certificate transactions in the State and to

remit to the Comptroller a certain percentage of the remaining balances on certain gift certificates on or before a certain date each year; requiring the Comptroller to distribute certain funds to the General Fund of the State on or before a certain date each year; altering the information that must be printed on a gift certificate, a sticker permanently affixed to a gift certificate, or an envelope containing a gift certificate; requiring each issuer of a gift certificate sold in the State to maintain accounts, books, and records relating to the issuance and sale of the gift certificate for a certain period of time; requiring, for each gift certificate sold in the State, that the issuer's accounts, books, and records include certain information or list the Comptroller as custodian on behalf of the purchaser; requiring the issuer to make the accounts, books, and records available for inspection by the Comptroller on request; establishing certain penalties; providing that, if a conflict exists between certain provisions of law, a certain provision shall apply; altering a certain definition; and generally relating to balances on gift certificates.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1319  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 419 – Senators Pugh, Conway, Currie, Forehand, Frosh, Gladden, Harrington, Jones, Lenett, Madaleno, McFadden, Middleton, Miller, Pinsky, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Maryland Automobile Insurance Fund – Acceptance of Premiums on Installment Basis**

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment basis under certain circumstances; requiring the Maryland Insurance Commissioner to ensure certain provisions of an installment payment plan; prohibiting the Fund from discriminating among insureds in a certain manner; prohibiting the Fund from paying a higher commission to certain producers; requiring certain written and electronic communications to include a certain statement under certain circumstances; requiring the Fund's Executive Director, in consultation with other State agencies, to develop certain criteria for a certain evaluation of the impact and effectiveness of the Fund's installment payment plan; requiring the Fund to determine certain information and the Board of Trustees of the Fund to certify the information to the Board of Directors of the Industry Automobile Insurance Association on or before a certain date; requiring the Fund to submit on or before a certain date a certain report to the Commissioner; authorizing the

Commissioner to make a certain determination under certain circumstances; requiring the Commissioner to make a certain determination on certain dates; requiring the Commissioner to retain a certain actuary and hold a certain hearing under certain circumstances; requiring a premium finance company, in the event of a certain insurance policy cancellation, to credit to a certain account or refund to a certain insured a certain amount within a certain time; requiring an independent insurance producer to provide a certain disclosure; requiring the Commissioner to study the enforcement of eligibility criteria for insurance coverage in the Fund; requiring the Fund to provide certain information to the Office of Legislative Audits on or before a certain date; requiring the Office to evaluate the overall costs of the Fund's installment payment plan on or before a certain date; requiring the Commissioner to submit certain reports; requiring the Office to submit a certain report; providing for the application of certain provisions of this Act; providing for the effective dates of this Act; and generally relating to accepting premiums on an installment basis on policies issued by the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 20–101(a) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–404, 20–507, 23–304, and 23–505.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 420 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Glassman, Greenip, Haines, Harris, Kittleman, Klausmeier, Middleton, Mooney, Munson, Muse, Pipkin, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Victims of Crime – Burglary and Crimes of Violence – Civil Immunity**

FOR the purpose of providing that a person may not be liable for damages for a personal injury or death of an individual who enters the person's dwelling or place of business with the intent to commit certain crimes under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to providing certain immunity from civil liability to a victim of certain crimes under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–808  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 6–202 through 6–204 and 14–101(a)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 421 – Senators Jacobs, Colburn, Forehand, Kelley, King, Kittleman, Mooney, Munson, Pugh, Raskin, and Stone**

AN ACT concerning

**Social Services Administration – Children at Substantial Risk of Abuse or Neglect – Identification and Notice**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to provide certain birth record information to the Executive Director of the Social Services Administration in the Department of Human Resources under certain circumstances; requiring the Executive Director to provide certain information regarding certain individuals to the Secretary; requiring the Executive Director to take certain action following the receipt of certain information from the Secretary; providing a certain exception to the confidentiality of certain vital records; and generally relating to the Social Services Administration and children at substantial risk of abuse or neglect.

BY adding to

Article – Health – General  
Section 4–222  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 4–224  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Family Law  
Section 5–715

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 422 – Senators Jacobs, Colburn, Greenip, Haines, Harris, Mooney,  
Simonaire, and Stone**

AN ACT concerning

**Child Protection from Predators Act of 2009**

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain offender or child sexual offender committed to the custody of the Commissioner of Correction or sentenced to a term of imprisonment in a local correctional facility; providing for the application of this Act; and generally relating to the earning of diminution credits by offenders and child sexual offenders.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702 and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 423 – Senator Kelley**

AN ACT concerning

**Consumer Protection – Debt Collection – Collecting from a Cosigner**

FOR the purpose of requiring certain debt collectors to attempt collection of a debt from a certain borrower before attempting to collect the debt from a certain cosigner; and generally relating to the collection of a debt from a cosigner.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–203  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 424 – Senators Jacobs, Colburn, Haines, Mooney, and Simonaire**

AN ACT concerning

**Crimes – Commission of Vehicular Manslaughter While Driver’s License or Privilege Is Suspended or Revoked – Mandatory Minimum Sentence**

FOR the purpose of prohibiting a person from committing manslaughter by vehicle or vessel while in violation of certain provisions related to driving while the person’s license or privilege to drive is suspended or revoked; establishing a penalty, including a certain mandatory minimum penalty for a violation of this Act; prohibiting a court from suspending part of a certain minimum sentence imposed under this Act; providing that a person convicted of a felony under this Act is not eligible for parole for a certain period of time; providing that this Act may not be construed to prohibit a certain assessment of points; and generally relating to a mandatory minimum sentence for the commission of manslaughter by vehicle or vessel while in violation of certain provisions related to driving while the license or privilege to drive is suspended or revoked.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 2–209

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY adding to

Article – Criminal Law

Section 2–210

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–303

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 425 – Senators Jacobs, Astle, Brochin, Colburn, DeGrange, Glassman, Harris, Klausmeier, Kramer, McFadden, Mooney, and Stone**

AN ACT concerning

**Criminal Procedure – Offender Registry – Retroactivity**

FOR the purpose of providing that certain provisions requiring the registration on a certain offender registry of certain persons convicted of committing certain offenses are to be applied retroactively to include a person convicted on or after a certain date of an offense committed before a certain date; and generally relating to the offender registry.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–702.1

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Criminal Procedure

Section 11–704

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 426 – Senators Jacobs, Astle, Colburn, Glassman, Greenip, Harris, Klausmeier, and Mooney**

AN ACT concerning

**Vehicle Laws – Reckless Driving While License Is Suspended or Revoked  
– Penalty for Serious Bodily Injury**

FOR the purpose of establishing a certain penalty for a person who, while in violation of certain provisions related to driving while a license is canceled, suspended, refused, or revoked, commits a violation of a certain prohibition against reckless driving that results in serious bodily injury or death; and generally relating to reckless driving while a license is canceled, suspended, refused, or revoked.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–303 and 21–901.1(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation

Section 27–101(cc)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 427 – Senators Jacobs, Colburn, Harris, Kittleman, Mooney, and Stone**

AN ACT concerning

**Criminal Law – Sexual Offense in the Second Degree – Penalties**

FOR the purpose of increasing the mandatory minimum penalty for a person convicted of a sexual offense in the second degree under certain circumstances; prohibiting a court from suspending any part of the mandatory minimum sentence; requiring the State to notify a certain person in writing of the State's intention to seek a certain sentence; and generally relating to sexual offenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–306  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 428 – Senators Raskin, Astle, Frosh, Mooney, and Rosapepe**

AN ACT concerning

**Vehicle Laws – Bicycles, EPAMDs, and Motor Scooters – Rules of the Road**

FOR the purpose of requiring a driver of a vehicle, when overtaking a bicycle, an EPAMD, or a motor scooter, to pass safely at a certain distance; requiring a driver of a motor vehicle to yield the right-of-way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bicycle lane; and generally relating to the rules of the road for bicycles, EPAMDs, and motor scooters.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1209  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 429 – Senators Forehand, Garagiola, King, Kramer, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Gaithersburg Community Museum**

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 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 430 – Senators Forehand and Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Rockville Historic Post Office Renovation**

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 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; 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 431 – Senator Greenip**

AN ACT concerning

**Vehicle Laws – School Buses – Paint Standards**

FOR the purpose of clarifying that school vehicles shall be painted using certain colors in accordance with the paint scheme specified in Motor Vehicle Administration regulations; requiring the Administration, in consultation with the State Department of Education, to adopt and enforce regulations to provide construction standards and product specifications for school vehicles; providing

that certain regulations may not be inconsistent with federal law; making stylistic changes; and generally relating to paint standards for school buses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–418 and 25–110  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 432 – Senators Jacobs, Pipkin, Colburn, Glassman, Harris, and Stone**

AN ACT concerning

**Environment – Sewage Sludge Utilization – Zoning and Lane Use Requirements**

FOR the purpose of prohibiting the Department of the Environment from issuing a sewage sludge utilization permit for a site unless the site meets all county zoning and land use requirements or ordinances; and generally relating to the use of sewage sludge.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–233  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 433 – Senator Astle**

AN ACT concerning

**State Board of Physicians – Polysomnographic Technologists – Education and Licensing Requirements**

FOR the purpose of requiring the State Board of Physicians to waive certain education requirements for certain polysomnographic technologists who meet certain requirements by a certain date; altering the date by which an individual must be licensed before the individual may practice polysomnography in the State; and generally relating to education and licensing requirements for polysomnographic technologists.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–5C–01(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–08 and 14–5C–10  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 434 – Senator Astle**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Yacht Club License**

FOR the purpose of altering certain requirements that a yacht club in Anne Arundel County must meet to be issued a special Class C (yacht club) alcoholic beverages license; making certain stylistic changes; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(c)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(c)(5)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 435 – Senator Della**

AN ACT concerning

**Health Care Facilities – Reporting and Reimbursement for Never Events**

FOR the purpose of requiring certain hospitals or related institutions or long-term care facilities to report certain never events within a certain period of time; specifying that a failure to report the never event as required will result in a certain rebuttable presumption; prohibiting a hospital or related institution that has been deemed responsible for a never event from receiving certain reimbursement or payment; requiring a long-term care facility that has been deemed responsible for a never event to make certain reimbursements; requiring the Secretary of Health and Mental Hygiene to seek certain authorizations and approvals from the United States Department of Health and Human Services; specifying that any action taken to enforce the provisions of this Act are in addition to other action allowed under State or federal law; defining certain terms; and generally relating to the reporting of and reimbursement for never events.

BY adding to

Article – Health – General  
Section 15–146  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 19–301(f) and (o)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 436 – Senator Della**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages – Seating Capacity for Restaurants**

FOR the purpose of increasing the minimum seating capacity requirement for a restaurant that is licensed to serve alcoholic beverages and that has a certain minimum capital investment in certain areas in Baltimore City; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 9–204.1(f)(1) and (2)(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9-204.1(f)(2)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 437 – Senator Della**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Women’s Industrial Exchange**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$175,000, the proceeds to be used as a grant to the Board of Directors of the Women’s Industrial Exchange of Baltimore City, 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 Budget and Taxation.

**Senate Bill 438 – Senator Della**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Transportation to Licensed Establishment**

FOR the purpose of prohibiting a holder of an alcoholic beverages license in Baltimore City from directly or indirectly arranging or contracting for transportation for individuals to the licensed establishment of the license holder; providing certain penalties; and generally relating to alcoholic beverages in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages  
Section 21-105.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 439 – Senator Middleton**

AN ACT concerning

**Health Insurance – Prompt Pay – Modifications and Clarifications**

FOR the purpose of requiring an insurer, nonprofit health service plan, or health maintenance organization to comply with certain requirements when reprocessing a claim; clarifying that, notwithstanding compliance with certain notice requirements, if an insurer, nonprofit health service plan, or health maintenance organization fails to pay a certain claim or otherwise violates certain provisions of law, the insurer, nonprofit health service plan, or health maintenance organization shall pay interest on a certain amount; and generally relating to modifications and clarifications of prompt pay requirements for health insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–1005  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 440 – 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 defects; prohibiting the Dorchester County Board of License Commissioners from approving the transfer of a certain license issued on or before a certain date; authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant a certain property tax credit for certain residential real property owned by a disabled correctional officer or the surviving spouse of a certain fallen correctional officer; 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 defects in order to validate those Acts.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 5–201(k)(4) and 9–102(a)  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 10–401(11)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 10–340 and the part “Part VI. Registration, Enforcement, and  
Modification of Support Order”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–1802(a)(13) through (23)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–210  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–619.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without 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 and Chapters 624  
and 625 of the Acts of the General Assembly of 2008  
Section 14

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

**Senate Bill 441 – Senator Stone**

AN ACT concerning

**Criminal Procedure – Offender Registry – Retroactivity**

FOR the purpose of providing that certain provisions requiring the registration on a certain offender registry of certain persons convicted of committing certain offenses are to be applied retroactively to include a person convicted on or after a certain date of an offense committed before a certain date; and generally relating to the offender registry.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–702.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–704  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 442 – Senators Jacobs, Colburn, Forehand, Greenip, Kittleman, Mooney, Munson, Simonaire, and Stone**

AN ACT concerning

**Department of Health and Mental Hygiene – Umbilical Cord Blood Banking – Educational Publication**

FOR the purpose of requiring a hospital to allow a pregnant patient to arrange for the donation of umbilical cord blood to a certified private cord blood bank under certain circumstances; requiring the Department of Health and Mental Hygiene, in consultation with certain groups, to develop an educational publication; specifying the content of the publication; requiring the Department to update and distribute a certain publication; requiring providers of obstetrical services to distribute a certain publication under certain circumstances; making a certain exception; providing that certain providers of obstetrical services may not be subject to certain discipline; prohibiting the creation of a certain cause of action; requiring the Department to complete the development of a certain publication by a certain date; and generally relating to the development of an educational publication concerning the banking of umbilical cord blood.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–308.7  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

## INTRODUCTION OF JOINT RESOLUTIONS

### Senate Joint Resolution 5 – Senator McFadden

A Senate Joint Resolution concerning

#### **Labor and Employment – Employee Free Choice Act**

FOR the purpose of urging the United States Congress to enact legislation otherwise known as the Employee Free Choice Act, which establishes an efficient system to enable employees to form, join, or assist labor organizations.

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

## QUORUM CALL

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

(See Roll Call No. 82)

## ADJOURNMENT

At 8:28 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 3, 2009 in memory of Don Praisner and in memory of the Victims of Domestic Violence.

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**Annapolis, Maryland  
Tuesday, February 3, 2009  
10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Reverend Ken Valentine, Wesley Grove United Methodist Church, Hanover, Md.

(See Exhibit A of Appendix III)

The Journal of February 2, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 84)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Special Olympics	Senator DeGrange	212

Read and adopted by a roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 85)

**INTRODUCTION OF BILLS**

**Senate Bill 443 – Senator Madaleno**

AN ACT concerning

**Teachers' Retirement and Pension Systems – Reemployment of Retirees –  
Retired Higher Education Faculty**

FOR the purpose of requiring that certain retirees of the Teachers' Retirement System or Teachers' Pension System who, prior to retirement received their salary in a certain manner, are subject to a certain earnings limitation calculated in a certain manner if they are reemployed by a certain employer; and generally relating to the reemployment of retired higher education faculty.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(1) and 23–407(c)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(c)(2) and 23–407(c)(2)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 444 – Senator Madaleno**

AN ACT concerning

**Maryland Transit Administration Study – New MARC Train Station**

FOR the purpose of requiring the Maryland Transit Administration to conduct a certain study related to adding a new Maryland Area Regional Commuter (MARC) Train station in a certain location and to submit a certain report to the Governor and the General Assembly by a certain date; and generally relating to a study on adding a new MARC Train station.

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

**Senate Bill 445 – Senator Madaleno**

AN ACT concerning

**Petitions – Signer Photo Identification Requirement and Affidavit**

FOR the purpose of requiring that each affidavit on each signature page of a petition contain a certain statement that the circulator has seen a certain form of photo identification for each signer; requiring an individual signing a petition to show the circulator of a petition certain photo identification; requiring that each signature page of a petition contain an affidavit by an individual who observed

each signer's photo identification; requiring a certain affidavit to contain a statement that the circulator has seen the signer's photo identification; and generally relating to photo identification and affidavit requirements applicable to the signer and the circulator of a petition.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 6–201(c), 6–203, and 6–204  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **THE COMMITTEE ON FINANCE REPORT #5**

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

**Senate Bill 71 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Certificate of Need Requirements**

**SB0071/117879/1**

BY: Finance Committee

### AMENDMENTS TO SENATE BILL 71 (First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 4, after “closure” insert “or partial closure”; and in the same line, after “facilities” insert “; authorizing the Maryland Health Care Commission to require a health care facility to hold a certain hearing in a certain location under certain circumstances; specifying when the hearing must be held; and generally relating to certificate of need requirements and the Maryland Health Care Commission”.

#### AMENDMENT NO. 2

On page 1, in line 14, after “(l)” insert “**(1)**”; and in lines 17 and 21, strike “(1)” and “(2)”, respectively, and substitute “**(I)**” and “**(II)**”, respectively.

On page 2, after line 2, insert:

**“(2) (I) IF A HEALTH CARE FACILITY INTENDS TO CLOSE OR PARTIALLY CLOSE, THE COMMISSION MAY REQUIRE THE HEALTH CARE FACILITY, IN CONSULTATION WITH THE COMMISSION, TO HOLD A PUBLIC INFORMATIONAL HEARING IN THE COUNTY WHERE THE HEALTH CARE FACILITY IS LOCATED.**

**“(II) A HEALTH CARE FACILITY SHALL HOLD A HEARING REQUIRED UNDER SUBPARAGRAPH (1) OF THIS PARAGRAPH AT LEAST 15 DAYS BEFORE THE CLOSING OR PARTIAL CLOSING OF THE HEALTH CARE FACILITY.”.**

The preceding 2 amendments were 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 45 Members present.

(See Roll Call No. 86)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #5**

**Senate Bill 42 – Senator Conway**

AN ACT concerning

**Natural Resources – BayStat Subcabinet – Membership**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 87)

The Bill was then sent to the House of Delegates.

**Senate Bill 60 – Chair, Finance Committee (By Request – Departmental – Public Service Commission)**

AN ACT concerning

**Maryland Transit Administration – Mass Transit Service Alterations – Public Service Commission and People’s Counsel Reporting and Representation Requirements**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 88)

The Bill was then sent to the House of Delegates.

**Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Uniform Commercial Code – Financing Statements – Termination by Government Employees**

Senator Middleton moved, duly seconded, to place **Senate Bill 62** back on second reading for the purpose of adding amendments.

The motion was adopted.

Bill on Second Reading and open to amendments.

**SB0062/373927/1**

BY: Senator Middleton

AMENDMENT TO SENATE BILL 62  
(Bill as Printed for Third Reading)

On page 4, in line 16, strike “**THE**” and substitute “**IF THE**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 63 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Oral Health Safety Net Program – Sunset Repeal**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 89)

The Bill was then sent to the House of Delegates.

**Senate Bill 73 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Sale of Land Preservation Easements – Confidentiality of Records**

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

Affirmative – 43      Negative – 2      (See Roll Call No. 90)

The Bill was then sent to the House of Delegates.

**Senate Bill 76 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Baltimore City Community College)**

AN ACT concerning

**Baltimore City Community College – Term of Student Trustee**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 91)

The Bill was then sent to the House of Delegates.

**Senate Bill 90 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Valuation of  
Terminated Easements**

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

Affirmative – 45      Negative – 0      (See Roll Call No. 92)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 93)

**ADJOURNMENT**

At 10:35 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 4, 2009.

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**Annapolis, Maryland  
Wednesday, February 4, 2009  
10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Reverend Dan Holland, United Parish of Bowie, guest of Senator Douglas J. J. Peters.

(See Exhibit A of Appendix III)

The Journal of February 3, 2009 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 95)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Maryland Library Community	The President and All Members	233

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 96)

**INTRODUCTION OF BILLS**

**Senate Bill 446 – Senator Pipkin**

AN ACT concerning

**State Property Tax – Homeowner’s Property Tax Assessment Cap Reduction**

FOR the purpose of altering the maximum homestead property tax credit percentage for the State property tax; providing for the application of this Act; and

generally relating to the homestead property tax credit and the State property tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(e)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 447 – Senators Muse, Frosh, Haines, Mooney, Peters, Raskin, and Stone**

AN ACT concerning

**Public Safety – SWAT Team Activation and Deployment – Reports**

FOR the purpose of requiring, at certain intervals beginning on a certain date, a law enforcement agency that maintains a SWAT team to report certain information to the Office of the Attorney General using a certain format; requiring the Police Training Commission, in consultation with the Office, to develop a standardized format that certain law enforcement agencies shall use in reporting certain data relating to the activation and deployment of certain SWAT teams to the Office and to certain local officials; requiring a law enforcement agency to compile certain information as a report in a certain format and to submit the report to the Office no later than a certain date following the period that is the subject of the report; requiring the Office to analyze and summarize certain reports of law enforcement agencies and to submit a report of the analyses and summaries to the Governor, the General Assembly, and each law enforcement agency before a certain date of each year; providing that, if a law enforcement agency fails to comply with the reporting provisions of this Act, the Office shall report the noncompliance to the Police Training Commission; providing that the Commission shall contact a certain law enforcement agency and request that the agency comply with this Act under certain circumstances; providing that, if a certain law enforcement agency fails to comply with certain reporting provisions within a certain period after being contacted by the Commission, the Office of the Attorney General and the Commission jointly shall make a certain report to the Governor and the Legislative Policy Committee of the General Assembly; defining certain terms; and generally relating to the activation and deployment of SWAT teams.

BY adding to  
Article – Public Safety  
Section 3–507  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 448 – Senator Edwards**

AN ACT concerning

**Local School Systems – Biannual Financial Status Report Requirement –  
Repeal**

FOR the purpose of repealing the requirement that a local superintendent of schools or chief executive officer of a local school system file a certain biannual report on the financial status of a local school system; requiring a certain local school system that has a certain financial deficit to include certain information in a certain annual audit; and generally relating to reporting requirements for local school systems.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–114  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 449 – Senator Edwards**

AN ACT concerning

**Allegany County and Garrett County – Exceptional Hauling Permits for  
Forestry Products – Sunset Repeal**

FOR the purpose of repealing the termination date for a certain provision of law relating to the issuance of exceptional hauling permits for forestry products in Allegany County and Garrett County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 24–113.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 409 of the Acts of the General Assembly of 2006  
Section 4

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

**Senate Bill 450 – Senator Edwards**

AN ACT concerning

**Allegheny County – Upper Potomac River Commission – Savage River Dam  
– Borrowing Authority**

FOR the purpose of repealing a certain limitation on the amount the County Commissioners of Allegheny County may borrow for a capital outlay on behalf of the Upper Potomac River Commission; repealing a requirement that certain voters approve the capital outlay; authorizing the County Commissioners to borrow certain money, by resolution, for the capital outlay; repealing a requirement that certain bonds bear a certain interest rate, contain interest coupons, be in a certain denomination, and mature within a certain number of years; requiring the County Commissioners to determine the form of certain bonds, including any interest coupons, the date of maturity, the denomination of the bonds, and the date for payment of principal and interest; authorizing the bonds to be redeemable before their maturity at certain prices; repealing a requirement that the voters of Allegheny County approve borrowing certain money; making stylistic changes and technical corrections; and generally relating to the authority of the County Commissioners of Allegheny County to borrow certain money on behalf of the Upper Potomac River Commission.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Allegheny County  
Section 76–7  
Article 1 – Public Local Laws of Maryland  
(1983 Edition and July 2008 Supplement, as amended)

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

**Senate Bill 451 – Senator Lenett**

AN ACT concerning

**Labor and Employment – Maryland Wage and Hour Law – Criminal Penalties**

FOR the purpose of increasing certain criminal penalties for violations of certain wage and hour laws; establishing that each occurrence of a certain violation for a certain period is considered a separate offense; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment

Section 3-428  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 452 – Senator Lenett**

AN ACT concerning

**Labor and Employment – Maryland Wage and Hour Law – Damages**

FOR the purpose of allowing an employee to recover certain damages under certain circumstances; requiring a court to allow certain costs against an employer for a certain recovery in a certain action; and generally relating to violations of the wage and hour laws.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 3-413, 3-415(a), 3-419, and 3-420  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3-427  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 453 – Senators Peters, King, and Muse**

AN ACT concerning

**Income Tax – Payments – Sale of Real Property by Nonresidents**

FOR the purpose of altering the rate of tax that must be paid to the clerk of the circuit court for a county or to the Department of Assessments and Taxation before the recording of certain deeds for the sale of certain property; and generally relating to certain requirements for certain amounts to be paid to the clerk of the circuit court for a county or to the Department of Assessments and Taxation prior to the recording of certain deeds for the sale of certain property.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10-912(c)

Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 454 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – South Bowie Boys and  
Girls Club Concession Stand**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Board of Directors of the South Bowie 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 Budget and Taxation.

**Senate Bill 455 – Senator Glassman**

AN ACT concerning

**Insurance Producers – Limited Lines License – Sale of Insurance  
Products to Fund Pre-Need Contracts**

FOR the purpose of authorizing the Maryland Insurance Commissioner to issue a limited lines license to a licensed mortician or licensed funeral director to sell life insurance or an annuity product used solely to fund a certain pre-need contract; and generally relating to limited lines licenses for insurance producers.

BY adding to

Article – Insurance

Section 10–125.1

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 456 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Garrett–Jacobs Mansion**

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 Garrett–Jacobs Mansion Endowment 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; 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 457 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Government – Maryland Tort Claims Act – Malice or Gross Negligence**

FOR the purpose of providing that claims filed against State personnel individually for any malicious or grossly negligent tortious act or omission of the State personnel are subject to the restrictions placed on filing a claim under the Maryland Tort Claims Act; providing for the application of this Act; and generally relating to the Maryland Tort Claims Act.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 5–522(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 12–106  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 458 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Treasurer – Local Government Units – Local Debt Policies**

FOR the purpose of requiring a certain report of the financial officer of a political subdivision to be submitted to the State Treasurer; requiring certain additional information to be included in the report; requiring certain financial officers to submit a certain updated report on request of the State Treasurer; repealing a requirement that certain local government investment guidelines include a certain form; requiring each local government unit to adopt a certain local debt policy; requiring a copy of the policy to be mailed to the State Treasurer; requiring the State Treasurer to send a certain notice if the State Treasurer makes certain findings regarding the policy; requiring a certain local governing body to revise the policy under certain circumstances; requiring a local governing body to submit a certain revised policy under certain circumstances; requiring the State Treasurer to contact a certain local government if certain requirements are not met; requiring certain financial officers to provide certain information requested by the State Treasurer; altering certain definitions; defining certain terms; repealing obsolete language; making stylistic changes; making technical corrections; and generally relating to local debt policies of local government units.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 2–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22F  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 459 – Senators Madaleno, Forehand, Frosh, Garagiola, King, Kramer, Lenett, and Raskin**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002, 2003, 2004, and 2007  
– Victory Youth Centers**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2002, 2003, 2004, and 2007 to alter the purpose and project location of certain grants to the Board of Directors of Victory Youth Centers, Inc.; and generally relating to altering certain grants to the Board of Directors of Victory Youth Centers, Inc.

BY repealing and reenacting, with amendments,  
Chapter 290 of the Acts of the General Assembly of 2002  
Section 1(3) Item ZA00 (OO)

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)(i) Item (AV) and (ii) Item (O)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA01 (AT) and Item ZA02 (BH)

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

**Senate Bill 460 – Senators Madaleno, Forehand, Frosh, Garagiola, King,  
Kramer, Lenett, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – LEDC 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 Latino Economic Development Corporation (LEDC) 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 Madaleno, Forehand, Frosh, Garagiola, King,  
Kramer, Lenett, and Raskin**

AN ACT concerning

**Creation of a 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 462 – Senator Kittleman**

AN ACT concerning

**Procurement – Prevailing Wage – School Construction**

FOR the purpose of increasing to a certain amount the percentage of State money that must be used in an elementary or secondary school construction project before the Prevailing Wage Law applies; altering certain definitions; and generally relating to the application of the Prevailing Wage Law to elementary or secondary school construction.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), 17–210(a) and (c), and 17–214  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(i) and (j)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 463 – Senator Lenett**

AN ACT concerning

**Maryland Youth Advisory Council – Youth Members**

FOR the purpose of altering the term of a youth member of the Maryland Youth Advisory Council; altering the term of a youth member who is elected cochair of the Council; requiring the State Department of Education to categorize certain school absences of a youth member as lawful absences under certain circumstances; and generally relating to youth members on the Maryland Youth Advisory Council.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2701  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 464 – Senators Edwards, Colburn, Mooney, Munson, and Stoltzfus**

AN ACT concerning

**Maryland Trauma Physician Services Fund – Rural Trauma Centers**

FOR the purpose of altering the definition of trauma center to include Peninsula Regional Medical Center, the Western Maryland Health System, and Washington County Hospital; and generally relating to the Maryland Trauma Physician Services Fund.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–130(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–130(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 465 – Senator Stone**

AN ACT concerning

**Environment – Floating Vessel Platforms**

FOR the purpose of authorizing a person to construct, install, operate, or maintain a floating vessel platform without having to obtain a license from the Board of Public Works or a permit from the Department of the Environment under certain circumstances; and generally relating to floating vessel platforms.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 16–105  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 466 – Senator Stone**

AN ACT concerning

**Labor and Employment – Employment Contracts – Implied Covenant of Good Faith and Fair Dealing**

FOR the purpose of creating an implied covenant of good faith and fair dealing in employment contracts; establishing that this Act does not apply to local, State, or federal government employees; prohibiting an employer from discharging an employee in bad faith or without good cause; authorizing an employee to waive the implied covenant of good faith and fair dealing under certain circumstances; requiring an employer to explain a certain waiver to an employee before the employee signs the waiver; providing that a certain waiver does not waive certain rights or benefits; and generally relating to an implied covenant of good faith and fair dealing and employment contracts.

BY adding to

Article – Labor and Employment  
Section 3–710  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 467 – Senators Stone and Miller**

AN ACT concerning

**Domestic Violence – Expungement of Records**

FOR the purpose of requiring a court, after a certain hearing, to order the expungement of certain court records under certain circumstances; authorizing a respondent in a certain proceeding for relief from abuse to file a petition to expunge court records relating to the proceeding under certain circumstances; requiring the petition to be filed in a certain court; requiring the petition to be served on certain persons; requiring the court to hold a hearing if an objection is filed within a certain time; requiring the court to order the expungement of all court records about the proceeding under certain circumstances; providing a certain exception; requiring certain custodians to notify the court and the person seeking expungement of compliance with the order; defining certain terms; and generally relating to expungement of certain court records.

BY adding to

Article – Family Law  
Section 4–512  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 468 – Senators Stone and Zirkin**

AN ACT concerning

**Courts – Jury Trials in Civil Actions – Amount in Controversy**

FOR the purpose of altering the amount in controversy in a civil action in which a party may not demand a jury trial; providing for the construction and application of this Act; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to jury trials in civil actions.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–402(e)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 469 – Senators Stone and Zirkin**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Civil Jury Trials – Amount in Controversy**

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to alter the amount in controversy in civil proceedings in which the right to a jury trial may be limited by legislation; altering the amount in controversy in civil proceedings in which the right to a jury trial shall be inviolably preserved; 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  
Declaration of Rights  
Article 5(a) and 23

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

**Senate Bill 470 – Senators Kittleman, Kasemeyer, Pipkin, and Robey**

AN ACT concerning

**Unemployment Insurance – Recreational Sports Officials – Coverage**

FOR the purpose of providing that certain work performed by a recreational sports official under certain circumstances is not covered employment for purposes of unemployment insurance; defining certain terms; and generally relating to coverage of recreational sports officials under unemployment insurance law.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 8–205

Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment

Section 8–206(g)

Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 471 – Senator Kelley**

AN ACT concerning

**Assisted Living Managers – Certification Requirement**

FOR the purpose of establishing a certification process for assisted living managers; requiring the Department of Health and Mental Hygiene to require that assisted living managers be certified; renaming the Board of Nursing Home Administrators to be the Board of Nursing Home Administrators and Assisted Living Managers; altering the composition of the Board; altering the appointment process and qualifications for the executive director of the Board; requiring that certain individuals be certified by the Board before practicing as assisted living managers in the State; establishing certain qualification requirements for obtaining a certain certificate; providing a certain exemption for certain experience and training requirements; establishing certain application fees and requirements for obtaining a certificate; requiring the Board to keep a certain file on certain applications for certificates; establishing certain terms and procedures for the renewal and reinstatement of a certificate; establishing certain terms and conditions for an inactive certificate; prohibiting

a certificate holder from surrendering a certificate under certain circumstances; authorizing the Board to deny a certificate to an applicant, reprimand a certificate holder, place a certificate holder on probation, or suspend or revoke a certificate under certain circumstances; providing for certain criminal and civil penalties, establishing certain hearing and appeal procedures for certificate holders; providing for certain vacancies on the Board; defining certain terms; and generally relating to certification requirements for assisted living managers.

BY renumbering

Article – Health Occupations  
Section 9–317  
to be Section 9–208  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 19–1801 and 19–1807  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 19–1805(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 9–101, 9–201 through 9–203, 9–315 through 9–316.1, 9–401 through 9–403, and 9–501 to be under the amended title “Title 9. Nursing Home Administrators and Assisted Living Managers”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations  
Section 9–102, 9–407, and 9–502  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 9–208  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

(As enacted by Section 1 of this Act)

BY adding to

Article – Health Occupations

Section 9–3A–01 through 9–3A–15 to be under the new subtitle “Subtitle 3A.  
Certification of Assisted Living Managers”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 472 – Senators Pinsky, Conway, Della, Frosh, Harrington, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Income Tax – Corporations – Denial of Deduction for Excessive Compensation of Officers and Directors**

FOR the purpose of providing an addition modification under the State corporate income tax for certain compensation by a corporation of its officers and directors; providing for the application of this Act; and generally relating to an addition modification for Maryland income tax for certain compensation by a corporation.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–305(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General

Section 10–305(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 473 – Senators Lenett, Garagiola, Harrington, Jones, Madaleno, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Environment – Recycling – Public School Plans**

FOR the purpose of requiring a county recycling plan to address the collection, processing, marketing, and disposition of recyclable materials from county public schools; requiring a county to submit a revised recycling plan by a certain date; and generally relating to county recycling plans.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1703  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 239 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 474 – Senators Lenett, Frosh, Garagiola, Harrington, Madaleno, Pugh, and Raskin**

AN ACT concerning

**Courts – Family Law – Award for Reasonable and Necessary Expense for Pro Bono Representation**

FOR the purpose of authorizing a court in a certain proceeding to award an amount for the reasonable and necessary expense of prosecuting or defending a proceeding to a lawyer, a law firm, or an organization that represents a party free of charge; authorizing the court to make such an award in a proceeding relating to divorce, alimony, or property or personal rights; authorizing the court to award an amount for costs and counsel fees in a proceeding relating to child support, custody, or visitation to a lawyer, a law firm, or an organization that represents a party free of charge; and generally relating to an award for reasonable and necessary expense for pro bono representation in certain proceedings.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–107, 8–214, 11–110, and 12–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 475 – Senator Pipkin**

EMERGENCY BILL

AN ACT concerning

**Chesapeake Bay Bridge – Independent Inspection Required Before Toll, Fee,  
or Penalty Increase**

FOR the purpose of prohibiting the Maryland Transportation Authority from imposing an increase in a toll, fee, or penalty for the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge until a certain inspection is conducted; requiring the Authority to retain the services of an entity that is independent of and not affiliated in any way with the Authority to conduct the inspection; requiring the Authority to mandate that the entity conducting the inspection use the most exacting and state-of-the-art technology in the industry to conduct the inspection; making this Act an emergency measure; and generally relating to a prohibition on toll, fee, or penalty increases for the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge until a certain inspection is conducted.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4-312(c)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 476 – Senator Pipkin**

AN ACT concerning

**Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact  
Study for a Third Span**

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation Authority, in collaboration with certain other agencies, to commence the process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4-205  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 477 – Senator Pipkin**

AN ACT concerning

**Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; authorizing the Authority, on or after the effective date of this Act, to continue to charge and collect a toll of the same amount in effect before the effective date of this Act; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 478 – 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  
(2008 Replacement Volume)

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

**Senate Bill 479 – Senators Pipkin and Jacobs**

AN ACT concerning

**Maryland Transportation Authority – Bonding Authority**

FOR the purpose of modifying a certain limit on the issuance of certain debt by the Maryland Transportation Authority; and generally relating to Maryland Transportation Authority revenue bonds and the issuance of debt.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–306  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 480 – Senator Pipkin**

AN ACT concerning

**Operating Budget – Elimination of Inflation Adjustments**

FOR the purpose of repealing the inflation calculation for the target per pupil foundation amount for the calculation of education aid; repealing the inflation calculation for transportation aid for local school systems; modifying the calculation for the Aging School Program; repealing the inflation calculation for the funding grant to St. Mary's College of Maryland; repealing the inflation calculation for State funding for the local health services; repealing the inflation calculation for the Child Abuse Medical Providers Initiative; repealing the inflation calculation for the Maryland State Arts Council; and generally relating to automatic inflation adjustments for State aid.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(13), 5–205(c), 5–206(f), and 14–405(b)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–207(a)(4), 5–208(a)(6), 5–209(a)(7), 8–310.3(a)(4) and (b), and  
8–317(a)(4), (b), and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 2–301, 2–302, and 13–2206(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13–2206(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–325(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 481 – Senator Pipkin**

AN ACT concerning

#### **Health Insurance – Dental Provider Panels – Provider Contracts**

FOR the purpose of repealing the exception of certain provider contracts for dental provider panels from certain provisions of law; requiring a provider contract for a dental provider panel to disclose the carriers that comprise each provider panel; prohibiting a provider contract for a dental provider panel from containing a provision requiring a provider to accept certain schedules of fees under certain circumstances; prohibiting a provider contract for a dental provider panel from requiring a provider to treat certain enrollees of certain carriers under certain circumstances; providing for the application of this Act; providing for the effective date of this Act; and generally relating to health insurance provider contracts for dental provider panels.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–112.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 688 of the Acts of the General Assembly of 2008)

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

### **Senate Bill 482 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Queen Anne’s County – Kennard High School  
Restoration**

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 Kennard Alumni 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 Budget and Taxation.

**Senate Bill 483 – Senator Pipkin**

EMERGENCY BILL

AN ACT concerning

**Chesapeake Bay Bridge – Inspection by Independent Entity Required**

FOR the purpose of requiring the Maryland Transportation Authority to cause an inspection to be conducted of all elements of the superstructure and substructure of the Chesapeake Bay Bridge on or before a certain date; requiring the Authority to retain the services of an entity that is independent of and not affiliated with the Authority to conduct the inspection; requiring the Authority to mandate that the entity conducting the inspection use the most exacting and state-of-the-art technology in the industry to complete its evaluation; making this Act an emergency measure; and generally relating to an inspection of the Chesapeake Bay Bridge by an independent entity.

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

**Senate Bill 484 – Senators Pipkin and Jacobs**

AN ACT concerning

**Cecil County – Public Facilities Bond Bill**

FOR the purpose of authorizing and empowering the County Commissioners of Cecil County, from time to time, to borrow not more than \$5,000,000 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 485 – Senators Mooney, Astle, Brinkley, Colburn, DeGrange, Edwards, Glassman, Greenip, Haines, Harris, Kittleman, Klausmeier, Middleton, Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**Public Safety – Handgun Permits – Federal Flight Deck Officers**

FOR the purpose of requiring the Secretary of State Police to issue a permit to carry, wear, or transport a handgun within a reasonable time to an applicant who can provide documentation that the applicant has successfully completed the Federal Flight Deck Officer Program of the Transportation Security Administration of the United States Department of Homeland Security and has been authorized to use a firearm to defend against an act of criminal violence or air piracy committed by a person who is attempting to gain control of an aircraft; and generally relating to permits to carry, wear, or transport a handgun.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 486 – Senators Kelley, Forehand, Gladden, and Raskin**

AN ACT concerning

**Criminal Procedure – Petition for Writ of Actual Innocence – Newly Discovered Evidence**

FOR the purpose of authorizing a convicted person to file a petition for writ of actual innocence in a certain court if the person claims that there is newly discovered evidence that meets certain requirements; establishing requirements for a petition filed under this Act; requiring the court to hold a hearing on the petition under certain circumstances, with a certain exception; authorizing the court to take certain actions in ruling on the petition; requiring the court to state on the record the reasons for its ruling on the petition; establishing that a petitioner in a proceeding under this Act has the burden of proof; and generally relating to newly discovered evidence and petitions for writs of actual innocence.

BY adding to

Article – Criminal Procedure

Section 8–301 to be under the new subtitle “Subtitle 3. Newly Discovered Evidence”

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 487 – Senators Pugh, Conway, Exum, Forehand, Jones, King, Lenett, Madaleno, McFadden, Muse, Peters, and Raskin**

AN ACT concerning

### **Maryland Cancer Treatment Program**

FOR the purpose of establishing the Maryland Cancer Treatment Program in the Department of Health and Mental Hygiene; providing for the purpose of the Program; providing for eligibility for the Program; requiring the Program to use certain resources from the Maryland Medical Assistance Program; requiring the Maryland Cancer Treatment Program to reimburse providers at a certain rate; requiring the Department to adopt certain regulations; defining a certain term; requiring the Department, in consultation with interested stakeholders, to develop a certain workgroup and report to certain committees of the General Assembly on or before a certain date; providing for a delayed effective date for certain provisions of this Act; and generally relating to the Maryland Cancer Treatment Program.

BY adding to

Article – Health – General

Section 15–901 through 15–905 to be under the new subtitle “Subtitle 9. Maryland Cancer Treatment Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 488 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Greenmount West Community Resource 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 “New” Greenmount West Community Association 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 489 – Senators Pugh, Currie, Harrington, Madaleno, McFadden, Muse, Peters, and Raskin**

AN ACT concerning

**Minority Business Enterprise Certification – Cap on Personal Net Worth**

FOR the purpose of altering the amount of the cap on the personal net worth requirement for certification as a minority business enterprise; requiring the certification agency to evaluate certain data in conjunction with the General Assembly and the Office of the Attorney General; requiring the certification agency to make a certain report on or before a certain date; and generally relating to requirements for certification as minority business enterprises.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 490 – Senator Rosapepe**

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Licenses for Specialty Stores**

FOR the purpose of authorizing the Board of License Commissioners of Prince George's County to issue a Class A (off-sale) beer and light wine license to certain specialty stores located in a certain redevelopment area in the City of Laurel; establishing the number of certain licenses that may be issued to specialty stores; and generally relating to alcoholic beverages in Prince George's County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 5–101(a)(1) and 9–217(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 5–101(r) and 9–217(b)(5) and (h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 491 – Senators Garagiola, Currie, Exum, Forehand, Jones, King, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Raskin, Robey, Rosapepe, and Zirkin**

AN ACT concerning

**Tobacco Tax – Tax Stamps**

FOR the purpose of requiring the tobacco tax stamps that are required to be affixed to certain cigarettes to be capable of being read by certain technology and encrypted with certain information; requiring the Comptroller to consult with the Attorney General regarding certain tax stamp technology and enforcement of provisions of a certain agreement; providing for a delayed effective date; and generally relating to tobacco tax stamps.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 12–101(e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 12–304  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 492 – Senators Kelley, Klausmeier, and Middleton**

AN ACT concerning

**Community Mental Health Services Programs – Financial Statements and Salary Information**

FOR the purpose of requiring a community mental health services program to submit annually certain financial statements and salary information in accordance with certain regulations; authorizing the Mental Hygiene Administration to impose a certain penalty on a community mental health services program for failing to submit certain financial statements and salary information; and generally relating to financial statements and salary information of community mental health services programs.

BY adding to

Article – Health – General  
Section 10–901.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 493 – Senators Kelley, Klausmeier, and Middleton**

AN ACT concerning

**Mental Health Programs and Facilities – Reports of Death**

FOR the purpose of defining the term “program or facility” so as to restrict the application of certain reporting requirements regarding the death of certain individuals to certain mental health programs and facilities; altering a certain reporting requirement regarding the location of the body; specifying that certain programs or facilities are required to submit only one report of death; requiring the administrative head of certain nonresidential psychiatric rehabilitation programs to make reports of death by a certain time; and generally relating to reports of death by mental health programs and facilities.

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

Section 10-714  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 494 – Senator Brochin**

AN ACT concerning

**Health Services Cost Review Commission – Limit on Interest or Late  
Payment Fees**

FOR the purpose of requiring the Health Services Cost Review Commission to prohibit a facility from charging a patient interest or late payment fees at a rate that exceeds a certain percentage.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19-219  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 495 – Senator Simonaire**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**State Government – Legislative Furlough Enabling Act**

FOR the purpose of authorizing the General Assembly, for any fiscal year, to supersede a formal resolution of the General Assembly Compensation Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission, and reduce the compensation and allowances for a member of the General Assembly; prohibiting a joint resolution passed by the General Assembly that supersedes a resolution of the Commission or a joint resolution passed by the General Assembly that supersedes an item in a formal resolution of the Commission from increasing an item or provision that establishes certain compensation and allowances; authorizing the General Assembly to alter the salaries of members of the General Assembly at certain times; providing that the compensation for a member of the General Assembly reverts to a certain status at the end of a certain period; 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 15 and 35

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

**Senate Bill 496 – Senators Robey, DeGrange, Garagiola, Glassman, Jacobs, Klausmeier, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Pugh, Raskin, and Zirkin**

AN ACT concerning

**Law Enforcement Officers' Pension System – Membership – Retired Pilots  
with the Maryland State Police**

FOR the purpose of providing certain retirees who are reemployed by the Maryland State Police Aviation Command as helicopter pilots with membership in the Law Enforcement Officers' Pension System; making membership in the Law Enforcement Officers' Pension System a condition of employment for certain retirees of the State Police Retirement System; providing a certain exception for certain retirees of the State Police Retirement System who are reemployed as Maryland State Police Aviation Command helicopter pilots; allowing certain members of the Law Enforcement Officers' Pension System to purchase service credit for certain periods of employment at a certain rate; requiring that certain members of the Law Enforcement Officers' Pension System who purchase service credit to complete and file certain forms; providing for the application of this Act; and generally relating to pension benefits for certain retired pilots who are reemployed by the Maryland State Police Aviation Command.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–406 and 26–201(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 26–307.2  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 497 – Senator Frosh**

AN ACT concerning

**Circuit Court Judgeships – Workforce Planning – Counties of Greatest Identified Need**

FOR the purpose of altering the number of resident judges of the circuit court in certain judicial circuits; and generally relating to judgeships in the circuit courts.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 1–503  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 498 – Senators Muse and Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Harmony Hall Manor**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$750,000, the proceeds to be used as a grant to the National Parks Service and the Board of Directors of the Broad Creek Historic District Association 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 499 – Senators Muse, Currie, Exum, Garagiola, Gladden, Harrington, Kelley, Peters, Pugh, and Raskin**

AN ACT concerning

**Election Law – Statewide Voter Registration List – Removal of Inactive Voters**

FOR the purpose of repealing the automatic removal of an inactive voter from the statewide voter registration list when the voter fails to vote for a certain period of time; repealing the automatic removal of a voter from the statewide voter registration list when the voter fails to respond to a confirmation notice and

fails to vote for a certain period of time; and generally relating to the automatic removal of voters from the statewide voter registration list.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–502 and 3–503  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 500 – Senators Muse, Exum, Harrington, Peters, and Rosapepe**

AN ACT concerning

**Prince George’s County – Board of Education – Financial Literacy  
Curriculum Content**

FOR the purpose of requiring the Prince George’s County Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain curriculum content to include certain instruction; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the development and implementation of a course in financial literacy.

BY adding to  
Article – Education  
Section 3–1008  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 501 – Senators Madaleno, Harrington, Lenett, Pinsky, Pugh, and Raskin**

AN ACT concerning

**Public Safety – National Guard Deployment – Governor’s Powers**

FOR the purpose of requiring the Governor to withhold approval of the transfer of the National Guard to federal control in the absence of an explicit authorization for use of military force adopted by the U.S. Congress and in force on the date of the federal request for transfer or a declaration of war by the U.S. Congress; authorizing the Governor to request the return of certain units of the National

Guard to the control of the State in certain circumstances; and generally relating to the deployment of the National Guard.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 13–401(c)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **Senate Bill 502 – Senator Gladden**

AN ACT concerning

#### **Criminal Appeals – District Court – Stay of Sentence and Release**

FOR the purpose of requiring, in a criminal appeal from a final judgment in District Court, that the District Court stay service of a sentence of imprisonment and release a defendant under certain circumstances; authorizing the District Court to impose conditions for release of the defendant or deny release of the defendant pending appeal in accordance with the Maryland Rules; requiring the District Court to state its reasons in writing or on the record for denying release of the defendant; authorizing a defendant to seek review of the District Court's decision in accordance with certain provisions of law and the Maryland Rules; providing for the application of this Act; and generally relating to a stay of sentence and release of a defendant in a criminal appeal from a District Court judgment.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–702(a) and 12–401(b)(2), (d)(1), (f), and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 12–401(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 503 – Senator Gladden**

AN ACT concerning

**Correctional Services – Voting Rights – Notification**

FOR the purpose of requiring the Commissioner of Correction to provide an inmate with written information concerning the inmate's eligibility to vote on the inmate's release from a State correctional facility; requiring the Commissioner to prepare the written information in consultation with the State Board of Elections; and generally relating to providing notice to an inmate who is released from a State correctional facility of the inmate's eligibility to vote.

BY adding to

Article – Correctional Services

Section 9–613

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 504 – Senator Gladden**

AN ACT concerning

**Baltimore City – Health Care Facilities and Clinics – Reporting of  
Methicillin-Resistant Staphylococcus Aureus Incidents**

FOR the purpose of requiring certain nursing homes, assisted living facilities, and clinics to report to the Commissioner of Health for the City of Baltimore regarding certain incidents; requiring certain reports to include certain strategies; requiring the Commissioner to compile certain reports and to report to the Secretary of Health and Mental Hygiene on or before a certain date regarding certain findings and recommendations; requiring the Commissioner and the Secretary to brief certain committees regarding certain findings and recommendations on or before a certain date; providing for the termination of this Act; and generally relating to the reporting of incidents of methicillin-resistant Staphylococcus aureus.

BY adding to

Article – Health – General

Section 18–202.2

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 505 – Senator Gladden**

AN ACT concerning

### **Health Care Malpractice – Noneconomic Damages**

FOR the purpose of altering certain limitations on noneconomic damages for a personal injury action and a wrongful death action concerning health care malpractice for a cause of action arising on or after a certain date; and generally relating to noneconomic damages in personal injury and wrongful death actions concerning health care malpractice.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–09(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 506 – Senator Gladden**

AN ACT concerning

### **Maryland Transit Administration – Public Hearings**

FOR the purpose of prohibiting the Administration from changing a bus timetable or certain bus or rail service until a public hearing is held on the matter; altering the time period during which the Administration may implement a policy change on certain matters; requiring the Administration to revise, correct, and reissue certain notice and to provide notice to certain persons under certain circumstances; providing that certain notice shall be deemed defective; 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  
(2008 Replacement Volume)

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

### **Senate Bill 507 – Senators Conway, Colburn, DeGrange, Klausmeier, and Stone**

AN ACT concerning

### **Maryland Locksmiths Act**

FOR the purpose of requiring a certain business to be licensed by the Secretary of Labor, Licensing, and Regulation before the business may provide locksmith services; providing for the purpose of this Act; providing that this Act does not limit the rights of certain individuals to engage in locksmith services; authorizing the Secretary to adopt certain regulations for the licensure and regulation of locksmiths; requiring all money collected by the Secretary to be paid into the General Fund of the State; establishing certain application procedures for obtaining a locksmith license; requiring certain owners of businesses that are applicants and licensees to apply to the Central Repository for a certain criminal history records check; requiring certain applicants to submit fingerprints and a certain fee to the Central Repository; requiring the Central Repository to provide the Secretary with certain information; requiring certain information to be confidential and used for certain purposes; requiring licensees to maintain certain general liability insurance that meets certain requirements; requiring a licensee to provide a certain notice of cancellation of a certain general liability insurance policy within a certain time period; authorizing the issuance and renewal of certain licenses by the Secretary; authorizing the issuance of certain photo identification cards by certain licensed locksmiths; providing for the expiration and renewal of certain licenses; establishing requirements for the display, carrying, replacement, and change of name for certain licenses; authorizing the Secretary 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; establishing certain hearing and appeal procedures for locksmiths; establishing certain content, keeping, reporting, and transmittal requirements for certain invoices or receipts for service; requiring certain advertisements to include the name and license number of a licensed locksmith; prohibiting certain acts; providing for certain civil and criminal penalties; requiring certain persons performing locksmith services to be licensed on or before a certain date; requiring the Secretary to submit a certain report including certain information to certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to the licensure and regulation of locksmiths.

BY adding to

Article – Business Regulation

Section 12.5–101 through 12.5–601 to be under the new title “Title 12.5.  
Locksmiths”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 508 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Center for Urban Families**

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 for the Center for Urban Families Fund, Inc. on behalf of the Center for Urban Families, 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 509 – Senator Stone**

AN ACT concerning

**Environment – Noise Control Ordinances – Political Subdivisions**

FOR the purpose of requiring a political subdivision to adopt a noise control ordinance that is at least as stringent as certain standards, limits, and rules adopted by the Department of the Environment; requiring a political subdivision to consider compliance with certain standards before acting on certain variance requests or changes in zoning classifications, and prior to the issuance of certain permits or other authorizing documents; and generally relating to noise control ordinances.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 3–105  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 510 – Senators Pipkin and Brinkley**

AN ACT concerning

**Motor Vehicle Excise Tax – Vehicle Manufacturer’s Rebates – Exemptions**

FOR the purpose of exempting certain motor vehicle manufacturer’s rebates from the determination of the fair market value of certain motor vehicles for the purpose of imposing of the motor vehicle excise tax; altering a certain definition; defining a certain term; and generally relating to manufacturer’s rebates for certain vehicles and the motor vehicle excise tax.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–809  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 97)

### **ADJOURNMENT**

At 10:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 5, 2009.

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**Annapolis, Maryland**  
**Thursday, February 5, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Pastor Karen Bethea, Set The Captives Free Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of February 4, 2009 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 99)

**INTRODUCTION OF BILLS**

**Senate Bill 511 – Senator Lenett**

AN ACT concerning

**Regulated Firearms – Application for Dealer’s License – Record-Keeping and Reporting Requirements**

FOR the purpose of requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State-regulated firearms dealer’s license if the Secretary or the Secretary’s designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation of the business for which the license is sought; requiring that the Secretary or the Secretary’s designee suspend a dealer’s license if the licensee is not in compliance with certain record-keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer’s business; requiring the Secretary or the Secretary’s designee to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record-keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain manner after receipt

of a letter from the Secretary or the Secretary's designee requesting certain information; prohibiting a licensee from using an unreported loss or theft of a firearm as a defense in certain proceedings except under certain circumstances; allowing the Secretary or the Secretary's designee to inspect the inventory and records of a licensed dealer under certain circumstances; providing certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer's license.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (s)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–110(a), 5–114(a), and 5–115  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Public Safety  
Section 5–144  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 512 – Senators Forehand, Conway, Garagiola, Kelley, Kramer, Madaleno, Middleton, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Elections – Campaign Finance Entities – Certificates of Deposit**

FOR the purpose of clarifying that a campaign finance entity may deposit funds in a certificate of deposit account; and generally relating to campaign finance entities and certificates of deposit.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–220  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 513 – Senators Forehand and Muse**

AN ACT concerning

**Washington Metropolitan Area Transit Commission – Appointment of District of Columbia Member**

FOR the purpose of altering the agency from which the District of Columbia is required to appoint a District of Columbia member of the Washington Metropolitan Area Transit Commission; providing that an amendment to a certain provision of law does not affect any member of the Commission in office on the effective date of the amendment; making this Act subject to a certain contingency; and generally relating to the appointment of the District of Columbia member of the Washington Metropolitan Area Transit Commission.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 10–203 Title I Article I and Article II  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 10–203 Title I Article III Section 1  
Annotated Code of Maryland  
(2006 Replacement Volume)

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

**Senate Bill 514 – Senators Lenett, Raskin, Conway, Frosh, Garagiola, Gladden, Harrington, King, Klausmeier, Madaleno, Middleton, Muse, Peters, Pinsky, Pugh, and Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Elective Franchise – Registration and Voting on Election Day**

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a certain polling place in a certain precinct; making a stylistic change; 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 2

BY proposing an addition to the Maryland Constitution  
Article I – Elective Franchise  
Section 2A

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

### **Senate Bill 515 – Senator Middleton**

AN ACT concerning

#### **Healthy Maryland Program**

FOR the purpose of renaming the Maryland Health Insurance Plan to be the Healthy Maryland Program; establishing the status and purpose of the Program and the intent of the General Assembly with regard to the Program; repealing certain requirements for the operation of the Maryland Health Insurance Plan; establishing requirements for Program enrollment and coverage; establishing a Board of Directors for the Program; requiring the Program to operate subject to the supervision and control of the Board; providing for an Executive Director and staff for the Program; providing that the Program is not subject to certain provisions of law; requiring the Board to take certain actions; repealing certain obsolete provisions of law relating to the Senior Prescription Drug Assistance Program; renaming the Maryland Health Insurance Plan Fund to be the Healthy Maryland Program Fund; adding to the sources of revenue for the Fund collections from certain per–employee contributions and certain penalty revenue; repealing provisions of law pertaining to the Administrator of the Maryland Health Insurance Plan; requiring the Board to take certain steps relating to enrollment of individuals entitled to a subsidy; authorizing the Board to adopt regulations relating to the amount of subsidies; requiring the Board to maintain certain separate accounts; providing that a debt or obligation of the Program is not a debt of the State or a pledge of credit of the State; establishing certain requirements for the benefit package offered by the Program; establishing certain requirements for a certain master plan document and a certain certificate of coverage; establishing requirements for changes to and reports on the standard benefit package; requiring the Program, notwithstanding certain terms and conditions, to comply with the terms of a certain representation or authorization of coverage under certain circumstances; repealing provisions of law relating to certain premium rates; repealing a certain requirement for the Board to hire an administrator; establishing requirements for rates for Program coverage; establishing requirements for carriers to participate in the Program; providing that certain actions by certain entities are unlawful and a violation of the Insurance Article; requiring the

Program to be a certain alternative mechanism; prohibiting the Program from applying a certain exclusion to a certain individual; repealing a prohibition relating to a certain limit on participation; requiring the Insurance Commissioner to regulate the Program; establishing the applicability of certain provisions of law to the Program; providing that certain provisions do not limit certain authority of the Commissioner; establishing the authority of the Commissioner with regard to certain violations, fines, and penalties; altering requirements for carriers participating in the small group market; requiring a certain employer to pay a per-employee contribution at a certain time and in a certain manner; requiring the Maryland Health Care Commission to determine the amount of the per-employee contribution; requiring the Commissioner of Labor and Industry to determine and collect a certain contribution owed and assess a certain penalty; requiring certain amounts to be deposited in the Healthy Maryland Fund; imposing a penalty on the income tax of certain individuals unless the individual and certain dependents had certain health care coverage or are nonresidents; providing for certain exceptions; requiring the Maryland Health Care Commission to provide certain information to the Comptroller for a certain purpose; requiring the taxpayer to indicate on the income tax return the presence of health care coverage that meets certain requirements; requiring the revenues from the penalty to be distributed to the Healthy Maryland Program Fund; requiring the Comptroller to publicize the requirements of this Act for a certain purpose; providing for a delayed effective date for certain provisions of this Act; altering a certain definition; defining certain terms; and generally relating to the Healthy Maryland Program.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14-501 through 14-505 and 14-507 through 14-509 to be under the amended part “Part I. Healthy Maryland Program”; and 15-1204(a) and 15-1301(f)(1)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 14-502.1, 14-506, and 14-506.1

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing

Article – Insurance

Section 14-506

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Labor and Employment

Section 12–101 and 12–102 to be under the new title “Title 12. Employer Health Contribution”  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Tax – General  
Section 10–106.2  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 516 – Senators Middleton, Colburn, and Glassman**

AN ACT concerning

**Maryland Organic Transition Investment Pilot Program (MO–TIPP)**

FOR the purpose of establishing the Maryland Organic Transition Investment Pilot Program in the Department of Agriculture; requiring the Secretary of Agriculture to develop and implement the Pilot Program under certain circumstances; requiring the Department to submit a certain report on or before a certain date; establishing the Organic Agriculture Development Fund; establishing the purpose and uses of the Fund; requiring the Secretary to administer the Fund; establishing that the Fund is a special, nonlapsing fund; establishing eligibility requirements for the Fund; requiring certain producers that receive certain funding to report to the Department on or before a certain date; requiring the Department to adopt certain regulations; defining certain terms; providing for the interpretation of this Act; providing for the termination of this Act; and generally relating to organic agricultural production.

BY adding to  
Article – Agriculture  
Section 10–14A–01 through 10–14A–05 to be under the new subtitle “Subtitle 14A. Maryland Organic Transition Investment Pilot Program”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 517 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Debt – Annuity Bond Fund – Payment of Fiscal Agents**

FOR the purpose of requiring the Comptroller to credit to the Annuity Bond Fund certain money appropriated in the State budget to pay the costs of certain fiscal agents and contracting parties appointed by the State Treasurer in connection with certain financial transactions; authorizing the Comptroller to use certain money to pay the cost of certain fiscal agents and contracting parties; and generally relating to certain money appropriated to the Annuity Bond Fund.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 8–132  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 518 – Senator Miller**

AN ACT concerning

**Calvert County – Alcoholic Beverages**

FOR the purpose of altering certain alcoholic beverages license fees in Calvert County; creating a special beer, wine, and spirits tasting (BWST) license in the county; providing for annual fees, application procedures, and certain requirements for the license; specifying certain conditions under which a protest to a renewal of an alcoholic beverages license in the county may occur; altering the time during which a penalty may be imposed for late renewal of an alcoholic beverages license in the county; imposing certain fines for the sale of alcoholic beverages to an underage individual in the county; altering the salaries for the chairman, members, and alternate member of the Calvert County Board of License Commissioners; providing that this Act does not apply to the salary or compensation of the incumbent chairman, members, and alternate member of the Calvert County Board of License Commissioners; making certain stylistic changes; and generally relating to alcoholic beverages in Calvert County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 3–401(a), 5–101(a), 5–201(a)(1) and (f), 6–101(a)(1), 6–201(a)(1),  
6–401(a)(1), 10–301(n)(1), and 12–108(a)(1)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 3–401(f), 5–101(f), 6–101(f), 6–201(f), 6–401(f), 10–301(a)(1)(iii) and  
(n)(2), 12–108(a)(3)(i), and 15–109(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–404.1A  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 519 – Senators Peters and Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Olde Mill Community  
and Teaching 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 the Board of Directors of the Olde Mill 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 520 – Senator Kittleman**

AN ACT concerning

**Workers’ Compensation – Temporary Total Disability – Incarcerated  
Employees**

FOR the purpose of providing that an employer or insurer is not liable for certain temporary total disability payments to a covered employee while the employee is incarcerated; providing for a certain exception; providing for the application of this Act; and generally relating to workers’ compensation benefits for covered employees who are incarcerated.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–221, 9–607, and 9–618

Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment  
Section 9–618.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 9–621  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 521 – Senator Forehand**

AN ACT concerning

#### **Vehicle Laws – Off-Highway Recreational Vehicles – Titling**

FOR the purpose of defining “off-highway recreational vehicle”; altering the definition of “vehicle” to include off-highway recreational vehicles; requiring the owner of an off-highway recreational vehicle not purchased before a certain date to apply for a certificate of title in certain circumstances; requiring an application for a certificate of title for an off-highway recreational vehicle to be made by a certain electronic transmission; altering certain requirements relating to the electronic transmission of vehicle data to authorize transmission by a service provider instead of a licensed dealer; providing that, for purposes of determining a certain excise tax, the fair market value of a used off-highway recreational vehicle is the greater of the total purchase price or a certain amount; imposing an excise tax for each original and each subsequent certificate of title issued for an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; providing that an off-highway recreational vehicle is not required to be inspected when ownership is transferred; providing for the construction of this Act; and generally relating to off-highway recreational vehicles and titling.

BY adding to

Article – Transportation  
Section 11–140.1 and 13–102(13)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 11–176, 13–102(11) and (12), 13–104(a), 13–108.1, 13–809, and 23–106  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–101.1 and 13–610  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 522 – Senators Forehand, Conway, Garagiola, Pinsky, Pugh,  
Raskin, and Rosapepe**

AN ACT concerning

**Domestic Violence – Violation of Protective Order – Arrest**

FOR the purpose of clarifying that an officer is required to arrest with or without a warrant and take into custody a person who the officer has probable cause to believe has violated a certain provision of an interim, temporary, or final protective order in effect at the time of the violation; making a clarifying change; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–509  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 523 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Ellicott City Post Office**

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 Howard 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 Budget and Taxation.

**Senate Bill 524 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of State Debt – Howard County – Robinson Nature 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 County Executive and County Council of Howard 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 525 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Troy Regional 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 County Executive and County Council of Howard 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 526 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Linwood 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 Linwood 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 527 – Senators Kramer, DeGrange, Forehand, Kasemeyer, Madaleno, Munson, Peters, Robey, and Zirkin**

AN ACT concerning

**Fairness in Taxation for Retirees Act**

FOR the purpose of including income from certain retirement plans within a certain subtraction modification allowed under the Maryland income tax for certain individuals who are at least a certain age or who are disabled or whose spouse is disabled; 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 2008 Supplement)

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

**Senate Bill 528 – Senators Kramer, Brinkley, Currie, Forehand, Kasemeyer, King, Madaleno, Peters, Robey, and Stoltzfus**

AN ACT concerning

**Estates and Trusts – Registers of Wills – Fees**

FOR the purpose of providing that registers of wills are not required to record or provide certain documents until certain fees have been paid; authorizing registers of wills to provide certain services and charge a certain fee for the services; authorizing registers of wills to charge a certain fee for certain guardianship proceedings; altering certain fees for certain services; altering the fees charged for administration of certain small estates and altering the values of the small estate on which the fees are based; and generally relating to fees charged by registers of wills.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–206 and 5–606

Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 529 – Senator Harrington**

AN ACT concerning

**Environment – Environmental Justice Review – Public Service Companies**

FOR the purpose of requiring the Department of the Environment, in consultation with the Commission on Environmental Justice and Sustainable Communities and the Department of Planning, to develop certain criteria and maps on or before a certain date; requiring certain public service companies to submit an Environmental Justice Review under certain circumstances; requiring the Department of the Environment to make certain determinations; requiring certain public service companies to submit certain information to the Department of the Environment under certain circumstances; altering a certain reporting requirement; defining certain terms; and generally relating to environmental justice in the State.

BY renumbering

Article – Environment  
Section 1–701  
to be Section 1–703  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Environment  
Section 1–701 and 1–702  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 1–703  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)  
(As enacted by Section 1 of this Act)

BY adding to

Article – Public Utility Companies  
Section 11–101.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 530 – Senator Harrington**

AN ACT concerning

**Task Force to Study Required Deposits on Returnable Beverage Containers**

FOR the purpose of establishing the Task Force to Study Required Deposits on Returnable Beverage Containers in the State; providing for the membership of the Task Force; requiring the Governor to designate the chair of the Task Force; requiring the Task Force to study certain issues relevant to requiring deposits on returnable beverage containers in the State; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for reimbursement for expenses for a member of the Task Force; providing for the staff of the Task Force; providing for the termination of this Act; and generally relating to the establishment of the Task Force to Study Required Deposits on Returnable Beverage Containers in the State.

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

**Senate Bill 531 – Senators Zirkin, Frosh, Jacobs, Mooney, Muse, and Stone**

AN ACT concerning

**Juvenile Services – Programming – Private Facilities**

FOR the purpose of requiring the Department of Juvenile Services to serve children in the juvenile services system with programming that ensures that certain facilities in this State serve no more than a certain number of children at one time; and generally relating to the Department of Juvenile Services.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 9–238.1(a)

Annotated Code of Maryland

(2007 Volume and 2008 Supplement)

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

**Senate Bill 532 – Senator Zirkin**

AN ACT concerning

### Peace Orders and Protective Orders – Service of Process on Nonresidents

FOR the purpose of requiring that, whenever a District Court commissioner issues an interim peace order, the commissioner, at the option of the petitioner, immediately forward a copy of a certain petition and the order to a private process server for service on the respondent; authorizing service of a certain petition and interim peace order on a nonresident respondent by private process; requiring a private process server, immediately on receipt of a certain petition and peace order, to take certain steps; requiring a private process server to serve immediately a temporary peace order on the respondent under certain circumstances; authorizing service of a certain petition and temporary peace order on a nonresident respondent by private process; providing that a certain petitioner is required to pay costs for the service by private process of certain papers relating to protective orders; requiring that whenever a commissioner issues an interim protective order, the commissioner, at the option of the petitioner, immediately forward a copy of a certain petition and the order to a private process server for service on the respondent; authorizing service of a certain petition and interim protective order on a nonresident respondent by private process; requiring a private process server, immediately on receipt of a certain petition and protective order, to take certain steps; requiring a private process server to serve immediately a temporary protective order on the respondent under certain circumstances; providing that a certain petitioner is required to pay costs for the service by private process of temporary protective orders; and generally relating to peace orders and protective orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1503.1(e) and (f) and 3–1504(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1504(d) and 3–1505(c) and (e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504(c), 4–504.1(e) and (f), and 4–505(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–505(d) and 4–506(c) and (g)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 533 – Senator Zirkin**

AN ACT concerning

**Peace Orders and Protective Orders – Private Service of Process**

FOR the purpose of requiring that, whenever a District Court commissioner issues an interim peace order, the commissioner, at the option of the petitioner, immediately forward a copy of a certain petition and the order to a private process server for service on the respondent; requiring a private process server, immediately on receipt of a certain petition and peace order, to take certain steps; requiring a private process server to serve immediately a temporary peace order on the respondent, under certain circumstances; providing that a certain petitioner is required to pay costs for the service by private process of certain papers relating to protective orders; requiring that whenever a commissioner issues an interim protective order, the commissioner, at the option of the petitioner, immediately forward a copy of a certain petition and the order to a private process server for service on the respondent; requiring a private process server, immediately on receipt of a certain petition and protective order, to take certain steps; requiring a private process server to serve immediately a temporary protective order on the respondent under certain circumstances; providing that a certain petitioner is required to pay costs for the service by private process of temporary protective orders; and generally relating to peace orders and protective orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1503.1(e) and (f) and 3–1504(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1504(d) and 3–1505(c) and (e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504(c), 4–504.1(e) and (f), and 4–505(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–505(d) and 4–506(c) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 534 – Senator Zirkin**

AN ACT concerning

**Motor Vehicle Administration – Driving Records – Online Access for Attorneys**

FOR the purpose of requiring the Motor Vehicle Administration to make an individual's driving record available online to the individual's attorney; requiring the Administration to require that an attorney requesting a driving record under this Act certify certain information; authorizing the Administration to carry out the provisions of this Act in a certain manner for a certain purpose; and generally relating to online access to driving records for attorneys.

BY adding to  
Article – Transportation  
Section 16–117(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 535 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Owings Mills Jewish Community 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 Baltimore Jewish Council, 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; 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 536 – 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 \$500,000, 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 537 – Senator Zirkin**

AN ACT concerning

**Business Regulation – Restaurants – Personnel Trained in First Aid and CPR Procedures**

FOR the purpose of requiring restaurants, whenever open for business, to have an employee on the premises who is certified in first aid and CPR procedures in a certain manner; and generally relating to restaurant personnel trained in first aid and CPR procedures.

BY adding to

Article – Business Regulation

Section 19–103

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 538 – Senator Zirkin**

AN ACT concerning

**Property Tax Assessment – Home Improvements**

FOR the purpose of altering the circumstances under which certain real property is required to be revalued for property tax assessment purposes in any year of a 3-year assessment cycle; altering a certain definition under the Homestead Property Tax Credit; altering the calculation of the Homestead Property Tax Credit under certain circumstances; and generally relating to the assessment of certain real property for property tax purposes.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–104(c)(1)(iii), 9–105(a)(5), 9–109(b), and 9–243(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing  
Article – Tax – Property  
Section 9–105(c)(5)(iv)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 539 – Senators Frosh, Conway, Gladden, Harrington, Lenett,  
Madaleno, Pinsky, and Rosapepe**

AN ACT concerning

### **Driver Relief Act of 2009**

FOR the purpose of requiring certain plans and programs to provide for air quality improvement by attaining a certain performance objective of reducing statewide vehicle miles traveled (VMT) per capita; requiring a certain schedule for reducing VMT; providing for the review of certain projects for certain purposes; allowing the adoption of certain regulations; and generally relating to air quality and transportation planning.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 2–303.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 540 – Senator Kelley**

AN ACT concerning

**Family Law – Adoption of an Adult**

FOR the purpose of establishing that certain provisions of law requiring the issuance and service of a show cause order on a prospective adoptee's parents do not apply if the prospective adoptee is an adult; creating a rebuttable presumption that a certain investigation is not necessary before ruling on a certain adoption petition involving a prospective adoptee who is an adult under certain circumstances; establishing that parental consent to an adoption is not required if the prospective adoptee is an adult; and generally relating to the adoption of an adult.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–3B–15, 5–3B–16, and 5–3B–20  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 541 – Senator Kelley**

AN ACT concerning

**Common Ownership Communities – Fidelity Insurance**

FOR the purpose of requiring certain governing bodies of a cooperative housing corporation, a condominium, or a homeowners association to purchase fidelity insurance not later than a certain time and to keep the insurance in place each year; requiring the fidelity insurance to provide for the indemnification of certain governing bodies of a cooperative housing corporation, a condominium, or a homeowners association against loss resulting from certain acts or omissions of certain persons under certain circumstances; requiring a copy of the fidelity insurance policy of a cooperative housing corporation, a condominium, or a homeowners association to be kept and made available for inspection under certain circumstances; requiring the fidelity insurance of a cooperative housing corporation, a condominium, or a homeowners association to be in a certain amount; allowing an aggrieved member of a cooperative housing corporation, an aggrieved unit owner of a condominium, or an aggrieved lot owner of a homeowners association to submit a dispute regarding fidelity insurance to the Division of Consumer Protection of the Office of the

Attorney General under certain circumstances; and generally relating to fidelity insurance and common ownership communities.

BY adding to

Article – Corporations and Associations

Section 5–6B–18.6

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Real Property

Section 11–114.1 and 11B–111.6

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 542 – Senator Rosapepe**

AN ACT concerning

#### **Protection of State Employees – Health Care Flexible Spending Account Contributions**

FOR the purpose of requiring the Secretary of Budget and Management to ensure that any contract entered into on or after a certain date for the administration of certain flexible spending accounts requires the administrator to reimburse an employee who has a health care flexible spending account for any money in the account forfeited by the employee under certain circumstances; requiring the Department of Budget and Management to reimburse an employee for certain forfeited money until a certain date; requiring the Department to give a certain notice to each employee who has a health care flexible spending account; and generally relating to flexible spending account benefits under the State Employee and Retiree Health and Welfare Benefits Program.

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

### **Senate Bill 543 – Senators Brochin and Stone**

AN ACT concerning

#### **Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages – Transfer and Conversion of Licenses**

FOR the purpose of increasing the number of certain alcoholic beverages licenses that may be transferred under certain circumstances and converted into certain licenses for restaurants in the Towson Commercial Revitalization

District in Baltimore County; altering the seating capacity that may be devoted to the bar area of licensed restaurants; specifying that the licenses for restaurants may not confer an off-sale privilege; specifying that the minimum capital investment for restaurants excludes the cost of the land and building shell; requiring that the Board of Liquor License Commissioners deny an application for the transfer and conversion of a license under certain circumstances; prohibiting a license from being transferred from the Towson Commercial Revitalization District or converted into any other class of license; repealing the termination provision relating to the period during which a certain alcoholic beverages license may be transferred and converted into a certain license for a restaurant in the Towson Commercial Revitalization District; and generally relating to alcoholic beverages in Baltimore County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–204.3  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 215 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 544 – Senators Jones and Conway**

AN ACT concerning

#### **Historically Black Institutions – State Funding – Blount–Rawlings–Britt HBI Comparability Program**

FOR the purpose of establishing the Blount–Rawlings–Britt HBI Comparability Program to provide supplemental funding assistance to the State’s public 4–year historically black institutions (HBIs); stating the purpose of the Program; requiring the Maryland Higher Education Commission to adopt certain standards and procedures; requiring the Governor to provide funds for the Commission to distribute to HBIs; providing for the calculation of the annual operating budget distribution to each of the HBIs; providing for the annual distribution of certain capital funds to the HBIs; defining certain terms; and generally relating to the Blount–Rawlings–Britt HBI Comparability Program for public 4–year historically black institutions.

BY adding to  
Article – Education

Section 17–401 through 17–404 to be under the new subtitle “Subtitle 4. Blount–Rawlings–Britt HBI Comparability Program”  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 545 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Therapeutic Pool for People with Disabilities**

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 Board of Directors of The League for People with Disabilities, 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 546 – Senators Forehand, King, and Madaleno**

AN ACT concerning

**Health – End-of-Life Care Options – Counseling**

FOR the purpose of requiring certain health care providers to provide certain information and counseling about end-of-life care options to certain patients with an end-of-life condition and proxy decision makers under certain circumstances; requiring certain end-of-life care counseling to include certain information; authorizing end-of-life care counseling to occur over a certain period of time; authorizing certain referrals for end-of-life care counseling under certain circumstances; requiring certain health care providers to make a certain referral and provide a patient or proxy decision maker with certain information under certain circumstances; requiring end-of-life care counseling to be consistent with the Health Care Decisions Act; prohibiting end-of-life care counseling from encouraging or condoning certain actions; defining certain terms; and generally relating to providing end-of-life care counseling to patients and proxy decision makers when an end-of-life condition has been diagnosed.

BY adding to

Article – Health – General

Section 5–901 through 5–904 to be under the new subtitle “Subtitle 9.  
End-of-Life Care Counseling”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 547 – Senators Forehand and Raskin**

AN ACT concerning

#### **All-Terrain Vehicles – Protective Equipment**

FOR the purpose of prohibiting an individual from operating or riding on an all-terrain vehicle unless the individual is wearing protective headgear and an eye protective device that meet 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 2008 Supplement)

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

### **Senate Bill 548 – Senators Forehand and Raskin**

AN ACT concerning

#### **Vehicle Laws – All-Terrain Vehicles – Safety Standards and Training**

FOR the purpose of requiring the Emergency Medical Services (EMS) Board, in accordance with certain provisions of this Act, to establish criteria for all-terrain vehicle safety programs, approve qualifying programs, and adopt certain regulations; prohibiting individuals under a certain age from operating or riding on an all-terrain vehicle; establishing certain prohibitions related to the operation of all-terrain vehicles of certain sizes by individuals of certain ages; prohibiting an individual under a certain age from operating an all-terrain vehicle unless certain requirements related to all-terrain vehicle safety training are met; prohibiting an individual who is not an experienced all-terrain vehicle operator by a certain date from operating an all-terrain vehicle unless certain requirements related to all-terrain vehicle safety training are met; prohibiting an individual who is an experienced all-terrain vehicle operator by a certain date from operating an all-terrain vehicle unless certain

requirements related to all-terrain vehicle safety training are met or unless the individual carries a certain card certifying that the individual is an experienced all-terrain vehicle operator; providing that a passenger may ride only on an all-terrain vehicle that is intended by the manufacturer for use by an operator and a passenger; providing that no more than one passenger may ride on an all-terrain vehicle; defining certain terms; and generally relating to safety standards and training for all-terrain vehicles.

BY adding to

Article – Education  
Section 13–518  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Transportation  
Section 21–1213  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 549 – Senator Dyson**

AN ACT concerning

#### **Sustainable Forestry Act of 2009**

FOR the purpose of authorizing a local government to include certain information in a certain plan; declaring certain policy statements and findings relating to forests; altering the name of the Maryland Agricultural Land Preservation Foundation; revising provisions of the law relating to the protection of certain forestry practices from certain private actions under certain circumstances; exempting certain forestry practices from nuisance lawsuits; repealing the Forest Advisory Commission in the Department of Natural Resources; establishing a Sustainable Forestry Council in the Department; establishing the purpose of the Council; establishing the membership of the Council; altering the uses of the Forest or Park Reserve Fund; altering the amounts of certain payments made to counties from the Forest or Park Reserve Fund; authorizing certain revenues derived from certain forestry practices to be deposited in the Woodland Incentives Fund; adding to the list of uses of the Woodland Incentives Fund; prohibiting certain investment funds from being transferred or reverting to the General Fund; authorizing certain forestry boards to impose certain fees under certain circumstances; requiring the Secretary of the Department to consider certain priorities when allocating the State's share of Program Open Space funds; requiring the Department to develop certain strategies related to the retention and management of forests; encouraging the Department to develop

certain plans; requiring the Department to monitor forests in a certain manner using certain funds under certain circumstances; requiring the Department to develop a certain strategy and report the strategy to the Governor on or before a certain date; authorizing certain responsibilities to be transferred from the Department of the Environment to the Department under certain circumstances; requiring the Department to work with certain representatives to determine certain procedures and time lines; authorizing the Department, in cooperation with the Maryland Higher Education Commission, to develop a certain program; requiring a certain goal to be met in a certain manner; encouraging certain forestry boards to work with the University of Maryland Cooperative Extension to formulate a certain strategy and report certain findings and recommendations to certain committees in the General Assembly on or before a certain date; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; defining certain terms; making technical changes; and generally relating to the conservation of forest lands in the State.

BY repealing and reenacting, with amendments,

Article 66B – Land Use

Section 3.05(a)(4)(ii)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 2–501 and 2–502 to be under the amended subtitle “Subtitle 5.  
Maryland Agricultural and Forestry Land Preservation Foundation”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 7–101(c)(1)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–403(a), (b), (c), and (d)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–101, 5–102, 5–102.1, 5–204(a), (c), and (e), 5–212(g), 5–307, and  
5–427

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–212(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Natural Resources  
Section 5–606(c) and 5–903(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7A–01  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 550 – Senators King, Astle, Brinkley, Colburn, Conway, Currie, DeGrange, Della, Exum, Forehand, Garagiola, Gladden, Glassman, Greenip, Haines, Harrington, Harris, Jacobs, Jones, Kelley, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

### **Online Child Safety Act of 2009**

FOR the purpose of promoting online child safety through the dissemination of certain parental controls; requiring certain Internet access providers to make certain parental controls available to certain subscribers at certain times and under certain circumstances; providing for the qualifications of certain parental controls; providing for the application of certain requirements; authorizing an Internet access provider to make certain parental controls available in certain manners; providing that a violation of this Act is an unfair or deceptive trade practice subject to certain enforcement; requiring the State Department of Education to develop certain guidelines for online child safety, including certain information; stating the intent of the General Assembly; defining certain terms; and generally relating to online child safety.

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 13–301(14)(xxii) through (xxvi)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Commercial Law  
Section 13–301(14)(xxii); and 14–3701 through 14–3706 to be under the new  
subtitle “Subtitle 37. Online Child Safety Act”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Education  
Section 7–430  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 551 – Senators Lenett, Conway, Currie, Della, Exum, Forehand, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Kramer, Madaleno, McFadden, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Rosapepe, and Zirkin**

AN ACT concerning

### **Weapon-Free Higher Education Zones**

FOR the purpose of prohibiting the carrying or possession of certain firearms, knives, and deadly weapons at public institutions of higher education; providing for certain exceptions to this prohibition; and generally relating to the carrying or possession of firearms, knives, and deadly weapons at public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 4–102  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 552 – Senators DeGrange, Astle, Brinkley, Colburn, Conway, Currie, Dyson, Exum, Forehand, Garagiola, Gladden, Glassman, Greenip, Haines, Harrington, Harris, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Middleton,**

**Miller, Munson, Muse, Peters, Pugh, Raskin, Robey, Simonaire, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

**Tax Amnesty Program**

FOR the purpose of requiring the Comptroller to waive certain penalties and interest imposed for the nonpayment, nonreporting, or underreporting of certain taxes under certain circumstances; establishing a period during which the Comptroller shall grant amnesty; authorizing the Comptroller to enter into certain agreements to provide a certain waiver under certain circumstances with respect to certain taxes that a taxpayer agrees to pay in accordance with certain terms and a certain schedule; requiring the Comptroller to submit a certain report on the tax amnesty program; and generally relating to a tax amnesty program for certain taxes.

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

**Senate Bill 553 – Senators Lenett, Brinkley, Colburn, Conway, Currie, Forehand, Frosh, Garagiola, Gladden, Harrington, Harris, Jacobs, Jones, Kasemeyer, Kelley, King, Madaleno, McFadden, Middleton, Miller, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

**Chesapeake Bay Phosphorous Reduction Act of 2009**

FOR the purpose of prohibiting a certain fertilizer from being labeled in a certain manner on or after a certain date; requiring a certain fertilizer to be marked with certain words in a certain manner on or after a certain date; prohibiting a certain person from selling or distributing certain fertilizer at a retail establishment on or after a certain date unless it is low phosphorous fertilizer; requiring certain manufacturers to reduce phosphorous levels resulting from the application of their lawn care products by a certain amount and on or before a certain date; prohibiting certain manufacturers from exceeding certain phosphorous levels in their lawn care products under certain circumstances; requiring certain manufacturers to report certain phosphorous levels annually to the Department of Agriculture after a certain date; authorizing the Department to adopt certain regulations; defining certain terms; and generally relating to fertilizer and phosphorus.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 6–201 and 6–210

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Agriculture

Section 6–222

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 554 – Senators Lenett, Conway, Currie, Della, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, Klausmeier, Madaleno, McFadden, Miller, Muse, Pinsky, Pugh, Raskin, and Robey**

AN ACT concerning

**Chesapeake Bay Nitrogen Reduction Act of 2009**

FOR the purpose of prohibiting the installation of an on–site sewage disposal system unless the system utilizes nitrogen removal technology; requiring the Department of the Environment to assist homeowners in paying for certain costs; establishing a certain penalty for a certain violation; defining certain terms; and generally relating to on–site sewage disposal systems with nitrogen removal technology.

BY adding to

Article – Environment

Section 9–1108

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 555 – Senators Middleton, Brinkley, Colburn, Currie, DeGrange, Della, Exum, Garagiola, Glassman, Haines, Harrington, Jacobs, Jones, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Kramer, Lenett, Madaleno, McFadden, Miller, Munson, Muse, Peters, Pugh, Robey, Stoltzfus, and Zirkin**

AN ACT concerning

**Biomass and Biofuels – In–State Production Incentives**

FOR the purpose of altering certain provisions relating to net energy metering to allows certain eligible customer generators generating electricity from cellulosic

feedstock to recover certain accrued generation credit for certain electricity fed back to the grid; prohibiting a person from selling or offering for sale diesel fuel in the State more than a certain period after the in-State production level of biodiesel reaches certain levels unless the diesel fuel contains certain percentages of biodiesel by volume; authorizing the use of certain renewable diesel in place of biodiesel to satisfy up to a certain percentage of the biodiesel content requirements of this Act; providing that certain biodiesel content requirements apply only if the Comptroller, in consultation with the Department of Agriculture and the Department of Transportation, makes a certain determination; prohibiting a person from selling or offering for sale gasoline in the State more than a certain period after the in-State production level of cellulosic biofuel reaches a certain level unless the gasoline contains a certain percentage of cellulosic biofuel by volume; authorizing the use of renewable fuel in place of cellulosic biofuel to satisfy the cellulosic biofuel content requirements of this Act; providing that the Comptroller, in consultation with the Department of Agriculture and the Department of Transportation, may suspend or reduce the biodiesel and cellulosic biofuel content requirements under certain circumstances; requiring the Comptroller, after consulting with the Department of Agriculture and the Department of Transportation, to report to the General Assembly on certain matters on or before a certain date each year; providing for the application of certain provisions of this Act; defining certain terms; making stylistic changes; and generally relating to net energy metering and motor fuel.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–306  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 10–101(d), (e), (f), and (l)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Business Regulation  
Section 10–304.2  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 556 – Senators Jones, Miller, Brinkley, Colburn, Conway, Currie, DeGrange, Exum, Forehand, Frosh, Garagiola, Gladden, Glassman,**

**Greenip, Haines, Harrington, Harris, Jacobs, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Munson, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Simonaire, Stoltzfus, Stone, and Zirkin**

AN ACT concerning

**State Funding Accountability Act**

FOR the purpose of requiring certain grantees that receive certain State aid to submit a report to the Department of Budget and Management by a certain date; requiring the report to contain certain information and be provided in a certain form; requiring the Department to develop and operate a certain searchable website providing certain information; authorizing the Office of Legislative Audits to conduct certain audits of certain grantees that receive at least a certain appropriation or grant in the operating or capital budget or from the action of a unit of State government; requiring the Office of Legislative Audits to identify for a certain audit a certain percentage of grantees each year; defining certain terms; and generally providing for the reporting and auditing of certain grantees receiving certain State aid.

BY adding to

Article – State Finance and Procurement  
Section 7–406  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–1220(b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 557 – Senators Dyson, Lenett, Conway, Currie, DeGrange, Exum, Forehand, Garagiola, Gladden, Harrington, Jones, Kasemeyer, Kelley, King, Klausmeier, Madaleno, McFadden, Middleton, Miller, Muse, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin**

AN ACT concerning

**Election Law – Implementation of Early Voting and Polling Places**

FOR the purpose of establishing a process to allow voters in the State to vote in elections at early voting polling places, instead of voting in the voters' assigned precinct on election day; authorizing a voter to vote by provisional ballot at any

polling place in the State on election day; requiring each county to have a specified number of early voting polling places, based on the number of registered voters in the county; requiring the State Board of Elections, in collaboration with the local board of elections in a county, to designate the early voting polling places in that county; requiring early voting polling places to be open for voting during a certain period and during certain hours; requiring each early voting polling place to meet certain requirements; requiring the State Board and the local boards to undertake certain steps to inform voters about early voting and the location of early voting polling places; making certain provisions of law applicable to early voting; requiring the State Board to adopt certain regulations and guidelines; requiring local boards to pay an election judge for each early voting day that the election judge actually serves; and generally relating to early voting in elections in the State.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 10–101 and 10–203  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–205  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **Senate Bill 558 – Senators King and Peters**

AN ACT concerning

#### **State Government – Notary Public – Fees**

FOR the purpose of altering the requirement that the Secretary of State set certain fees for notarial acts; altering the fee a notary public may charge for compensation of travel expenses; authorizing a notary public to charge a certain hourly fee; and generally relating to fees charged by a notary public.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 18–112  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 559 – Senator King**

AN ACT concerning

**Real Property – Restrictions – Clotheslines or Other Laundry Drying Devices**

FOR the purpose of authorizing a homeowner or tenant to use a clothesline or other laundry drying device on the property of the homeowner or tenant notwithstanding the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other laundry drying devices on the property; prohibiting the terms of any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the use of clotheslines or other laundry drying devices by a homeowner or tenant on residential property from prohibiting or restricting the right of a homeowner or tenant to use clotheslines or other laundry drying devices; authorizing the governing body of a condominium, homeowners association, or housing cooperative or a landlord to adopt reasonable rules and regulations regarding the timing, placement, and manner of use of clotheslines and other laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative, or a landlord to hold an open meeting before adopting proposed rules and regulations regarding the timing, placement, and manner of use of clotheslines and other laundry drying devices; requiring the governing body of a condominium, homeowners association, or housing cooperative or a landlord to provide advance notice of the open meeting; providing for the application of this Act; and generally relating to the use of clotheslines and other laundry drying devices by homeowners and tenants.

BY adding to

Article – Real Property  
Section 14–128.1  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 560 – Senator Miller**

AN ACT concerning

**Calvert County – Education – School Personnel – Collective Bargaining Fees**

FOR the purpose of authorizing the Board of Education of Calvert County to negotiate a certain fee with a certain certificated employee organization to be charged to certain nonmembers for certain representation; requiring the Board of Education of Calvert County to negotiate a certain fee structure to be charged to certain nonmembers for certain representation by certain noncertificated employee organizations; and generally relating to education and collective bargaining fees in Calvert County.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–401, 6–407(a) and (b), 6–501, and 6–504(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–407(d) and 6–504(b)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 561 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Boiler and Pressure Vessel Safety – Inspections**

FOR the purpose of altering the boiler and pressure vessel safety law relating to applicants for a special inspector commission by repealing certain eligibility requirements; authorizing, instead of requiring, the Board of Boiler Rules to give examinations to applicants for special inspector commissions; providing that the Chief Boiler Inspector or a deputy boiler inspector shall have free access under certain circumstances to any premises in the State to investigate the activities of a special inspector; requiring the Chief Boiler Inspector or a deputy boiler inspector to make certain inspections with respect to the installation, repair, or alteration of boilers and pressure vessels, to respond to and investigate certain complaints, to inspect or investigate accidents or explosions involving boilers and pressure vessels, and to monitor special inspector inspections; authorizing the Chief Boiler Inspector or a deputy boiler inspector to make certain inspections involving antique and model steam boilers and pressure vessels; requiring boiler and pressure vessels to be tested and

maintained in a safe operating condition in accordance with certain regulations; altering provisions of law so as to give the Commissioner of Labor and Industry jurisdiction jointly with the Board of Boiler Rules over the interpretation and application of certain boiler and pressure vessel inspection requirements; repealing certain inspection fees; adding certain inspection fees; and generally relating to boiler and pressure vessel safety.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–907 and 12–909  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 562 – Senators Garagiola, Kittleman, and Middleton**

AN ACT concerning

**Labor and Employment – Flexible Leave**

FOR the purpose of altering a certain provision so as to prohibit an employer from discharging, demoting, suspending, disciplining, or otherwise discriminating or threatening to take any of those actions against an employee solely because an employee acts in a certain manner; establishing a certain purpose for certain provisions of the Flexible Leave Act; clarifying the applicability of certain provisions of the Flexible Leave Act to include certain employees and employers; defining, altering, and clarifying certain terms; making certain stylistic changes; and generally relating to an employee's use of leave with pay to care for an immediate family member who is ill.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–802  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

February 5, 2009

SB 471 Senator Kelley

ASSISTED LIVING MANAGERS – CERTIFICATION  
REQUIREMENT

Reassigned to Finance Committee

Under Rule 33 (d)

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

February 5, 2009

SB 501 Senator Madaleno, et al

PUBLIC SAFETY – NATIONAL GUARD DEPLOYMENT –  
GOVERNOR'S POWERS

Reassigned to Education, Health and Environmental Affairs  
Committee

Under Rule 33 (d)

Read and ordered journalized.

**THE COMMITTEE ON FINANCE REPORT #6**

Senator Middleton, Chair, for the Committee on Finance recommended the following  
Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 296 – Senators Stone and Della**

**EMERGENCY BILL**

AN ACT concerning

**Automotive Dismantlers, Recyclers, and Scrap Processors – Notice of Vehicle  
Acquisition**

The bill was re-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  
Chair

Senate Executive Nominations Committee  
Report #1  
February 5, 2009

**Court of Appeals**

1. Sally D. Adkins District 38  
  
Judge of the Court of Appeals of Maryland; appointed to serve a term of 10 years from June 25, 2008
  
2. Mary Ellen Barbera District 18  
  
Judge of the Court of Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

**Court of Special Appeals**

3. Kathryn Grill Graeff District 9  
  
Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

4. Christopher Burlee Kehoe District 37  
Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from December 23, 2008
5. Albert J. Matricciani, Jr. District 43  
Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

**District Court, Anne Arundel County (District 7)**

6. Henry Richard Duden, III District 30  
Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008
7. Eileen Ann Reilly District 33  
Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008
8. Shaem Charles Patrice Spencer District 32  
Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008

**District Court, Baltimore City (District 1)**

9. Leon Robert Cooper District 43  
Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 7, 2008
10. George M. Lipman District 43  
Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from November 24, 2008
11. Kathleen M. Sweeney District 41  
Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from January 5, 2009

**District Court, Baltimore County (District 8)**

12. Norman R. Stone, III District 7

Judge of the District Court of Maryland, District 8, Baltimore County; reappointed to serve a term of ten years from November 24, 2008

**District Court, Calvert County (District 4)**

13. Edward Gregory Wells District 27

Judge of the District Court of Maryland, District 4, Calvert County; appointed to serve a term of ten years from August 7, 2008

**District Court, Cecil County (District 3)**

14. Bonnie Gullatt Schneider District 36

Judge of the District Court of Maryland, District 3, Cecil County; appointed to serve a term of ten years from August 7, 2008

**District Court, Garrett County (District 12)**

15. Leonard James Eiswert District 1

Judge of the District Court of Maryland, District 12, Garrett County; appointed to serve a term of ten years from October 15, 2008

**District Court, Harford County (District 9)**

16. Susan Hower Hazlett District 35

Judge of the District Court of Maryland, District 9, Harford County; appointed to serve a term of ten years from May 14, 2008

**District Court, Kent County (District 3)**

17. John Edward Nunn, III District 36

Judge of the District Court of Maryland, District 3, Kent County; appointed to serve a term of ten years from December 23, 2008

**District Court, Prince George's County (District 5)**

18. Tiffany Hanna Anderson District 25  
Judge of the District Court of Maryland, District 5, Prince George's County;  
appointed to serve a term of ten years from August 7, 2008
19. G. Richard Collins District 21  
Judge of the District Court of Maryland, District 5, Prince George's County;  
appointed to serve a term of ten years from August 7, 2008
20. Lawrence Vincent Hill, Jr. District 24  
Judge of the District Court of Maryland, District 5, Prince George's County;  
appointed to serve a term of ten years from August 7, 2008

**District Court, Queen Anne's County (District 3)**

21. John T. Clark, III District 36  
Judge of the District Court of Maryland, District 3, Queen Anne's Co;  
reappointed to serve a term of ten years from December 22, 2008

**District Court, Somerset County (District 2)**

22. Paula Ann Price District 38  
Judge of the District Court of Maryland, District 2, Somerset County; appointed  
to serve a term of ten years from January 7, 2009

**District Court, Wicomico County (District 2)**

23. R. Scott Davis District 38  
Judge of the District Court of Maryland, District 2, Wicomico County;  
reappointed to serve a term of ten years from January 5, 2009

**Adjutant General**

24. James A. Adkins District 37  
27 Algonquin Road  
Cambridge, MD 21613  
Adjutant General; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

25. Veronica E. Coates District 28  
10370 Faith Hope Place  
White Plains, MD 20695

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2008

26. Evan Richardson District 43  
2806 Harview Avenue  
Baltimore, MD 21234

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2008

**Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland**

27. Faith Elliott Rossing District 36  
3601 Goldsboro Road  
Henderson, MD 21640

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2007

**Apprenticeship and Training Council**

28. Grant Blake Shmelzer District 16  
4977 Battery Lane, Apt. 1019N  
Bethesda, MD 20814

Member of the Apprenticeship and Training Council; appointed to serve remainder of a term of four years from July 1, 2008

**Arts Council, Maryland State**

29. Nilimma S. Devi District 18  
1525 Forest Glen Road  
Silver Spring, MD 20910

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2008

**Assistive Technology Guaranteed Loan Program Board of Directors**

30. Mollyne R. Honor District 31  
3707 Beech Avenue  
Baltimore, MD 21211

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

31. Sue C. Lin District 18  
2114 Darcy Green Place  
Silver Spring, MD 20910

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

32. John G. Miers District 16  
5510 Huntington Parkway  
Bethesda, MD 20814

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

33. Robert B. Gawne District 21  
11501 Blue Ridge Drive  
Beltsville, MD 20705

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term to expire December 31, 2008, and for a term of three years from January 1, 2009

34. Matthew M. Warner District 3  
6613 Babak Drive  
Frederick, MD 21702

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2007

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Assistive Technology Guaranteed Loan Program Board of Directors**

S-1. Misti Ray Lucente District 3  
11016 Graymarsh Place  
Ijamsville, MD 21754

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2007

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 6, 2009

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 100)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #6**

**Senate Bill 62 – Chair, Finance Committee (By Request – Departmental – Assessments and Taxation)**

SECOND PRINTING

AN ACT concerning

**Uniform Commercial Code – Financing Statements – Termination by Government Employees**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 101)

The Bill was then sent to the House of Delegates.

**Senate Bill 71 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Certificate of Need Requirements**

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

Affirmative – 46      Negative – 0      (See Roll Call No. 102)

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. 103)

**ADJOURNMENT**

At 10:25 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 6, 2009.

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**Annapolis, Maryland**  
**Friday, February 6, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:04 A.M.

Prayer by Bishop G. Randolph Gurley, The Tabernacle Church guest of Senator Douglas J. J. Peters.

(See Exhibit A of Appendix III)

The Journal of February 5, 2009 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 105)

**INTRODUCTION OF BILLS**

**Senate Bill 563 – Senators Madaleno, Harrington, Jones, and Kasemeyer**

AN ACT concerning

**State Budget – Modifications – Reporting**

FOR the purpose of requiring the State budget books to include a separate section for certain fiscal years, listing certain changes in policy or administration that will reduce, by a certain amount, the level of funding or level of services 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; defining a certain term; and generally relating to a requirement that the budget books contain a section relating to certain reductions.

BY adding to  
Article – State Finance and Procurement  
Section 7–123

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 564 – Senators Madaleno, Forehand, Lenett, and Raskin**

AN ACT concerning

**Health Insurance – Habilitative Services – Required Coverage**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage of habilitative services for individuals under a certain age; altering a certain definition; and generally relating to health insurance coverage of habilitative services.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–835  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 565 – Senators Madaleno, Raskin, Forehand, Gladden, Kramer, Lenett, McFadden, Pinsky, and Pugh**

AN ACT concerning

**Religious Freedom and Civil Marriage Protection Act**

FOR the purpose of altering a provision of law establishing that only certain marriages are valid in this State; prohibiting certain officials from being required to solemnize a marriage in violation of a certain constitutional right; providing for the construction of a certain provision of this Act; and generally relating to valid marriages.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–201  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 566 – Senators Madaleno, Conway, Forehand, Garagiola, Gladden, Harrington, Jones, King, Lenett, McFadden, Pinsky, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Human Relations – Sexual Orientation and Gender Identity – Antidiscrimination**

FOR the purpose of prohibiting discrimination based on gender identity with regard to public accommodations, housing, and employment; prohibiting discrimination based on gender identity by certain licensed or regulated persons; prohibiting discrimination based on sexual orientation or gender identity with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; altering a certain exception for employers that relates to standards concerning dress and grooming; providing that an employer is immune from certain liability for certain acts to verify the gender identity of any employee or applicant in response to a certain charge; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity; requiring certain State personnel actions to be made without regard to gender identity or sexual orientation; defining the term “gender identity”; making certain conforming changes; and generally relating to discrimination based on sexual orientation and gender identity.

BY renumbering

Article – State Government

Section 20–101(e) and (f), respectively

to be Section 20–101(f) and (g), respectively

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(9lr0791) of the Acts of the General Assembly of 2009)

BY adding to

Article – State Government

Section 20–101(e)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(9lr0791) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–302, 20–304, 20–401, 20–402, 20–501, 20–602, 20–603, 20–605(a)(2), 20–606(a) through (e), 20–607, 20–702(a), 20–704(a)(2), 20–705, 20–707(b) and (c), and 20–1103(b)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_)(9lr0791) of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–302  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 567 – Senators Stone, Jacobs, Kittleman, and Robey**

AN ACT concerning

**Criminal Procedure – Registered Offenders – Ban from Public Parks**

FOR the purpose of prohibiting a person who is required to register on a certain offender registry for a term of life from knowingly entering a public State or local 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  
(2008 Replacement Volume)

BY adding to  
Article – Criminal Procedure  
Section 11–728  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 568 – Senators Pugh, Currie, Exum, Gladden, Harrington, Jones, Madaleno, McFadden, Muse, Peters, and Raskin**

AN ACT concerning

**Minority Business Enterprise Program – Directory of Minority Business Enterprises**

FOR the purpose of requiring a certain minority business certification agency to include in its directory certain minority business enterprises that, for certain

reasons, have become ineligible for the Minority Business Enterprise Program; and generally relating to the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–304  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 569 – Senators Pugh, Frosh, Lenett, Muse, Raskin, and Stone**

AN ACT concerning

**Education – Collective Bargaining – Topics of Negotiation**

FOR the purpose of including the discipline and discharge of an employee for just cause and employee transfers and assignments among the matters a public school employer must meet and negotiate with a certain employee organization on request; repealing the public school employer's authority to negotiate due process for discipline and discharge with a certain employee organization under certain circumstances; and generally relating to collective bargaining for public school employees.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–501  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–510  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 570 – Senator Kelley**

AN ACT concerning

**Condominiums and Homeowners Associations – Reserves and Reserve Studies**

FOR the purpose of requiring the governing body or the council of unit owners of certain condominiums to have a reserve study conducted of the common elements of the condominium by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common elements of a condominium to meet certain criteria; requiring the governing body of certain homeowners associations or certain homeowners associations to have a reserve study conducted of the common areas of the homeowners association by a certain date and at certain intervals under certain circumstances; requiring the reserve study conducted of the common areas of a homeowners association to meet certain criteria; requiring the annual budget of a certain homeowners association development to provide for reserves under certain circumstances; defining certain terms; and generally relating to the reserves and reserve studies of condominiums and homeowners associations.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–109.2 and 11–110(b)(1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Real Property  
Section 11–109.4 and 11B–112.2  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 571 – Senators Stoltzfus and Colburn**

AN ACT concerning

#### **Creation of a State Debt – Wicomico County – Senior Training Center for the Blind**

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 Blind Industries and Services 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 572 – Senator Stoltzfus**

AN ACT concerning

**Worcester County – Gaming – Bingo**

FOR the purpose of increasing certain fees for bingo conducted in Worcester County; increasing certain maximum prizes offered in bingo; repealing a prohibition against conducting bingo outside a certain area; specifying that a certain game may be played without a prize limit; repealing a prohibition against conducting bingo on Sunday; authorizing a person to advertise in a certain way the location and time of bingo and bingo prizes; and generally relating to bingo conducted in Worcester County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–2602  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–2610, 13–2611, and 13–2612  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 573 – Senators Stoltzfus and Colburn**

AN ACT concerning

**Wicomico County – Local Board of Elections – Compensation**

FOR the purpose of altering the compensation of a substitute member of the local board of elections in Wicomico County; repealing a certain requirement relating to the compensation of the counsel to the local board of elections in Wicomico County; providing that this Act does not apply to the salary or compensation of an incumbent substitute member of the local board of elections in Wicomico County; and generally relating to the compensation of the local board of elections in Wicomico County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–204 and 2–205  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 574 – Senators Stoltzfus and Colburn**

AN ACT concerning

**Wicomico County – Annual Financial Report – Filing Date**

FOR the purpose of altering the date by which Wicomico County may file its annual financial report for the fiscal year with the Maryland Department of Legislative Services; and generally relating to the annual financial report of Wicomico County.

BY repealing and reenacting, with amendments,  
Article 19 – Comptroller  
Section 37  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 575 – Senators Middleton and Dyson**

AN ACT concerning

**Maryland Native American Status – Standards for Recognition**

FOR the purpose of altering the criteria that are required to be included in certain standards for recognition established by the Commission on Indian Affairs by regulation; providing for the construction of this Act; and generally relating to recognition of Maryland Indian status.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9.5–311  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 576 – Senators Middleton, Exum, Kelley, Della, and Pugh**

AN ACT concerning

**Unemployment Insurance – Maximum Benefit – Increase**

FOR the purpose of increasing the amount of the weekly unemployment insurance benefit up to a certain amount over a certain period of time; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to unemployment insurance benefits.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–803  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–803  
Annotated Code of Maryland  
(2008 Replacement Volume)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 577 – Senators Garagiola, Currie, Exum, Forehand, Harrington, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pugh, Raskin, Robey, Stone, and Zirkin**

AN ACT concerning

**Maryland Covers All Children Act of 2009**

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 certain residents of the State to obtain and maintain certain coverage on and after a certain date; reducing the exemption amount for a dependent child an individual or married couple may claim on the income tax return under certain circumstances; making certain requirements inapplicable under certain circumstances; establishing a certain exception; requiring the Department and the Comptroller to publicize certain requirements for a certain purpose; requiring the Maryland Health Care Commission, in consultation with certain other agencies, to submit certain reports to the Governor and the General Assembly; requiring the reports to include certain items; altering the termination of certain provisions of law; providing for the application of certain provisions of this Act; making stylistic changes; providing for a delayed effective date for certain provisions of this Act; and generally relating to health care coverage for children and a reduction to the exemption amount for a dependent child under the income tax.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–301(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–301(b) and (c) and 15–301.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 20–501 to be under the new subtitle “Subtitle 5. Health Care Coverage  
for Residents 18 Years of Age and Younger”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–1301(a) and (f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–211.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 692 of the Acts of the General Assembly of 2008  
Section 6

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

**Senate Bill 578 – Senator Jones**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Academy of Success Community Empowerment Center**

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 the Academy of Success, 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 579 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Checks – Electronic Publication of Payee Names**

FOR the purpose of authorizing the Treasurer of the State to electronically publish the names of certain payees under certain circumstances for a certain period of time; and generally relating to electronic publication of payee names and the Undeliverable Checks Fund.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–229  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 580 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – Winery License**

FOR the purpose of authorizing the Carroll County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Carroll County.

BY adding to

Article 2B – Alcoholic Beverages

Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery Licenses”; and 11–507(c)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 11–507(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–507(b)(1)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 581 – Senators Frosh, Conway, Harrington, Lenett, Pinsky, and Rosapepe**

AN ACT concerning

**Natural Resources – Roadside Trees – Protection and Enforcement**

FOR the purpose of authorizing a county or municipality to adopt a local law or ordinance relating to roadside trees under certain circumstances; authorizing a county or municipality to issue a stop work order under certain circumstances; authorizing the Department of Natural Resources to authorize a county or municipality to enforce certain provisions of law under certain circumstances; prohibiting a county or municipality from issuing a building permit under certain circumstances; establishing certain penalties for certain violations; requiring the State Highway Administration to include a certain requirement relating to roadside trees in certain contracts; making stylistic changes; and generally relating to the protection of roadside trees.

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 5–401 and 5–402

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–403, 5–404, and 5–406  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–614  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 582 – Senators Frosh and Middleton**

AN ACT concerning

**State Personnel – Attorney General – Special Appointments**

FOR the purpose of establishing that certain staff members in the Office of the Attorney General are special appointments who may not be determined to be political special appointments under certain provisions of State personnel law; establishing that certain staff positions in the Office of the Attorney General are political special appointments under certain provisions of State personnel law; making certain conforming and clarifying changes; and generally relating to special appointments in the Office of the Attorney General.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 6–105  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 6–405  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 583 – Senator Edwards**

AN ACT concerning

**Public Utility Companies – Generating Stations – Wind**

FOR the purpose of repealing a provision that exempts 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; repealing a provision that requires 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; repealing a provision that requires the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; repealing a provision requiring the Commission to provide certain notices; amending the termination provision for a certain reporting requirement; and generally relating to electricity from wind generating stations.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–207(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–207.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Chapter 163 of the Acts of the General Assembly of 2007  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 163 of the Acts of the General Assembly of 2007  
Section 4

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

**Senate Bill 584 – Senator Edwards**

AN ACT concerning

**Garrett County – County Commissioners – Commercial Grade Wind Turbines  
– Authority to Set Standards**

FOR the purpose of authorizing the County Commissioners of Garrett County to enact ordinances regulating the height, size, location, and setback of commercial wind turbine structures in Garrett County; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners  
Section 236G  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 585 – Senator Edwards**

AN ACT concerning

**Public Utility Companies – Wind Generating Stations**

FOR the purpose of repealing a condition that a certain wind-powered electric generating station be land-based in order for the person constructing the generating station to be exempt from having to obtain a certificate of public convenience and necessity under certain circumstances; and generally relating to the construction of wind-powered electric generating stations.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies  
Section 7–207.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 586 – Senators Mooney and Muse**

AN ACT concerning

**Public Safety – Handgun Permits – Victims of Domestic Violence**

FOR the purpose of specifying that an applicant for a handgun permit who is eligible for relief under the spousal domestic violence law for whose benefit a court has issued a temporary or final protective order meets a certain standard in order to be issued a handgun permit by the Secretary of State Police; making a certain stylistic change; and generally relating to the issuance of handgun permits by the Secretary of State Police to certain applicants for whose benefit a court has issued a temporary or final protective order.

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 5–301(a) and (d)  
Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 587 – Senator Pipkin**

AN ACT concerning

**Lawyers – Simultaneous Service As Counsel to Counties and Municipalities –  
Prohibition**

FOR the purpose of prohibiting a lawyer from serving as legal counsel for a county in the State while also serving as legal counsel for a municipal corporation in the State; authorizing a certain court to issue a writ of mandamus to command a person to comply with this Act; providing that a violation of this Act violates certain ethical rules and is subject to the disciplinary authority of a certain bar association; and generally relating to prohibited acts for lawyers in the State.

BY adding to  
Article – Business Occupations and Professions  
Section 10–603.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 10–606  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 588 – Senator Pipkin**

AN ACT concerning

**Department of Planning – Advisory Role to Municipal and County  
Governments**

FOR the purpose of authorizing the Department of Planning to act only as an advisory agency with respect to a county or municipality; and generally relating to the authority of the Department of Planning.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–302  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 589 – Senators Pipkin and Colburn**

AN ACT concerning

**Creation of a State Debt – Caroline County – Sharp Road Youth Sports Complex**

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 Choptank Athletic Association 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 590 – Senators Pipkin and Della**

AN ACT concerning

**Business Regulation – State Amusement Ride Safety Advisory Board – Membership**

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 2008 Supplement)

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

**Senate Bill 591 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Military Service Credit –  
Clarification and Simplification**

FOR the purpose of altering the definition of “military service” as it relates to service credit for members of State or local retirement or pension systems to include active and inactive duty for training; providing certain death and disability benefits to certain individuals who are members of a State or local retirement or pension system who die or becomes disabled on or after a certain date while performing certain military service; requiring a State or local retirement or pension system to provide certain benefits to certain individuals depending on certain choices the State or local retirement system may make with regard to the distribution of certain benefits; clarifying that certain members of the Maryland National Guard who are on active or inactive duty for training that interrupts the member’s service may receive a certain amount of service credit under certain circumstances; repealing certain obsolete language; and generally relating to clarifying and simplifying the military service credit provisions for the State or local retirement or pension systems.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 38–101(d), 38–102, and 38–103(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 592 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Compliance with Federal Tax  
Provisions**

FOR the purpose of prohibiting the Board of Trustees for the State Retirement and Pension System from using certain forfeitures of benefits for certain purposes; requiring that certain forfeitures of benefits be used for certain purposes; providing that the State Retirement Agency may make certain payments to certain eligible retirement plans specified by certain designated beneficiaries of

a member of the State Retirement and Pension System; allowing certain members of the State Retirement and Pension System to make direct rollovers of certain distributions on or after a certain date; providing that an eligible rollover distribution includes certain distributions to certain spouses or former spouses of members of the State Retirement and Pension System; providing that distributions totaling less than a certain amount are not eligible rollover distributions; clarifying that certain portions of distributions remain eligible rollover distributions even if these portions consist of certain employee contributions; limiting the investment options that may be used for transfers of certain portions of eligible rollover distributions; providing that certain investment options be considered in a certain manner; altering certain definitions; altering the application of a certain Act to apply to certain members or retirees of the State Retirement and Pension System who request certain beneficiary changes on or after a certain date; and generally relating to conforming the State Retirement and Pension System to certain federal tax legislation.

BY adding to

Article – State Personnel and Pensions  
Section 20–209  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 21–601 and 21–602  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Chapter 500 of the Acts of the General Assembly of 2005  
Section 2

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

**Senate Bill 593 – Senator McFadden (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Board of Trustees – Attendance and Educational Training**

FOR the purpose of providing additional exceptions for excused absences from certain meetings for members of the Board of Trustees of the State Retirement and Pension System; altering the limitation on the location where the Board of Trustees may meet for certain training; removing certain limitations regarding certain entities who may conduct certain training for the Board of Trustees; and

generally relating to trustee attendance and educational training for members of the Board of Trustees.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–104(e) and 21–108(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 594 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Fine Arts Center for Archbishop  
Curley High School**

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 Trustees of Archbishop Curley High School 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 595 – Senator Kasemeyer**

AN ACT concerning

**Election Law – Audit of Election Results – Transparency in Election  
Administration**

FOR the purpose of requiring the State Board of Elections to adopt regulations that provide for convenient and timely public access to certain information concerning the administration of elections; requiring that certain information concerning a meeting of the State Board or a local board of elections be posted on the website of the State Board or local board by a certain date before the meeting and a certain date after the meeting; requiring that the public be allowed to speak, hear the proceedings, and obtain certain documents at each meeting of the State Board and the local boards; authorizing a poll monitoring organization to designate a registered voter as a challenger or watcher; providing that a certificate signed by a certain group is sufficient evidence of the right of a challenger or watcher to be present in the voting room; repealing

certain provisions of law relating to nonaccredited challengers and watchers; requiring that a nonaccredited challenger or watcher have all the rights of an accredited challenger or watcher and be subject to the same restrictions as an accredited challenger or watcher; requiring that a board of canvassers verify the vote count in certain statewide contests and contests for Representative in Congress by means of a certain audit before certifying the results of an election; requiring that an audit include a comparison of a manual count of votes with the machine count; requiring that the manual count be considered the official and accurate record of the votes cast in a contest; requiring that precincts be selected to be manually counted by means of random draws; requiring that random draws be conducted in a certain manner; requiring that the selection of precincts to be manually counted may not commence before the machine count is complete and election results are posted on the State Board's website, except under certain circumstances; requiring that additional precincts be added to the manual count under certain circumstances if the selection of precincts to be manually counted commences before the machine count is complete; requiring that additional precincts be manually counted in a certain manner if the vote totals produced by an initial manual count vary by a certain amount from the machine count; authorizing a certain candidate to request that a certain number of precincts be manually counted in addition to those otherwise required to be manually counted under this Act; requiring a candidate to pay the costs of a manual count requested by the candidate, except under certain circumstances; providing that a candidate who requests a manual count retains the right to petition for a recount and seek certain judicial relief in a contested election; requiring the State Board to develop written procedures to govern audits under this Act; requiring the procedures to address certain matters; requiring the State Board to post the procedures on its website, solicit public comments, and revise the procedures as necessary; requiring the State Board to allow the public to witness, verify, and comment on all aspects of the audit process; requiring the State Board to provide certain notice of each activity related to an audit at least a certain number of days in advance; requiring that precinct level vote totals produced by the machine count and the final results of an audit be posted on the websites of the State Board and local boards at certain times; requiring final audit results to include certain information; requiring the State Board to post a report on its website relating to voting system and election process deficiencies identified during an audit by a certain date; requiring that all documents, reports, and results of an audit be available to the public and may be used as evidence in an election contest; defining certain terms; and generally relating to audits of election results and transparency and accuracy in election administration.

BY adding to

Article – Election Law

Section 2–108 and 11–309

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–311 and 11–308  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 596 – Senators Kasemeyer, Brinkley, Currie, DeGrange, Della, Edwards, Garagiola, Jones, King, Kittleman, Klausmeier, Kramer, Madaleno, McFadden, Middleton, Munson, Peters, Pugh, Robey, and Stone**

AN ACT concerning

**Income Tax – Film Production Activity Credit**

FOR the purpose of repealing the Film Production Rebate Program; allowing certain film production entities to claim a credit against the State income tax for certain costs incurred for certain film production activities within the State; requiring a film production entity to apply with the Department of Business and Economic Development to be a qualified film production entity; requiring the Secretary of the Department to determine if the film production entity qualifies for the credit; requiring that the estimated total direct costs incurred in the State exceed a certain amount; authorizing the Secretary to require the entity to provide certain information; authorizing the Secretary to require that certain information be verified by an independent auditor; requiring a qualified film production entity to apply for a tax credit certificate from the Department; authorizing the Secretary to provide for the form of the application; requiring the application to include certain information; requiring the Secretary to determine the total direct costs that qualify for the tax credit and issue a tax credit certificate for a certain percentage of the total direct costs; requiring the Secretary to notify the Comptroller of the amount of any tax credit certificate issued; providing that the total direct costs for a film production activity may not include the wages of an employee if the employee's wages exceed a certain amount; requiring that each year the Department report to the Governor and General Assembly certain information regarding the tax credit; requiring the Department and the Comptroller to jointly adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain film production activities.

BY repealing  
Article – Economic Development  
Section 4–401 through 4–407 and the subtitle “Subtitle 4. Film Production Rebate Fund”  
Annotated Code of Maryland

(2008 Volume)

BY adding to

Article – Tax – General

Section 10–728

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 597 – Senators Conway, Gladden, Jones, McFadden, and Pugh**

AN ACT concerning

**Secondhand Precious Metal Object Dealers and Pawnbrokers – Electronic Reporting**

FOR the purpose of requiring certain secondhand precious metal object dealers and pawnbrokers to submit certain records to certain law enforcement units in a certain manner and at a certain time; exempting certain antique dealers from the reporting requirement; providing for the construction of this Act; providing for a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the records of secondhand precious metal object dealers and pawnbrokers.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 12–304

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 598 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Accidents Resulting in Death – Appearance in Court for Traffic Citations**

FOR the purpose of requiring a person who receives a traffic citation for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in the citation by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–204  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 599 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – New Town High School Stadium**

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 County Executive and County Council of Baltimore County 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 600 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Owings Mills High School Stadium**

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 County Executive and County Council of Baltimore County 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 601 – Senator Zirkin**

AN ACT concerning

**Domestic Violence – Temporary Protective Orders – Extension**

FOR the purpose of altering the period of time for which a judge is authorized to extend a temporary protective order to effectuate service of the order where necessary to provide protection or for other good cause; and generally relating to temporary protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–505  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 602 – Senators Pinsky, Colburn, Conway, Dyson, Harrington, Lenett, and Rosapepe**

AN ACT concerning

**Dental Hygienists – Expanded Functions**

FOR the purpose of altering the definition of “practice dental hygiene”; 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 before performing certain functions; altering a certain calculation of the number of unsupervised clinical hours worked by supervised dental hygienists under certain circumstances; and generally relating to the practice of dental hygiene.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–101(k), 4–205(a)(1), 4–206, and 4–308(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health Occupations  
Section 4–206.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 603 – Senators Pinsky, Frosh, Harrington, Madaleno, Raskin, and Rosapepe**

AN ACT concerning

**Corporate Income Tax – Rate Reduction and Reform**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations for certain taxable years; requiring certain corporations to compute Maryland taxable income using a certain method; allowing certain corporations to claim a credit against the State income tax in a certain amount for certain taxable years; altering a provision limiting to certain taxable years certain requirements for certain corporations to file certain statements with the Comptroller; requiring the Comptroller to make certain estimates and include certain estimates in a certain report; 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; requiring certain regulations to be consistent with certain regulations adopted by the Multistate Tax Commission; defining certain terms; stating the intent of the General Assembly that certain legislation be adopted in a certain year to permanently reduce the corporate income tax rate; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b), 10–804.1(c)(1)(i), and 10–811  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 10–402.1, 10–728, and 10–804.1(e)(4)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–804.1(e)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 604 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualifying employees facing certain employment barriers.

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, and Chapter 658 of the Acts of the General Assembly of 2008

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, and Chapter 658 of the Acts of the General Assembly of 2008

Section 4 and 6

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

**Senate Bill 605 – Senator Currie**

AN ACT concerning

**State Employment Opportunity Credit – Sunset Repeal**

FOR the purpose of repealing a certain termination provision and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualified employment opportunity employees; and generally relating to the State Employment Opportunity Credit.

BY repealing and reenacting, with amendments,

Chapter 492 of the Acts of the General Assembly of 1995, as amended by Chapter 10 of the Acts of the General Assembly of 1996, Chapters 598 and 599 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General

Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, and Chapter 391 of the Acts of the General Assembly of 2008  
Section 3

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

**Senate Bill 606 – Senators Haines, Colburn, Greenip, and Harris**

AN ACT concerning

**Environment – Privately Licensed Sanitarians – Soil Percolation Tests**

FOR the purpose of providing that a county or local health department may not prohibit a person from directly hiring or scheduling a privately licensed sanitarian to conduct a soil percolation test; requiring the privately licensed sanitarian to notify the county or local health department that a soil percolation test will be conducted and to allow a representative of the county or local health department to observe the test; requiring a county or local health department to accept a certain soil percolation test under certain circumstances; and generally relating to soil percolation tests conducted by privately licensed sanitarians.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1104  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 607 – Senators Brinkley and Mooney**

AN ACT concerning

**Frederick County – Overdue Water and Sewer Charge – Restoration of Service Penalty**

FOR the purpose of altering the penalty imposed on water users in Frederick County for restoring service after an overdue charge for water and sewer services has been paid; and generally relating to water and sewer service charges in Frederick County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Frederick County  
Section 2–13–23(a)(1)  
Article 11 – Public Local Laws of Maryland  
(2004 Edition and September 2008 Supplement, as amended)

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

**Senate Bill 608 – Senators Brinkley and Mooney**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Part-Time Inspectors**

FOR the purpose of authorizing the Frederick County Liquor Board to appoint a certain number of part-time alcoholic beverages inspectors; specifying certain requirements that a person must meet to qualify for appointment; specifying certain powers, duties, and compensation of part-time inspectors; making certain prohibitions against conflict of interest applicable to part-time inspectors; and generally relating to part-time alcoholic beverages inspectors in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15-103  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 609 – Senator Brinkley**

AN ACT concerning

**Frederick County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Frederick County to hunt deer on certain Sundays on private property with a bow and arrow during certain months; and generally relating to hunting on private property on Sundays.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10-410(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10-410(a)(2)  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 610 – Senator Jones (Chair, Joint Committee on the Management of Public Funds) and Senators Currie, Forehand, and Haines**

AN ACT concerning

**State Treasury – Permissible Investments of State Money**

FOR the purpose of altering certain permissible investments of State money by the Treasurer of the State; establishing certain purposes for cash portfolio management by the Treasurer; authorizing the Treasurer to sell, redeem, lend, exchange, and enter into repurchase and reverse–repurchase agreements for certain investments; and generally relating to the permissible investments of State money.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–222  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 611 – Senators Jones, Conway, Harrington, Muse, and Pugh**

AN ACT concerning

**Minority Business Enterprise Program – Prohibitions and Penalties for Contractors**

FOR the purpose of prohibiting certain contractors from engaging in certain acts when submitting a bid or proposal or performing a contract under certain circumstances; requiring the Board of Public Works to impose certain penalties against certain contractors; requiring the Board to consider certain factors when determining certain penalties; requiring the Governor’s Office of Minority Affairs to make available a certain hotline for the use of certain minority business enterprises to report a certain violation by a contractor; and generally relating to prohibitions and penalties for contractors under the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–308

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 612 – Senators Jones and Conway**

AN ACT concerning

**Procurement – Minority Business Enterprise Program – Contracting Modification**

FOR the purpose of authorizing a woman-owned business to participate in certain procurement contracts as either a woman-owned business or a business owned by a member of an ethnic or racial minority group for certain purposes within the Minority Business Enterprise Program; altering a provision relating to the Department of Transportation and the application of certain requirements to certain of its procurement contracts; altering a certain definition; and generally relating to participation in the Minority Business Enterprise Program.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(e) and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301(i) and 14–302(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 613 – Senators Gladden, Brochin, Conway, Dyson, Kramer, Madaleno, Munson, Muse, Peters, Pipkin, Raskin, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**CINA, Guardianship, Adoption, Custody, and Visitation – Disability of Parent, Guardian, Custodian, or Party**

FOR the purpose of prohibiting a court, in making a disposition on a child in need of assistance (CINA) petition, from considering a disability of a parent, guardian,

or custodian of a child except under certain circumstances; prohibiting a local department of social services, a guardian, or a child placement agency, in certain adoption proceedings, from withholding consent to an adoption solely because a prospective adoptive parent has a disability; prohibiting a court, in ruling on a certain adoption petition, from denying the petition solely because the petitioner has a disability; prohibiting a child from being committed to the custody or guardianship of a local department and placed in an out-of-home placement solely because the child's parent or guardian has a disability; requiring the Social Services Administration to adopt certain regulations prohibiting a local department from taking certain actions solely because a child's parent or guardian has a disability; prohibiting a court, in any custody or visitation proceeding, from considering a disability of a party, except under certain circumstances; defining a certain term; and generally relating to the disability of certain individuals in certain CINA, guardianship, adoption, custody, or visitation proceedings.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–801(a), (f), and (g) and 3–819.2(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–819(b) and 3–819.2(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–338(b), 5–350(b), 5–3A–35(b), 5–3B–19(b), and 5–525  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Family Law  
Section 9–107  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 614 – Senator Gladden**

AN ACT concerning

**Transportation – Baltimore Corridor Transit Study – Red Line Area**

FOR the purpose of prohibiting the Maryland Transit Administration from acquiring certain real property, during a certain period, for construction of the Baltimore Corridor Red Line transit project; altering the period during which the Administration shall conduct a certain study; declaring the intent of the General Assembly regarding certain matters; and generally relating to the Baltimore Corridor Red Line Transit Study.

BY repealing and reenacting, with amendments,  
Chapter 2 of the Acts of the General Assembly of the 2006 Special Session  
Section 1

BY repealing and reenacting, with amendments,  
Chapter 3 of the Acts of the General Assembly of the 2006 Special Session  
Section 1

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

**Senate Bill 615 – Senator Gladden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Roland Park Fire Station  
Rehabilitation**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$110,000, the proceeds to be used as a grant to The Baltimore City Fire Department 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 616 – Senator Glassman**

AN ACT concerning

**Insurance Producers – Continuing Education – Exemption for Funeral  
Directors and Morticians**

FOR the purpose of exempting certain licensed funeral directors and certain licensed morticians who sell only certain life insurance policies or annuity contracts for a certain purpose from continuing education requirements for insurance

producers; and generally relating to continuing education for insurance producers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–116  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 617 – Senators DeGrange, Astle, Brinkley, King, Kramer, Madaleno, Munson, Peters, and Stoltzfus**

**EMERGENCY BILL**

AN ACT concerning

**Local Government – Deposits of Unexpended or Surplus Money**

FOR the purpose of altering the conditions under which certain local governments may deposit certain unexpended or surplus money with certain federally insured banks or savings and loan associations; making this Act an emergency measure; and generally relating to local governments and deposits of unexpended or surplus money.

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22–O  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 618 – Senators Stone and Frosh**

AN ACT concerning

**Criminal Procedure – Violation of Crime Victim Rights – Sentencing**

FOR the purpose of requiring a trial or juvenile court, on the allegation by a certain crime victim or the victim's representative that a certain right of the victim or victim's representative was violated, to hold a hearing to determine if the right was violated; requiring the court, if a certain finding is made, to allow the victim or the victim's representative to address the court or submit a certain impact statement or recommendation; requiring the court to consider certain information presented by the State, defendant, child respondent, victim, and

victim's representative; authorizing a court to reaffirm, modify, or vacate a prior sentence or disposition of a certain defendant or child respondent under certain circumstances; and generally relating to the rights of crime victims.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–403  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 619 – Senators Stone and Miller**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Delegation of Contested Claims to Office of Administrative Hearings**

FOR the purpose of authorizing the Criminal Injuries Compensation Board to adopt regulations for the approval of attorneys' fees for representation before the Office of Administrative Hearings; repealing the authority of the Board to hear and determine a certain claim, hold hearings, administer oaths, examine any person under oath, and issue certain subpoenas; authorizing the Board to tentatively determine a certain claim and request certain subpoenas; repealing the authority of the Board to delegate certain power to a certain member or employee; requiring the Board to provide a certain report to a certain claimant and a certain attorney; requiring the Secretary of Public Safety and Correctional Services to delegate the authority to conduct a certain hearing to the Office of Administrative Hearings under certain circumstances; requiring the Office to hold a certain hearing at a certain location under certain circumstances; altering a certain provision of law to require the Secretary to modify, affirm, or reverse a certain decision within a certain time period under certain circumstances; requiring that a certain claimant and a certain attorney be given a copy of a certain decision; authorizing a certain claimant to appeal a certain decision within a certain time period; authorizing the transfer and appropriation of certain money in a certain manner to the Office for a certain purpose; providing for the application of this Act; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–805, 11–814, and 11–815  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 620 – Senators Simonaire, Greenip, Haines, Jacobs, Mooney, and Stone**

AN ACT concerning

**Crimes of Violence – Voided Revised Sentences**

FOR the purpose of requiring a court to notify each victim of the crime for which the defendant was convicted before revising, modifying, or reducing the sentence imposed on the defendant for a certain crime of violence; providing the requirements for service of a certain notice to a victim; requiring a court to schedule a certain hearing under certain circumstances; providing that any revision, modification, or reduction of the sentence is void on a finding that the court failed to notify the victim; requiring a court to schedule a subsequent hearing under certain circumstances; defining a term; providing for the application of this Act; and generally relating to the revisory power of a court in criminal sentencing.

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 14–101(a)

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY adding to

Article – Criminal Procedure

Section 6–233

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 621 – Senators King, Forehand, Garagiola, Harrington, Peters, Raskin, and Rosapepe**

AN ACT concerning

**Sales and Use and Property Tax – Exemptions – Solar Energy Equipment and Property**

FOR the purpose of altering the definition of “solar energy equipment” for purposes of an exemption under the sales and use tax for certain geothermal equipment and solar energy equipment; altering the definition of “solar energy property” for purposes of a property tax exemption for certain solar energy equipment; and generally relating to certain tax exemptions for certain solar energy equipment.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–230  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–242  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 622 – Senators King, Currie, DeGrange, Kasemeyer, Kramer, Madaleno, Peters, Robey, and Rosapepe**

AN ACT concerning

**Streamlined Sales and Use Tax Agreement**

FOR the purpose of removing a certain contingency on the adoption by the State of the Streamlined Sales and Use Tax Agreement; requiring the Comptroller on or before a certain date to prepare and submit certain draft legislation and proposed regulations relating to the implementation of the Agreement to the Governor, the Senate Budget and Taxation Committee, and the House Committee on Ways and Means; and generally relating to the implementation of the Streamlined Sales and Use Tax Agreement.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–106  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 623 – Senators Pipkin, Brinkley, Colburn, Dyson, Edwards, Greenip, Haines, Harris, Kittleman, Kramer, Middleton, and Stoltzfus**

AN ACT concerning

**Agriculture – Nutrient Management Plans – Confidentiality**

FOR the purpose of requiring the Department of Agriculture to destroy certain documents after a certain number of years from the date of filing or return the

documents to certain individuals; prohibiting the Department from sharing certain information with other government agencies or members of the general public; and generally relating to the confidentiality of nutrient management plans.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–801.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 624 – Senators Garagiola, Forehand, Frosh, King, Kramer, Lenett, Madaleno, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Black Rock Center for the 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 Trustees of the Germantown Cultural Arts Center, Inc. d.b.a. Black Rock Center for 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; 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 625 – Senators Frosh, Conway, Dyson, Harrington, Lenett, Muse, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Maryland Building Performance Standards – Energy Conservation and Efficiency**

FOR the purpose of requiring the Department of Housing and Community Development to adopt the International Energy Conservation Code as part of the Maryland Building Performance Standards; altering the time at which the Department is required to adopt each subsequent version of the Standards; requiring the Department of Housing and Community Development to consider certain changes to the International Building Code before adopting each new

version into the Standards; authorizing the Department to adopt certain modifications of the building code as part of the Standards; prohibiting the Department from adopting certain other modifications of the building code as part of the Standards; requiring any version of the Standards adopted after certain dates to include certain additional energy savings in new buildings; prohibiting local jurisdictions from adopting certain local amendments to the Standards; requiring local jurisdictions to implement and enforce a certain version of the Standards by a certain date; and generally relating to energy efficiency requirements under the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–501, 12–503, 12–504(a), and 12–505(a)(1)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

### **Senate Bill 626 – Senators Forehand and Garagiola**

AN ACT concerning

#### **Corporations – Corporate Documents, Fractional Shares, and Redemption of Stock**

FOR the purpose of repealing a certain requirement that the original or a certified copy of the bylaws of a corporation, including amendments to them, be kept at the corporation's principal office; authorizing a corporation to eliminate fractional shares of stock by rounding up, but not down, to a full share of stock; increasing the amount of the aggregate net asset value of shares that a corporation may redeem from a stockholder under certain circumstances; authorizing a certain statement of affairs of a corporation to be placed on file, in a certain form, at the corporation's principal office or at any other office or agency specified in the bylaws of the corporation; requiring a written request for certain persons to inspect and copy certain documents of a corporation; requiring a corporation, within a certain time period after a certain request for a certain document is presented to an officer or the resident agent of the corporation, to have the requested document available on file at the corporation's principal office; making certain clarifying and conforming changes; and generally relating to corporate documents, fractional shares, and redemption of stock.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 2–110, 2–214(a), 2–310.1, 2–313, and 2–512  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 2–510  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 627 – Senators Middleton, Colburn, Dyson, Edwards, Kasemeyer,  
and Klausmeier**

AN ACT concerning

**Loan Assistance Repayment and Practice Assistance for Physicians**

FOR the purpose of altering the eligibility for the Janet L. Hoffman Loan Assistance Repayment Program in a certain manner; repealing a certain prohibition on the hiring of more than a certain number of staff to administer a certain program; establishing the Maryland Loan Assistance Repayment Program for Physicians; requiring the Office of Student Financial Assistance to assist in the repayment of certain loans owed by certain physicians using certain funds; providing that certain money may not transfer or revert to the General Fund of the State but shall remain in a certain fund for a certain purpose; authorizing the Office to assist in the repayment of certain loans under certain circumstances; requiring the Office to prioritize funding for the repayment of loans through the Program in a certain manner; requiring the Office, in collaboration with the Department of Health and Mental Hygiene, to adopt certain regulations; making certain conforming changes; requiring the Maryland Health Care Commission and the Department of Business and Economic Development to report to the General Assembly on or before a certain date on the feasibility of providing assistance to physician practices in a certain manner; defining certain terms; and generally relating to loan assistance repayment and practice assistance for physicians.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–1502  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Education  
Section 18–2801 through 18–2805 to be under the new subtitle “Subtitle 28.  
Maryland Loan Assistance Repayment Program for Physicians”  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–207(a) and (b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–207(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 628 – Senators Dyson and Middleton**

AN ACT concerning

**Health Occupations – Licensure of Social Workers**

FOR the purpose of requiring the State Board of Social Work Examiners to notify applicants for licensure whether the applicants have been approved to take a certain examination within a certain time period; altering certain requirements for a waiver of examination requirements for certain applicants who are licensed or registered to practice social work in other states; and generally relating to the licensure of social workers.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 19–303 and 19–305  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 629 – Senators Glassman, Harris, and Jacobs**

AN ACT concerning

**Harford County – Board of Education – Selection of Members**

FOR the purpose of requiring that certain members of the Harford County Board of Education be elected; requiring that certain members of the county board be appointed within a certain period of time; establishing the composition of the

county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; establishing a procedure for the election and appointment of members of the county board; authorizing the Harford County Board of Elections to adopt certain regulations; providing for the election, terms, qualifications, and duty of a certain student member of the county board; establishing certain removal, hearing, and appeal procedures for certain members of the county board; providing for the election of the president and vice president of the county board; providing for the termination of the terms of certain appointed members of the county board; requiring the Governor to ensure a certain makeup of the county board; defining a certain term; and generally relating to the Harford County Board of Education.

BY renumbering

Article – Education

Section 3–111 and 3–112, respectively

to be Section 3–6A–05 and 3–6A–04, respectively

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–108(a) and 3–114

Annotated Code of Maryland

(2008 Replacement Volume)

BY adding to

Article – Education

Section 3–6A–01 through 3–6A–03 to be under the new subtitle “Subtitle 6A.  
Harford County”

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 630 – Senator Glassman**

AN ACT concerning

**Vehicle Laws – Distracted Driving – Prohibition**

FOR the purpose of prohibiting a person from driving a motor vehicle in an inattentive manner resulting in the unsafe operation of the motor vehicle, where the inattention is caused by the person engaging in a certain preoccupying activity; providing that a violation of this Act is not a moving violation for the purpose of assessing certain points; authorizing a police officer to enforce this Act only as a

secondary offense; defining certain terms; and generally relating to distracted driving.

BY adding to

Article – Transportation  
Section 21–901.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 631 – Harford County Senators**

AN ACT concerning

#### **Harford County – Infrastructure and Facilities Capital Project Authority**

FOR the purpose of authorizing Harford County to establish by local law an Infrastructure and Facilities Capital Project Authority; providing for the purposes of the Authority; providing for the membership of the Authority; authorizing the Authority to appoint officers and hire certain employees and delegate certain responsibilities; requiring the Authority to hold a certain number of regular meetings; authorizing the Authority, under certain circumstances, to hold special meetings; requiring the Authority to hold a certain public hearing; requiring the Authority to create certain budgets; requiring the Authority to have certain audits prepared and available to certain interested parties; stating the intent of the county; granting the Authority certain powers under certain circumstances; authorizing the county, under certain circumstances, to provide the Authority with certain funds; authorizing and providing for the issuance and repayment of certain bonds of the Authority; authorizing the Authority to enter into a payment in lieu of tax under certain circumstances; providing for the reversion of Authority property to Harford County under certain circumstances; providing for the construction of this Act; prohibiting the earnings of the Authority to inure to the benefit of any private person; and generally relating to the authority of Harford County to create an Infrastructure and Facilities Capital Project Authority.

BY adding to

The Public Local Laws of Harford County  
Section 9–301 through 9–316 to be under the new article “Article XXXVIII.  
Infrastructure and Facilities Capital Project Authority”

Article 13 – Public Local Laws of Maryland  
(1986 Edition and August 2008 Supplement, as amended)

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

**Senate Bill 632 – Senators Pugh, Conway, Jones, Kelley, and Muse**

AN ACT concerning

**Procurement – Maryland Business Access List**

FOR the purpose of requiring the Board of Public Works to compile and maintain a list of all persons that have been awarded a State procurement contract in a certain manner; and generally relating to State procurement contracts.

BY adding to

Article – State Finance and Procurement  
Section 12–110  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 633 – Senators Pugh, Conway, Kelley, and McFadden**

AN ACT concerning

**Income Tax – Subtraction Modification – Creation of a Minority Business Enterprise**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain income from certain sales that result in the creation of certain minority business enterprises; providing for the recapture of a certain subtraction modification under certain circumstances; providing a certain addition modification under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain sales that result in the creation of certain minority business enterprises.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–205(a), 10–207(a), 10–306(a), and 10–307(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–306(b) and 10–307(g)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k) and 10–207(y)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 634 – Senators Pugh, Glassman, Haines, Klausmeier, and Stone**

AN ACT concerning

**Professional Corporations – Professional Services – Multiple Professions**

FOR the purpose of altering the conditions under which a corporation may be a professional corporation for the purposes of rendering professional services within two or more professions; specifying the types of multiple professional services that may be rendered by a professional corporation; and generally relating to professional corporations.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 635 – Senators Della, Garagiola, and Klausmeier**

AN ACT concerning

**Maryland Medical Assistance Program – Uniform Statewide Transportation System for Nonemergency Services**

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop and implement a certain uniform statewide transportation system for certain Maryland Medical Assistance Program recipients; requiring the transportation system to be operated by a single entity that responds directly to the Department; requiring the Department to select an entity to operate the transportation system through a competitive bid process on or before a certain date; requiring the Department to use funds generated from efficiencies

resulting from the creation of the transportation system for certain purposes; and generally relating to transportation for Maryland Medical Assistance Program recipients.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(c) and 15–101(h)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 15–146  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 636 – Senator Middleton**

AN ACT concerning

#### **Health Insurance – Required Report and Repeal of Obsolete Provisions**

FOR the purpose of requiring the Insurance Commissioner to report to the General Assembly on or before a certain date each year regarding certain contracts and certain insured lives; repealing certain provisions of law relating to the taking effect of certain requirements for health insurers when the Insurance Commissioner determines that a certain percent of the State's population is covered under certain health benefit plans; repealing a certain report; and generally relating to health insurance.

BY adding to  
Article – Insurance  
Section 15–132  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing  
Chapter 9 of the Acts of the General Assembly of 1993, as amended by Chapter 258 of the Acts of the General Assembly of 1994  
Section 5

BY repealing and reenacting, with amendments,  
Chapter 9 of the Acts of the General Assembly of 1993  
Section 6

BY repealing

Chapter 294 of the Acts of the General Assembly of 1997  
Section 5

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

**Senate Bill 637 – Senators Garagiola, Astle, DeGrange, Glassman, Kelley,  
King, Kittleman, and Klausmeier**

AN ACT concerning

**Health Insurance – Small Group Market Regulation – Modifications**

FOR the purpose of repealing the termination provision of certain provisions of law relating to the rating of certain health benefit plans; requiring the Maryland Health Care Commission to maintain a certain application on its website; requiring the Commission to update certain information at least quarterly; applying certain provisions of law relating to preexisting conditions to certain policies or certificates issued to small employers; authorizing certain carriers to offer certain health benefit plans that have greater benefits than those in the Comprehensive Standard Health Benefit Plan under certain circumstances; authorizing a carrier to offer benefits that differ from those in the Standard Plan under certain circumstances; repealing a requirement that the Commission require that the minimum benefits allowed to be offered in the Standard Plan meet a certain level; repealing certain provisions of law authorizing certain health benefit plans to require certain deductibles and cost-sharing for benefits for preexisting conditions; providing that certain benefits that vary from the Standard Plan and are approved by the Maryland Insurance Commissioner are subject to certain provisions of law applicable to the Standard Plan; authorizing the Commissioner to prohibit a carrier from offering benefits that vary from the Standard Plan under certain circumstances; altering the geographic areas for which a carrier may adjust the community rate for certain health benefit plans; altering certain limits on the rate a carrier may charge based on adjustments to the community rate for certain health benefit plans due to certain factors; altering the due date of a certain report; authorizing a carrier to adjust the community rate for certain health benefit plans for health status at certain rates under certain circumstances; authorizing a carrier to use certain health statements and health screenings to establish certain premium rates; prohibiting a carrier from limiting coverage or refusing to issue a health benefit plan to a certain small employer based on a health status-related factor; establishing that it is an unfair trade practice for a carrier knowingly to provide coverage to a small employer that discriminates against certain individuals under certain circumstances; making certain conforming changes; requiring the Commission to conduct a certain study and report on its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; providing for the effective dates of this Act; providing for

the application of certain provisions of this Act; and generally relating to health benefit plans offered in the small group market.

BY repealing and reenacting, with amendments,  
Chapter 600 of the Acts of the General Assembly of 2007  
Section 2

BY adding to  
Article – Health – General  
Section 19–108.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–508, 15–1204(a) through (d), 15–1205, 15–1207, 15–1208, and  
15–1213  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 638 – Senators Garagiola, Glassman, Kittleman, and Klausmeier**

AN ACT concerning

**Health Insurance – Discrimination or Rebates – Bona Fide Wellness  
Programs**

FOR the purpose of altering the conditions under which it is not discrimination or a rebate for an insurer, a nonprofit health service plan, a health maintenance organization, or a dental plan organization to provide reasonable incentives for participation in a bona fide wellness program; providing that it is not discrimination or a rebate for a carrier to provide reasonable incentives for participation in a bona fide wellness program if the bona fide wellness program satisfies certain requirements; providing that a bona fide wellness program shall be construed in a certain manner if certain conditions are met; providing that an incentive may not be construed in a certain manner unless certain conditions are met; authorizing the use of certain language to satisfy certain requirements; defining certain terms; and generally relating to exceptions to prohibitions against discrimination or rebates for bona fide wellness programs offered with health insurance.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–210(a)  
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–210(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 6 – Senators Mooney, Brinkley, Greenip, Harris, Kittleman, and Stoltzfus**

A Senate Joint Resolution concerning

**“Card Check” and Forced, Compulsory Arbitration**

FOR the purpose of declaring the State’s opposition to federal proposals that seek to eliminate the private election phase of union recognition campaigns and implement compulsory binding arbitration on employers; declaring the State’s support for democracy in the workplace by maintaining every worker’s right to privately decide whether or not to allow a particular union to represent their interests; urging the President of the United States and the United States Congress to oppose legislation that is detrimental to the rights of workers and is an offense against democratic principles by opposing the Employee Free Choice Act and any of its components in 2009 and in future years.

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

February 6, 2009

SB 405      Senator Conway

**PROCUREMENT – APPRENTICESHIP TRAINING PROGRAMS**

Reassigned to Finance Committee and Education, Health and Environmental Affairs Committee

Under Rule 33 (d)

Read and ordered journalized.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #3**

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

**Senate Bill 74 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

State Tobacco Authority – 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:

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Organic Certification Program – Fees**

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:

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Practice of Veterinary Medicine – Students – Immunity**

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:

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Lawn and Turf Grass Seed – Testing and Labeling Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 12 – Senator Forehand**

AN ACT concerning

**Tobacco Product Manufacturers – Settlement of State Claims –  
Nonparticipating Manufacturers – Deposit of Funds in Escrow – Codification  
of Model Statute**

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 110 – Senator Stone**

AN ACT concerning

**Vehicle Laws – Transporting Pets in Trucks or Trailers**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 10, 2009.

The motion was adopted.

### **THE COMMITTEE ON BUDGET AND TAXATION REPORT #2**

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably:

#### **Senate Bill 307 – The President**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Judicial Compensation Commission**

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 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  
Chair

Senate Executive Nominations Committee  
Report #1  
February 5, 2009

#### **Court of Appeals**

1. Sally D. Adkins

District 38

Judge of the Court of Appeals of Maryland; appointed to serve a term of 10 years from June 25, 2008

2. Mary Ellen Barbera District 18

Judge of the Court of Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

**Court of Special Appeals**

3. Kathryn Grill Graeff District 9

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

4. Christopher Burlee Kehoe District 37

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from December 23, 2008

5. Albert J. Matricciani, Jr. District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of 10 years from September 2, 2008

**District Court, Anne Arundel County (District 7)**

6. Henry Richard Duden, III District 30

Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008

7. Eileen Ann Reilly District 33

Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008

8. Shaem Charles Patrice Spencer District 32

Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from August 7, 2008

**District Court, Baltimore City (District 1)**

9. Leon Robert Cooper District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 7, 2008

10. George M. Lipman

District 43

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from November 24, 2008

11. Kathleen M. Sweeney

District 41

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from January 5, 2009

**District Court, Baltimore County (District 8)**

12. Norman R. Stone, III

District 7

Judge of the District Court of Maryland, District 8, Baltimore County; reappointed to serve a term of ten years from November 24, 2008

**District Court, Calvert County (District 4)**

13. Edward Gregory Wells

District 27

Judge of the District Court of Maryland, District 4, Calvert County; appointed to serve a term of ten years from August 7, 2008

**District Court, Cecil County (District 3)**

14. Bonnie Gullatt Schneider

District 36

Judge of the District Court of Maryland, District 3, Cecil County; appointed to serve a term of ten years from August 7, 2008

**District Court, Garrett County (District 12)**

15. Leonard James Eiswert

District 1

Judge of the District Court of Maryland, District 12, Garrett County; appointed to serve a term of ten years from October 15, 2008

**District Court, Harford County (District 9)**

16. Susan Hower Hazlett

District 35

Judge of the District Court of Maryland, District 9, Harford County; appointed to serve a term of ten years from May 14, 2008

**District Court, Kent County (District 3)**

17. John Edward Nunn, III District 36

Judge of the District Court of Maryland, District 3, Kent County; appointed to serve a term of ten years from December 23, 2008

**District Court, Prince George's County (District 5)**

18. Tiffany Hanna Anderson District 25

Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from August 7, 2008

19. G. Richard Collins District 21

Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from August 7, 2008

20. Lawrence Vincent Hill, Jr. District 24

Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from August 7, 2008

**District Court, Queen Anne's County (District 3)**

21. John T. Clark, III District 36

Judge of the District Court of Maryland, District 3, Queen Anne's Co.; reappointed to serve a term of ten years from December 22, 2008

**District Court, Somerset County (District 2)**

22. Paula Ann Price District 38

Judge of the District Court of Maryland, District 2, Somerset County; appointed to serve a term of ten years from January 7, 2009

**District Court, Wicomico County (District 2)**

23. R. Scott Davis District 38

Judge of the District Court of Maryland, District 2, Wicomico County; reappointed to serve a term of ten years from January 5, 2009

**Adjutant General**

24. James A. Adkins District 37  
27 Algonquin Road  
Cambridge, MD 21613

Adjutant General; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

25. Veronica E. Coates District 28  
10370 Faith Hope Place  
White Plains, MD 20695

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2008

26. Evan Richardson District 43  
2806 Harview Avenue  
Baltimore, MD 21234

Member of the Commission on African American History and Culture; appointed to serve remainder of a term of four years from July 1, 2008

**Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland**

27. Faith Elliott Rossing District 36  
3601 Goldsboro Road  
Henderson, MD 21640

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2007

**Apprenticeship and Training Council**

28. Grant Blake Shmelzer District 16  
4977 Battery Lane, Apt. 1019N  
Bethesda, MD 20814

Member of the Apprenticeship and Training Council; appointed to serve remainder of a term of four years from July 1, 2008

**Arts Council, Maryland State**

29. Nilimma S. Devi District 18  
1525 Forest Glen Road  
Silver Spring, MD 20910

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2008

**Assistive Technology Guaranteed Loan Program Board of Directors**

30. Mollyne R. Honor District 31  
3707 Beech Avenue  
Baltimore, MD 21211

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

31. Sue C. Lin District 18  
2114 Darcy Green Place  
Silver Spring, MD 20910

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

32. John G. Miers District 16  
5510 Huntington Parkway  
Bethesda, MD 20814

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

33. Robert B. Gawne District 21  
11501 Blue Ridge Drive  
Beltsville, MD 20705

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve remainder of a term to expire December 31, 2008 and for a term of three years from January 1, 2009

34. Matthew M. Warner  
6613 Babak Drive  
Frederick, MD 21702

District 3

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2007

### Statewide Nominees

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### Assistive Technology Guaranteed Loan Program Board of Directors

- S-1. Misti Ray Lucente  
11016 Graymarsh Place  
Ijamsville, MD 21754

District 3

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2007

**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, with the exception of Nominee No. 12, Norman R. Stone, III, Judge of the District Court of Maryland, District 8, Baltimore County, were confirmed by roll call vote as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 106)

Nominee No. 12, Norman R. Stone, III, Judge of the District Court of Maryland, District 8, Baltimore County was confirmed by roll call vote as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 107)

### QUORUM CALL

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

(See Roll Call No. 108)

**RECESS**

At 11:31 A.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:00 P.M. on Monday, February 9, 2009.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: February 6, 2009**  
**Calendar Day: Monday, February 9, 2009**  
**8:00 P.M. Session**

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At 8:07 P.M. the Senate resumed its session.

**QUORUM CALL**

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

(See Roll Call No. 110)

Prayer by Pastor Charles Beekley, Bush Creek Church, guest of Senator Alex X. Mooney.

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
University of Maryland, College Park "Terrapin Pride Day"	Senator Rosapepe	243

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 111)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Charles County Youth League 12U Red Chargers	Senator Middleton	244

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 112)

**INTRODUCTION OF BILLS**

**Senate Bill 639 – Senators DeGrange, Astle, Della, Dyson, Edwards, Garagiola, Glassman, Jones, Klausmeier, Lenett, McFadden, Mooney, Pugh, and Raskin**

AN ACT concerning

**Military Service Credit – Eligibility**

FOR the purpose of repealing certain limitations and certain exceptions for certain 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 2008 Supplement)

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

**Senate Bill 640 – Senators Kittleman, Colburn, Haines, and Jacobs**

AN ACT concerning

**Family Law – Rights of Foster Parents**

FOR the purpose of altering the rights of foster parents to include the right to full access to a foster child’s case file, the right of certain foster parents to participate at certain hearings, and the right to be represented by an attorney; and generally relating to the rights of foster parents.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–504  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 641 – Senators Kittleman and Brochin**

AN ACT concerning

**Ethics Reports – Meals or Receptions – Requirements**

FOR the purpose of requiring that all members of the General Assembly, instead of all members of a legislative unit, be invited by a certain lobbyist to a meal or reception for the meal or reception to be considered an exception to a certain ban on certain gifts; altering a certain reporting requirement to provide that certain officials and employees are not required to report as gifts food or beverages consumed at a meal or reception to which all members of the General Assembly are invited; requiring certain lobbyists to file a certain meals and receptions registration report if the lobbyist invites all members of the General Assembly to a certain meal or reception under certain circumstances; and generally relating to reporting requirements under the State ethics law for meals and receptions.

BY repealing and reenacting, without amendments,

Article – State Government

Section 15–102(a) and (g), 15–505(a) and (b), 15–607(a), and 15–704(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing

Article – State Government

Section 15–102(w)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–505(c), 15–607(e), 15–704(b), and 15–708

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY renumbering

Article – State Government

Section 15–102(x) through (mm), respectively

to be Section 15–102(w) through (ll), respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 642 – Senator Kittleman**

AN ACT concerning

**Workers' Compensation – Temporary Total Disability Benefits – Credit**

FOR the purpose of providing a credit for an employer or insurer for certain payments to a covered employee for temporary total disability benefits under certain circumstances and during a certain period; providing for the application of this Act; and generally relating to payment of temporary total benefits.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–618  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–621  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 643 – Senators Brochin, Klausmeier, and Simonaire**

AN ACT concerning

**Estates – Disqualification of Persons Convicted of Unlawfully Obtaining  
Property from Vulnerable Adults**

FOR the purpose of clarifying that a person convicted of a certain prohibition against unlawfully obtaining property from a vulnerable adult shall be disqualified from inheriting, taking, enjoying, receiving, or otherwise benefitting from the estate, insurance proceeds, or property of the vulnerable adult under certain circumstances; and generally relating to the estates of vulnerable adults.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 8–801  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 3–111  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

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

**Senate Bill 644 – Senator Astle**

AN ACT concerning

**Property Tax Credit – Marine Trade Waterfront Property**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or of a municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain waterfront property used primarily in certain activities or businesses; authorizing the county or municipal corporation to provide, by law, for the amount and duration of the credit and certain other provisions to carry out the credit; defining a certain term; providing for the application of this Act; and generally relating to a local property tax credit for marine trade waterfront property.

BY adding to

Article – Tax – Property

Section 9–251

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 645 – Senator Astle**

AN ACT concerning

**Fraternal Benefit Societies – Exemption for Mutual Aid Associations – Clarification**

FOR the purpose of clarifying that certain laws governing fraternal benefit societies and other insurance laws of the State do not apply to certain mutual aid associations that were organized before a certain date, have a membership composed of certain members of the Armed Forces or Sea Services of the United States, and have as a principal purpose to provide insurance and other benefits to certain individuals; and generally relating to exemptions of entities from regulation under State insurance laws.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 8–404

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 646 – Senator Astle**

AN ACT concerning

**Credentialing of Health Care Providers by Managed Care Organizations and Hospitals**

FOR the purpose of providing that certain provisions of law relating to credentialing of health care providers by carriers apply to managed care organizations; requiring the Secretary of Health and Mental Hygiene to designate a certain form as the uniform standard credentialing form for hospitals; altering a certain definition; and generally relating to credentialing of health care providers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–102.3 and 19–319(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–112.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 647 – Senators Greenip, Colburn, Haines, Harris, Jacobs, Mooney, Simonaire, Stoltzfus, and Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland’s Marriage Protection Act**

FOR the purpose of adding a new section to the Maryland Constitution to establish that marriage between one man and one woman shall be the only domestic legal union valid or recognized 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 648 – Senators Pipkin and Brinkley**

AN ACT concerning

**State Retirement and Pension System – Employer Contributions – Educators  
and Educational Staff**

FOR the purpose of altering the membership of the Board of Trustees for the State Retirement and Pension System under certain circumstances to include certain individuals appointed by the Board of Directors for the Maryland Association of Counties; providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; defining certain terms; and generally relating to the Board of Trustees for the State Retirement and Pension System and the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–104(a) and (b) and 21–304

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 21–104(a–1) and 21–309.1

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 649 – Senators Pipkin and Astle**

AN ACT concerning

**Transportation – Maryland Emergency Medical System Operations Fund –  
Transport by Privately Owned Helicopter**

FOR the purpose of adding reimbursement of operators of private helicopter companies for costs of emergency medical transport under certain circumstances as an authorized use of money in the Maryland Emergency Medical System Operations Fund; requiring the State Emergency Medical Services Board to adopt certain regulations and protocols; making a certain stylistic change; and generally relating to the Maryland Emergency Medical System Operations Fund.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–955  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 650 – Senators Pipkin and Astle**

AN ACT concerning

**Medevac Helicopter Improvement Act of 2009**

FOR the purpose of requiring the Department of Emergency Services, or the Department of General Services under certain circumstances, to issue a request for proposals under State procurement law to select an entity to operate the State's helicopter fleet for emergency medical services; requiring a certain number of fleets of helicopters to operate in the State; requiring the Maryland State Police and other appropriate law enforcement agencies to operate a certain fleet; requiring a certain fleet of helicopters to consist of a certain number of helicopters; requiring the Maryland State Police to submit a proposal in response to a certain request for proposals; requiring the consideration of a State-operated helicopter fleet for emergency medical services and certain options in the evaluation of requests for proposals; requiring the request for proposals to include certain requirements; requiring certain savings to be distributed to a certain fund; requiring the Secretary of Emergency Services, or the Secretary of General Services under certain circumstances, to adopt certain regulations; requiring the Secretary of Emergency Services or the Secretary of General Services to submit a certain report to the Governor and the General Assembly on or before a certain date and annually thereafter; making a certain section of this Act contingent on the taking effect of another Act; making a certain section of this Act contingent on the failure of certain legislation; defining certain terms; and generally relating to State helicopters.

BY adding to  
Article – Public Safety

Section 15–1101 through 15–1108 to be under the new subtitle “Subtitle 11.  
State Helicopters”  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 4–324 through 4–331 to be under the new part “Part IV. State  
Helicopters”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 651 – Senator Edwards**

AN ACT concerning

**Garrett County – Code of Ordinances – Natural Gas**

FOR the purpose of altering the amount of a certain Garrett County tax; requiring the  
tax to be distributed in certain amounts to the county and certain  
municipalities; repealing certain provisions creating a Garrett County Natural  
Gas Fund; and generally relating to natural gas distribution and production in  
Garrett County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Garrett County  
Section 51.02(A)  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and 2008 Supplement, as amended)

BY repealing  
The Public Local Laws of Garrett County  
Section 51.08  
Article 12 – Public Local Laws of Maryland  
(2005 Edition and 2008 Supplement, as amended)

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

**Senate Bill 652 – Senator Edwards**

AN ACT concerning

**Allegany and Garrett Counties – Deer Hunting on Private Property –  
Sundays**

FOR the purpose of authorizing a person in Allegany County or Garrett County to hunt for deer on private property with a bow and arrow on certain Sundays during certain months; and generally relating to deer hunting in Allegany and Garrett Counties.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 653 – Senators Harris and Peters**

AN ACT concerning

**Admissions and Amusement Tax – Shooting Ranges – Military, Police, and Correctional Officers**

FOR the purpose of providing a credit against the admissions and amusement tax imposed by a county or municipal corporation for any tax imposed on gross receipts derived from a charge for admission to or use of a shooting range by certain individuals; requiring a person who has gross receipts derived from a charge on which a tax credit is based to pass the credit on to the customer from whom the charge is collected; and generally relating to a credit allowed against the admissions and amusement tax for any tax imposed on gross receipts derived from a charge for admission to or use of a shooting range by certain individuals.

BY adding to  
Article – Tax – General  
Section 4–302 to be under the amended subtitle “Subtitle 3. Tax Payment; Credits”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 654 – Senator Stone**

AN ACT concerning

**Violent Crimes – Conditional Release Under Mandatory Supervision  
– Limitation**

FOR the purpose of establishing that an inmate convicted of a certain violent crime committed on or after a certain date is not eligible for a certain conditional release until after the inmate becomes eligible for parole; requiring a court, when a sentence of confinement is imposed for a certain violent crime, to state in open court the minimum time a certain defendant must serve before becoming eligible for a certain conditional release under mandatory supervision; and generally relating to imposing sentences.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 7–301(c) and (d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 7–501  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–217  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 655 – Senator Stone**

AN ACT concerning

#### **Correctional Services – Inmate Earnings – Compensation for Victims of Crime**

FOR the purpose of adding to a list of deductions that the Department of Public Safety and Correctional Services is required to take from an inmate's earnings a requirement that the Department pay compensation for victims of crime in accordance with certain provisions; requiring the Department to withhold a certain amount of the earnings of an inmate in a certain program for compensation for victims of crime; requiring the Department to allocate earnings that are withheld in a certain manner; establishing that compliance with a judgment of restitution is a required condition of work release if work release is allowed; applying certain provisions relating to responsibility for the administration of payments of restitution to the Department instead of to the Division of Parole and Probation; requiring the Department to submit a certain

report by a certain date; and generally relating to compensation for victims of crime.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–604  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–607  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 656 – Senators Peters, Astle, Colburn, Conway, Dyson, Garagiola, Munson, and Rosapepe**

AN ACT concerning

**Procurement – Service Disabled Veteran Business Enterprise Participation**

FOR the purpose of establishing a certain participation goal for certain certified service 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 Maryland Department of Veterans Affairs and the Department of Business and Economic Development jointly to adopt certain regulations; requiring the Department of Veterans Affairs and the Department of Business and Economic Development to designate an advocate to coordinate and oversee certain activities relating to service 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 service disabled veteran business enterprise advocate to assist the awarding unit in meeting goals related to service 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 Department of Business and Economic Development to make certain reports on or before certain dates; requiring the Department of Business and Economic Development to adopt certain regulations regarding the decertification of certain entities and to oversee and coordinate certain outreach programs and activities; requiring the Department of Business and Economic Development to use certain resources to implement a certain program; establishing certain

prohibited acts and certain penalties for certain violations; defining certain terms; and generally relating to procurement participation by service 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. Service Disabled Veteran Business Enterprise Participation”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 16–203(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 657 – Senator Peters**

AN ACT concerning

### **Real Property – New Home Sales Contracts – Financing Contingency Clauses**

FOR the purpose of requiring a contract for the sale of a certain home to include a certain provision stating whether the contract is contingent on a certain condition; requiring a certain contract to state certain information if it is contingent on a certain condition; and generally relating to contracts for the sale of a new home.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 14–117(j)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 658 – Senators Peters, Currie, and Garagiola**

AN ACT concerning

### **Political Subdivisions – Government Imposed Restrictions on Income Producing Real Property – Fiscal Impact Study**

FOR the purpose of requiring a local government to request a certain study from the Governor before enacting an ordinance or adopting a regulation that imposes rent restrictions or affordability requirements on certain residential property; requiring the Governor to direct a certain State entity to perform a certain study; requiring the Governor to make certain appropriations for the study; requiring the findings of the study to be submitted to the Governor and certain committees of the General Assembly; and generally relating to political subdivision rent restrictions or affordability requirements.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 19–105  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 659 – Senator Stoltzfus**

AN ACT concerning

**Somerset County – Property Tax – Homestead Tax Credit Percentage**

FOR the purpose of altering the maximum homestead property tax credit percentage in Somerset County; providing for the application of this Act; and generally relating to the homestead property tax credit percentage in Somerset County.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 9–105(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 660 – Senators Garagiola, Brochin, Conway, Currie, Della, Forehand, Frosh, Gladden, Harrington, Jones, Kelley, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Pugh, Raskin, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Labor and Employment – Shift Breaks**

FOR the purpose of requiring an employer to provide a certain nonworking or working shift break to an employee under certain circumstances; requiring that a certain shift break count towards an employee's work hours for a certain day; 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 for certain exceptions; authorizing the Commissioner of Labor and Industry to exempt, by regulation, certain employers from the provisions of this Act; providing for the application of this Act; defining a certain term; and generally relating to shift breaks for employees.

BY adding to

Article – Labor and Employment  
Section 3–710  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 661 – Senators Garagiola, Astle, Kelley, and Middleton**

AN ACT concerning

**Health Insurance – Use of Physician Rating Systems by Carriers**

FOR the purpose of providing that a carrier may only use a physician rating system for certain health benefit plans if the system meets certain requirements; providing that a carrier may only use certain categories of measurements in a physician rating system; prohibiting a carrier from rating a physician based solely on cost efficiency; requiring a carrier to calculate and disclose certain measures in a certain manner; requiring a carrier to disclose a material change in a physician rating system at a certain time; requiring a carrier to use certain risk adjustments in determining the quality of performance and the cost efficiency of a physician; requiring a carrier to describe its physician rating system to certain physicians in a certain manner; requiring a carrier to make certain disclosures to certain physicians and enrollees; requiring a carrier to ensure that certain data is accurate; requiring a carrier to use certain measurements under certain circumstances; requiring a carrier to describe to certain physicians and to a certain ratings examiner certain information; requiring a carrier to make certain determinations in determining the data to be used to measure the quality of performance of a physician; requiring a carrier to use the most current claims and data to measure physician quality of performance; requiring a carrier to use certain computer software under certain circumstances; requiring a carrier that uses a physician rating system to establish a certain complaint process for enrollees; requiring a carrier that uses a physician rating system to post certain information on its website in a certain manner; requiring a carrier to provide certain physicians certain information at a certain time before making certain information available to enrollees; prohibiting a carrier from making a certain change under certain

circumstances; requiring a carrier to establish a certain appeals process under certain circumstances; providing that a ratings examiner shall have oversight and review of the appeals process; requiring a carrier to contract with and pay for a ratings examiner to review certain physician rating systems; prohibiting a carrier from implementing a physician rating system until the carrier submits the system to a certain ratings examiner for review; requiring a carrier to make certain disclosures and provide certain information to a ratings examiner; requiring a carrier to obtain certain reviews by a ratings examiner under certain circumstances; requiring a carrier to disclose the results of any reviews conducted by a ratings examiner in a certain manner; requiring a certain ratings examiner to report annually to the Maryland Health Care Commission and the Maryland Insurance Administration regarding certain information; authorizing the Insurance Commissioner, in consultation with the Maryland Health Care Commission, to adopt regulations to implement the provisions of this Act; defining certain terms; and generally relating to use of physician rating systems by health insurance carriers.

BY adding to

Article – Insurance

Section 15–1701 through 15–1709 to be under the new subtitle “Subtitle 17.  
Regulation of Physician Rating Systems”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 662 – Senators Dyson, Greenip, Lenett, and Middleton**

AN ACT concerning

**Patient Referrals – Imaging and Radiation Therapy Services – Accreditation**

FOR the purpose of altering the definition of “in–office ancillary services” as it relates to certain referrals by certain health care practitioners so as to include magnetic resonance imaging services, computed tomography scan services, and radiation therapy services; altering certain exceptions to certain patient referral prohibitions; requiring health care entities that furnish magnetic resonance imaging services, radiation therapy services, and computed tomography scan services to receive accreditation from certain organizations by certain dates; authorizing the provisional accreditation of certain health care entities; requiring certain health care entities to maintain certain standards and make available evidence of accreditation; defining a certain term; and generally relating to the referral of patients for magnetic resonance imaging services, computed tomography scan services, and radiation therapy services.

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

Section 1–301, 1–302, and 1–303  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health Occupations  
Section 1–601 to be under the new subtitle “Subtitle 6. Accreditation of  
Business Entities That Furnish Magnetic Resonance Imaging Services,  
Computed Tomography Scan Services, and Radiation Therapy Services”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 663 – Senator Pinsky**

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; requiring the Commission to adopt certain regulations; making provisions of this Act severable; requiring the Election Financing Commission to report to the Governor and 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 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–235(d)  
Annotated Code of Maryland  
(2003 Volume and 2008 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 2008 Supplement)

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

**Senate Bill 664 – Senators Garagiola, Currie, Klausmeier, McFadden, Peters,  
and Robey**

AN ACT concerning

**Nursing Facilities – Accountability Measures – Pay-for-Performance  
Program**

FOR the purpose of requiring the Department of Health and Mental Hygiene to consult with certain individuals to make a certain evaluation on or before a certain date; requiring the Department to make a certain report to the General Assembly on or before a certain date; prohibiting the Department from distributing certain revenues until a certain date or the termination of certain rate reductions; requiring the Department to use certain accountability measures; and generally relating to nursing facilities and accountability measures for a pay-for-performance program.

BY repealing and reenacting, with amendments,  
Chapter 503 of the Acts of the General Assembly of 2007, as amended by  
Chapter 200 of the Acts of the General Assembly of 2008  
Section 5

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

**Senate Bill 665 – Senators Garagiola, Forehand, Lenett, Miller, Pugh, Raskin, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Vehicle Laws – Required Security – Increase in Minimum Amounts**

FOR the purpose of increasing the minimum amounts of required security for the payment of certain claims for bodily injury or death arising from a motor vehicle accident; and generally relating to the minimum required security for motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 17–103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 666 – Senators Pinsky, Conway, Frosh, Harrington, Lenett, Madaleno, Raskin, and Rosapepe**

AN ACT concerning

**Natural Resources – No Net Loss of Forest Policy – Forest Conservation Act**

FOR the purpose of reducing the threshold acreage of land in a proposed subdivision plan above which the Forest Conservation Act applies; reducing the threshold acreage of forest cut, cleared, or graded above which certain activities no longer qualify as exemptions to the Forest Conservation Act; repealing certain exemptions from the requirements of the Forest Conservation Act for cutting or clearing trees in a public utility right-of-way; limiting a certain exemption from the requirements of the Forest Conservation Act for intrafamily transfers; repealing the authority of a local jurisdiction to waive the requirements of the Forest Conservation Act for certain previously developed and paved areas; authorizing the acquisition of an off-site protective easement for temporarily protected forested areas as a mitigation technique to meet afforestation or reforestation requirements; altering the standard that a person is required to meet to determine whether certain vegetation and areas of land may be disturbed; authorizing the owner of certain preserved forestland to place the forestland into the Forest Conservation and Management Program or under an approved forest management plan; altering the fee-in-lieu contribution to State or local forest conservation funds that is required under certain circumstances; altering the authorized uses of State and local forest conservation funds;

requiring the Department of Natural Resources to develop and implement a no net loss of forest policy by a certain date, to adopt certain regulations and propose certain legislation to achieve this goal, and to achieve this goal without reducing the acreage of a certain land use in the State; requiring the Department of Natural Resources to submit a report to the General Assembly annually after a certain date on its progress in developing and implementing a no net loss of forest policy in the State; declaring the intent of the General Assembly; making certain stylistic changes; making a technical correction; and generally relating to the Forest Conservation Act and the development and implementation of a no net loss of forest policy.

BY adding to

Article – Natural Resources  
Section 5–104  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 5–1602, 5–1603(c)(3) and (g), 5–1604(a), 5–1607(b)(2), (c), and (f), and  
5–1610  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Natural Resources  
Section 5–1603(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 5–1607(e) and 5–1611  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 667 – Senator Raskin**

AN ACT concerning

#### **Attorney General – State Legal Business – Hiring Counsel**

FOR the purpose of making more uniform certain exceptions to certain roles of the Attorney General or a designee of the Attorney General; authorizing an officer

or unit of State government to employ or be represented by certain individuals under certain circumstances; and generally relating to State legal business.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 13–107  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 6–105  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 6–106  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 668 – Senators Raskin, Forehand, and Stone**

AN ACT concerning

#### **Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Prohibited Acts**

FOR the purpose of establishing that a manufacturer, distributor, or factory branch may not take certain actions through an affiliate; requiring a sales objective or other program for measuring the performance of vehicle dealers to be fair and based on certain factors under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from denying certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from offering or advertising, or allowing its dealers to offer or advertise, certain programs or terms unless all dealers are allowed to offer or advertise the programs or terms; establishing the burden of proof when a manufacturer, distributor, or factory branch denies certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from requiring a dealer to alter or replace an existing dealership facility or from denying or threatening to deny certain benefits to a dealer under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from reducing the price of a motor vehicle charged to a dealer or providing different financing terms to a dealer in exchange for a certain agreement by the dealer; specifying the conditions under which a manufacturer, distributor, or factory

branch may offer certain promotional items for the sale of a vehicle by its dealers; prohibiting a manufacturer, distributor, or factory branch from discriminating among its dealers under certain circumstances; requiring a manufacturer, distributor, or factory branch that has a certain franchise or other contract with a dealer to allow the dealer to make certain purchases in a certain manner and to receive certain rights to incentive payments; prohibiting a manufacturer, distributor, or factory branch from exercising a right of first refusal under certain circumstances related to a transfer of a dealer's business or a proposed change in the executive management of a dealer's business; prohibiting a manufacturer, distributor, or factory branch from imposing certain conditions on the approval of a certain sale or transfer of the ownership of a dealership; establishing that a manufacturer, distributor, or factory branch commits a certain violation for taking certain actions; authorizing a dealer to request a certain hearing under certain circumstances; authorizing the Motor Vehicle Administrator to take certain actions; authorizing an applicant for approval of a sale, assignment, or transfer of ownership of a dealership or a dealer to bring a certain action in the circuit court under certain circumstances and within a certain period of time; altering the period of time during which a certain claim may be charged back under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from refusing to pay or claiming reimbursement from a dealer for sales, incentives, or payments related to a motor vehicle sold by a dealer and exported or resold by the purchaser under certain circumstances; establishing a conclusive presumption that a dealer has no knowledge of certain facts under certain circumstances; prohibiting a manufacturer, distributor, or factory branch from giving certain benefits, payments, or gifts directly to an employee; requiring that certain benefits, payments, or gifts from a manufacturer, distributor, or factory branch to an employee be given to the dealer and distributed in a certain manner; authorizing a dealer to retain certain costs; requiring a manufacturer, distributor, or factory branch to make certain payments or reimbursements to a dealer under certain circumstances; altering a certain definition; and generally relating to manufacturers, distributors, and factory branches.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–207, 15–208, 15–211, and 15–212.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 15–212.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation

Section 15–213  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 669 – Senator Raskin**

AN ACT concerning

**Moving Violation Points Accountability Act**

FOR the purpose of establishing that points assessed against an individual's driving record are to be retained for a period of time that commences on the date of the conviction of the violation for which the points are assessed; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–407  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 670 – Senators Raskin, Kelley, and Stone**

AN ACT concerning

**Discrimination in Employment – Expansion of Disability Rights**

FOR the purpose of altering the definition of disability applicable to certain provisions of law prohibiting discrimination in employment; prohibiting an employer from failing or refusing to make certain reasonable accommodations for certain disabilities of certain employees; providing that an employer is not required to reasonably accommodate an employee's disability if the accommodation would cause certain undue hardship; prohibiting an employer or labor union from retaliating against a certain individual because the individual has taken certain action; and generally relating to discrimination in employment.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–601(b), 20–603, and 20–606  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter \_\_\_ (H.B. 51) of the Acts of the General Assembly of  
2009)

BY repealing and reenacting, without amendments,

Article – State Government

Section 20–601(c), (d), (e), and (h)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

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

**Senate Bill 671 – Senator Raskin**

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 2008 Supplement)

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

**Senate Bill 672 – Senators Raskin, Frosh, Harrington, King, Madaleno, Muse, Pinsky, and Rosapepe**

AN ACT concerning

**Environment – Stormwater Management – Stormwater User Charge**

FOR the purpose of requiring each county or municipality to establish a stormwater user charge; establishing the purpose of a stormwater user charge; requiring a county or municipality to collect a stormwater user charge and use it to fund certain stormwater management activities; requiring a county or municipality to set the amount of a residential stormwater user charge in a certain manner; requiring a county or municipality to set the amount of a commercial stormwater user charge in a certain manner; defining a certain term; and generally relating to a stormwater user charge and stormwater management.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 673 – Senators Raskin, Brochin, Dyson, Exum, Frosh, Garagiola, Glassman, Harrington, Jones, King, Madaleno, Muse, Peters, Pinsky, Pugh, Rosapepe, and Stone**

AN ACT concerning

### **Fairness in Negotiations Act**

FOR the purpose of requiring certain collective bargaining agreements to provide for binding arbitration of the grievances arising under the agreements that the parties have agreed to be subject to arbitration; requiring a public school employer and an exclusive representative of certain public school employees to negotiate in a certain manner; for certain certificated employee organizations, including employee transfers and assignments among the matters that may be negotiated on request under certain circumstances; for certain noncertificated employee organizations, including the discipline and discharge of an employee for just cause and employee transfers and assignments among the matters that may be negotiated on request under certain circumstances; repealing certain provisions of law concerning negotiations between a public school employer and certain employee organizations; requiring a public school employer and an exclusive representative to mediate certain differences upon the demand of the public school employer or the exclusive representative under certain circumstances; requiring the party demanding mediation to deliver a copy of the demand to the State Superintendent; authorizing the public school employer and the exclusive representative to mutually consent to request the State Superintendent to provide certain assistance and advice; requiring the public school employer and the exclusive representative to select a neutral mediator to conduct the mediation within a certain period of time and in a certain manner; requiring mediation to commence within a certain period of time after a neutral party is selected; requiring mediation to conclude within a certain period of time; prohibiting the mediator from issuing certain written findings or other documents under certain circumstances; requiring the parties to the mediation to share equally the costs of the mediator; requiring the public school employer and the exclusive representative to arbitrate all differences under certain circumstances; requiring the party demanding arbitration to deliver a copy of the demand to the State Superintendent; requiring the public school employer and the exclusive representative to select an arbitrator to conduct the

arbitration within a certain period of time and in a certain manner; requiring arbitration to commence within a certain period of time after an arbitrator is selected; providing that arbitration commences under certain circumstances; requiring last and best offers to list separately certain terms or conditions and demands; requiring the public school employer and the exclusive representative to each deliver a copy of their last and best offer to the arbitrator; requiring the arbitrator to perform certain duties under certain circumstances; providing that the arbitrator has full authority to hear and decide certain issues in dispute; requiring the arbitrator to conclude the arbitration within a certain period of time; requiring the arbitrator to issue the written award within a certain period of time; requiring the arbitrator to decide between certain last and final offers of the public school employer and the exclusive representative; establishing that the arbitrator's finding on an issue in dispute is final and binding on the public school employer and the exclusive representative and is a self-executing mandate on certain parties; providing that the written award is subject to certain provisions of law; requiring the arbitrator to deliver a copy of the written award to certain parties; authorizing the public school employer and the exclusive representative to agree to waive certain time limits; requiring the parties to the arbitration to share the costs of the arbitration equally; establishing that certain provisions of law apply to certain disputes between a public school employer and an exclusive representative; requiring the public school employer and the exclusive representative to arbitrate certain disputes under certain circumstances; requiring the party demanding arbitration to deliver a copy of the demand to certain parties; requiring the public school employer and the exclusive representative to select an arbitrator to conduct the arbitration within a certain period of time and in a certain manner; requiring the arbitrator to commence the arbitration within a certain period of time; authorizing the arbitrator to perform certain acts; establishing that a prior order, action, or opinion issued by the State Board of Education does not constitute binding precedent in arbitration after the enactment of certain provisions of law; requiring an arbitrator to conclude an arbitration within a certain period of time in a certain manner; requiring an arbitrator to issue a ruling within a certain period of time; establishing that the arbitrator's finding is final and binding on the public school employer and the exclusive representative and is a self-executing mandate on certain parties; requiring the parties to the arbitration to share the costs of the arbitration equally; requiring the arbitrator to deliver a copy of the written award to certain parties; defining certain terms; making stylistic changes; and generally relating to public school education, collective bargaining, and dispute resolution.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–401, 6–408, 6–501, and 6–510  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 674 – Senator Greenip**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Easements –  
Inspection Requirements**

FOR the purpose of requiring the Maryland Agricultural Land Preservation Foundation to report annually to the Governor and the General Assembly on the percentage of certain easements inspected in each county over a certain time period; requiring the Foundation to adopt certain regulations and procedures that require each county to inspect certain easements in the county in accordance with certain requirements; prohibiting the Foundation from distributing certain funds to a county until the Foundation certifies that the county has complied with certain regulations and procedures related to the inspection of certain easements; requiring the Attorney General and the Secretary of Agriculture, if requested by the Foundation, to provide legal staff to assist the Foundation in making certain certifications regarding county compliance with easement inspection regulations and procedures; and generally relating to the inspection of certain agricultural land preservation easements.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–506, 2–508.1, and 2–509(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 675 – Senators Greenip, Astle, Brinkley, Colburn, Edwards,  
Glassman, Haines, Harris, Jacobs, Kittleman, Mooney, Pipkin,  
Simonaire, and Stoltzfus**

AN ACT concerning

**Maryland Death Taxes – Family Property Protection Act**

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; 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  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 676 – Senator Gladden**

AN ACT concerning

**Program Open Space – Baltimore City – Authorized Use of Funds**

FOR the purpose of authorizing Baltimore City to use certain Program Open Space funds to acquire certain undeveloped property in conjunction with a nonprofit organization; and generally relating to authorized uses of Program Open Space funding in Baltimore City.

BY adding to

Article – Natural Resources  
Section 5–911  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 677 – Senator Gladden**

AN ACT concerning

**Criminal Procedure – Warrantless Arrest – Violation of Protective Order**

FOR the purpose of clarifying that a police officer is authorized to make a warrantless arrest of a person in violation of a certain interim, temporary, or final protective order under certain circumstances; and generally relating to warrantless arrests and violation of protective orders.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 2–203  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 4–508.1(c) and 4–509(b)

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 678 – Senator Gladden**

AN ACT concerning

**Task Force to Study Alternative Energy Generation in Maryland**

FOR the purpose of establishing a Task Force to Study Alternative Energy Generation in Maryland; establishing the membership and staffing of the Task Force; providing for the election of a chair of the Task Force; prohibiting a member of the Task Force from receiving compensation, but authorizing certain reimbursement for certain expenses; requiring the Task Force to study and make recommendations regarding certain issues; requiring the Task Force to report its findings and recommendations to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Alternative Energy Generation in Maryland.

BY adding to

Article – Public Utility Companies  
Section 7–213  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 679 – Senator Gladden**

AN ACT concerning

**Maryland Health and Higher Educational Facilities Authority – Payment in Lieu of Tax Agreement**

FOR the purpose of prohibiting the Maryland Health and Higher Educational Facilities Authority from providing certain assistance to participating institutions for certain projects except under certain conditions; authorizing local jurisdictions to enter into a payment in lieu of tax agreements with participating institutions under certain circumstances; providing for the negotiation of the agreements, the amount, date and manner of payment, and the distribution of payment under this Act; and generally relating to the Authority's power to issue bonds.

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 10–315  
Annotated Code of Maryland  
(2008 Volume)

BY adding to  
Article – Economic Development  
Section 10–323(j) and 10–338  
Annotated Code of Maryland  
(2008 Volume)

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

**Senate Bill 680 – Senator Gladden**

AN ACT concerning

**Continuing Care Retirement Communities – Construction – Environmental  
Impact Statement**

FOR the purpose of requiring a feasibility study prepared by certain continuing care providers to include certain information for certain proposed projects; providing that the Department of Aging may approve a feasibility study under certain circumstances if the Department makes a certain determination in consultation with the Department of the Environment; and generally relating to the construction of continuing care retirement communities.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 10–409  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

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

**Senate Bill 681 – Senators Muse, Forehand, Jacobs, Raskin, and Stone**

AN ACT concerning

**Criminal Law – Third Degree Sexual Offense – Person in Position of  
Authority**

FOR the purpose of repealing the requirement that the prosecution of a misdemeanor offense of the prohibition against a certain person in a position of authority engaging in a sexual act or sexual contact with a minor, under certain circumstances, be instituted within 3 years after the offense was committed; prohibiting a certain person in a position of authority who is at least a certain

number of years older than the victim from engaging in sexual contact, a sexual act, or vaginal intercourse with a minor while the minor is enrolled or participating in the institution, program, or activity at which the person in a position of authority works or a minor who was previously enrolled or participating in the institution, program, or activity at the same time the person in a position of authority was working at the institution, program, or activity; establishing penalties for violating this Act; repealing the prohibition against a person in a position of authority engaging in a sexual act or sexual contact with a minor who, at the time of the sexual act or sexual contact, is a student enrolled at a school where the person in a position of authority is employed and the prohibition against a person in a position of authority engaging in vaginal intercourse with a minor who, at the time of the vaginal intercourse, is a student enrolled at a school where the person in a position of authority is employed; defining a certain term; making technical corrections; and generally relating to sexual offenses.

BY repealing

Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–106(aa)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 3–301, 3–307, and 3–308  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

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

**Senate Bill 682 – Senator Muse**

AN ACT concerning

### **Vehicle Laws – “Road Rage” Offenses**

FOR the purpose of establishing a vehicle offense of maliciously violating certain provisions of the Maryland Vehicle Law under certain circumstances; establishing certain maximum penalties for convictions for the offense under certain circumstances; providing for certain procedures concerning a certain penalty; and generally relating to establishing a vehicle offense of maliciously

violating certain provisions of the Maryland Vehicle Law under certain circumstances.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–303(c) and (e), 21–309(b), 21–310, 21–604(e), 21–804(a), and 21–1102

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation

Section 21–901.3 and 27–101(cc)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 683 – Senator Muse**

AN ACT concerning

#### **Prince George’s County – Landlord and Tenant – Eviction – Tenant’s Right to Reclaim Personal Property**

FOR the purpose of requiring the Sheriff of Prince George’s County, when directed to carry out the eviction of a tenant, to notify the landlord and the tenant of the scheduled date on which the warrant of restitution will be executed; requiring the notice to be given in a certain manner and at a certain time; requiring the sheriff to post on the door of the premises a notice containing certain information; requiring the landlord to move the tenant’s personal property left in the premises to a public warehouse or a certain other location; requiring the landlord to allow the tenant to make reasonable arrangements to obtain and move the personal property during a certain period; prohibiting the personal property from being left in a public right-of-way or on public property; authorizing the landlord or warehouseman to sell or dispose of certain abandoned property in a certain way; providing that the landlord or warehouseman is responsible for certain disposal fees; specifying that the landlord or warehouseman is not obligated to take certain actions to preserve the tenant’s personal property; authorizing the landlord to impose a transportation and storage charge not exceeding a certain amount to cover certain costs under certain circumstances; providing that the tenant may recover certain money under certain circumstances; requiring the landlord to return certain money to the tenant under certain circumstances; providing that failure to pay a transportation and storage charge shall be considered a failure to pay rent; altering the information required to be included in a security

deposit receipt; and generally relating to personal property of a tenant subject to eviction in Prince George's County.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 8–203(b)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203.1(a) and 8–401(d)(1)(i)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Real Property  
Section 8–406  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 684 – Senators Kramer, Astle, DeGrange, Della, Forehand, Jones, Kelley, Klausmeier, Lenett, Madaleno, Pinsky, Pugh, Robey, Rosapepe, and Zirkin**

AN ACT concerning

### **Senior Investment Protection Act**

FOR the purpose of prohibiting a person from using a senior-specific certification or professional designation in such a way as to mislead a person in connection with the offer, sale, or purchase of any security or in advising another person as to the value, purchase, or sale of any security; specifying the factors that must be considered in determining whether a person is using a senior-specific certification or professional designation; establishing a rebuttable presumption that a certifying or professional designating organization is not disqualified under certain provisions of this Act under certain circumstances; providing that a certification or professional designation does not include a job title within certain organizations under certain circumstances; defining a certain term; and generally relating to the Senior Investment Protection Act.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 11–301 and 11–302  
Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 11–412  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 685 – Senator Robey**

AN ACT concerning

**Vehicle Laws – Fleeing or Eluding Police – Penalties and Forfeiture**

FOR the purpose of altering a requirement that a vehicle used by a law enforcement officer to signal a person to stop under certain circumstances must be marked as an official police vehicle to require that the vehicle be an emergency vehicle used for law enforcement purposes; altering certain penalties for certain offenses relating to causing bodily injury or death while fleeing or eluding police; authorizing a law enforcement officer to seize a vehicle that is used by an individual in the commission of certain offenses relating to fleeing or eluding police; establishing a rebuttable presumption, for certain purposes, that a registered owner of the vehicle was the driver of the vehicle at the time that a certain offense relating to fleeing and eluding police was committed or that a registered owner had knowledge that the vehicle would be used to commit a certain offense; allowing the presumption to be rebutted if a registered owner of the vehicle provides certain clear and convincing evidence; prohibiting a vehicle from being forfeited if the vehicle was not being operated by a registered owner at the time of the offense and if it was used to commit the offense without the knowledge of any registered owner of the vehicle; authorizing a certain law enforcement officer to recommend forfeiture to a certain forfeiting authority only after the officer takes certain actions; 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 file a certain complaint with the District Court under certain circumstances; requiring the District Court to schedule a certain hearing; requiring that the registered owner of a certain vehicle be sent a certain notice; requiring the District Court to take certain actions after making certain determinations; requiring a lienholder to sell a vehicle in a certain manner under certain circumstances; providing for the distribution of the proceeds of a certain sale; authorizing the State or 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; and generally relating to the offense of fleeing or eluding police.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–904 and 27–101(p)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Transportation  
Section 27–115  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 686 – Senators Robey, Forehand, Frosh, Garagiola, Harrington, King, Klausmeier, Kramer, Lenett, Madaleno, Peters, Raskin, and Rosapepe**

AN ACT concerning

**High Performance Buildings Act – Applicable to Community College Capital Projects**

FOR the purpose of making the High Performance Buildings Act applicable to community college capital projects that receive State funds; making this Act applicable to certain capital projects that have not initiated a certain Request for Proposal on or before a certain date; and generally relating to the construction of high performance buildings at community colleges.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3–602.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 687 – Senators Robey, Kasemeyer, and Kittleman**

AN ACT concerning

**Creation of a State Debt – Howard County – Living Farm Heritage Museum**

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 Howard County Antique Farm Machinery 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 Budget and Taxation.

### **Senate Bill 688 – Senator Robey**

AN ACT concerning

#### **Public Service Companies – Passenger-For-Hire Services – Limousines**

FOR the purpose of repealing a certain provision exempting a certain limousine services permit from a certain annual assessment; authorizing the use of the For-Hire Driving Services Enforcement Fund for certain enforcement activities relating to limousine services; altering the definition of “limousine” for purposes of certain vehicle laws; prohibiting an individual from operating for hire a limousine designed to carry no more than a certain number of passengers unless the individual holds a certain for-hire driver’s license and the limousine displays certain registration plates; prohibiting a person from permitting an individual to operate for hire a limousine designed to carry no more than a certain number of passengers unless the individual operating the limousine holds a certain for-hire driver’s license and the limousine displays certain registration plates; providing for a certain penalty for a violation of certain provisions of this Act; requiring that a certain number of points be assessed against an individual under a certain point system maintained by the Motor Vehicle Administration for a violation of certain provisions of this Act; and generally relating to limousines and limousine services.

BY renumbering

Article – Transportation  
Section 16-402(a)(10) through (37), respectively  
to be Section 16-402(a)(11) through (38), respectively  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies  
Section 10-101(a), (e), (f), (g), (h), (i), and (j), 10-102(b), and 10-103(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utility Companies  
Section 10-112  
Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–129.1 and 27–101(z)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–939

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation

Section 16–402(a)(10) and 21–1127

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 689 – Senator Rosapepe**

AN ACT concerning

#### **Education – Study Group on Expanding Enrollment Options for High School Students**

FOR the purpose of establishing a Study Group on Expanding Enrollment Options for High School Students; establishing the membership and staffing of the Study Group; providing for the designation of co–chairs of the Study Group; requiring the Study Group to review, evaluate, and make findings and recommendations regarding certain issues; requiring the Study Group to submit a report to the Governor and the General Assembly by a certain date; prohibiting a member of the Study Group from receiving certain compensation; authorizing a member of the Study Group to receive certain reimbursements; providing for the termination of this Act; and generally relating to expanding enrollment options for high school students.

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

### **Senate Bill 690 – Senators Kelley, Currie, Jones, Kasemeyer, and Madaleno**

AN ACT concerning

**Programs for Children in Out-of-Home Placement – System for Outcomes Evaluation**

FOR the purpose of expanding the programs to which certain provisions relating to a certain system for outcomes evaluation for certain programs for children in out-of-home placement apply; exempting certain facilities and programs from certain provisions relating to a certain system for outcomes evaluation; altering certain definitions to include certain programs for purposes of certain provisions relating to a certain system for outcomes evaluation; providing for the effective dates of this Act; and generally relating to children in out-of-home placement and a certain system for outcomes evaluation.

BY repealing and reenacting, without amendments,

Article – Human Services  
Section 8–101(a) and (m)  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 8–1001 through 8–1003 to be under the amended subtitle “Subtitle 10.  
Programs for Children in Out-of-Home Placement – Standards for Staff  
and System for Outcomes Evaluation”  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

BY adding to

Article – Human Services  
Section 8–1002  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Human Services  
Section 8–1001(a) and (e)  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 8–1001(d)  
Annotated Code of Maryland  
(2007 Volume and 2008 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 691 – Senators Middleton, Astle, Brinkley, Colburn, Currie, Della, Dyson, Edwards, Garagiola, Glassman, Jacobs, Kelley, King, Kittleman, Klausmeier, Kramer, Madaleno, Mooney, Munson, Pipkin, Pugh, Rosapepe, and Stoltzfus**

AN ACT concerning

**Maryland Estate Tax – Payment Deferral for Qualified Agricultural Property**

FOR the purpose of providing for a certain payment deferral under certain circumstances for certain Maryland estate tax imposed on certain agricultural property; providing that Maryland estate tax subject to a payment deferral shall become due immediately under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to a payment deferral under certain circumstances for certain Maryland estate tax imposed on certain agricultural property.

BY adding to

Article – Tax – General

Section 7–307(e)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 692 – Senator Middleton**

AN ACT concerning

**Vehicle Laws – Disposition of Traffic Citations**

FOR the purpose of requiring persons who receive certain traffic citations to, within a certain time period, waive the right to trial and pay the fine, request a certain hearing, or elect to stand trial; altering the notice that certain traffic citations are required to contain; altering the traffic citations for which the District Court is required to issue a notice to appear; altering the time period within which persons who receive certain traffic citations may request a certain hearing; authorizing the District Court to issue, under certain circumstances, an arrest warrant for a person who fails to comply with a citation; authorizing the District Court to notify the Motor Vehicle Administration of the failure of a person to comply with a citation; requiring the Administration to notify a person who fails to comply with a citation that the driving privileges of the person may be suspended unless the person takes certain action; requiring the Administration to suspend the driving privileges of a noncompliant person under certain

circumstances; providing for a delayed effective date; and generally relating to the disposition of traffic citations.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–201 and 26–204  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 693 – Senators Rosapepe, Frosh, Garagiola, Harrington, Jones, Lenett, Madaleno, McFadden, Middleton, Peters, Pinsky, Pugh, Raskin, Robey, Stone, and Zirkin**

AN ACT concerning

**Election Law – Maryland Student Voting Rights Act of 2009**

FOR the purpose of requiring certain institutions of higher education to develop a certain plan to promote student involvement in the electoral process; requiring certain institutions of higher education to provide certain students with the opportunity to register to vote or to update a voter registration record; making the implementation of certain requirements contingent on the appropriation of certain funds in the State budget; requiring the State Board of Elections to post certain information on its website regarding voting units for each election; altering the standard for determining the area at certain polling places beyond which electioneering may not take place; requiring a local board of elections to mail an absentee ballot to a qualified voter by a certain date; requiring the State Board to conduct certain reviews and evaluations and submit certain reports to the General Assembly by certain dates; and generally relating to the Maryland Student Voting Rights Act of 2009.

BY adding to  
Article – Election Law  
Section 1–305  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 3–204, 9–306, 10–302, and 16–206  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 694 – Senators Kittleman, Brinkley, Colburn, Greenip, Harris, Jacobs, Mooney, and Pipkin**

AN ACT concerning

**Procurement – Living Wage – Repeal**

FOR the purpose of repealing the provisions of law regarding the living wage for State contracts; repealing the requirement that certain employers pay certain hourly wages to employees who work on certain State contracts; repealing the requirement that the Commissioner of Labor and Industry adjust and publish certain wages; repealing the requirement that the Commissioner adopt certain regulations; repealing the authority of the Commissioner to require certain employers to keep certain records and submit certain reports; repealing the requirement that the Commissioner make certain assessments regarding the appropriateness of certain measures and placements under the living wage requirements; repealing the requirement that certain employers post certain information regarding the living wage; repealing certain requirements regarding the filing, investigation, and resolution of violations of the living wage requirements; repealing provisions regarding the filing of actions for the violation of living wage requirements; and generally relating to the repeal of the living wage law.

BY repealing

Article – State Finance and Procurement

Section 18–101 through 18–109 and the title “Title 18. Living Wage”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 695 – Senators Kittleman, Colburn, Greenip, Harris, and Jacobs**

AN ACT concerning

**Ethics – Executive Branch – Lobbying by Former Officials**

FOR the purpose of prohibiting certain former Executive Branch officials from engaging in certain employment for a certain period of time; providing exceptions to the employment prohibition; and generally relating to lobbying by former Executive Branch officials.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–504(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 696 – Senator Kittleman**

AN ACT concerning

**State Procurement – Employment of Unauthorized Aliens and the Federal E–Verify Program**

FOR the purpose of requiring an employer under a State procurement contract or other grant of State money to verify, through a certain federal program governing immigration status, the employment eligibility of certain of its employees; prohibiting an employer under a State procurement contract or other grant of State money from intentionally or knowingly hiring an unauthorized alien under the procurement contract or grant; defining certain terms; authorizing a person to file a certain complaint with certain law enforcement officials alleging that certain employers are employing certain employees in violation of law; requiring the law enforcement officials to investigate the complaints and take certain actions; requiring a certain court to hear certain actions; requiring the court to impose certain sanctions on certain employers found to have committed certain violations; authorizing a court to impose certain sanctions against certain employers in certain circumstances; requiring that certain agencies suspend the licenses of certain employers in certain circumstances; providing for the reinstatement of the licenses of certain employers in certain circumstances; providing for the revocation of the licenses of certain employers in certain circumstances; requiring the Attorney General to maintain certain records and a certain database and to make the information available on its website; specifying a certain rebuttable presumption; affording certain employers an affirmative defense; providing for the construction of this Act; providing for the application of this Act; and generally relating to the employment of unauthorized aliens and the federal E–Verify program.

BY adding to

Article – State Finance and Procurement  
Section 20–101 through 20–115 to be under the new subtitle “Title 20.  
Employment of Unauthorized Aliens and the Federal E–Verify Program”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 697 – Senators McFadden, Astle, Della, Haines, Kelley, Middleton, Muse, and Robey**

AN ACT concerning

**Business Regulation – Distribution of Tobacco Products**

FOR the purpose of requiring that certain cigarette business licensees display a certain sign regarding certain prohibitions and penalties in a certain manner; establishing certain restrictions on the sale of tobacco products through a certain self-service display; prohibiting the distribution of certain tobacco products except under certain circumstances; authorizing a court to require that a certain license be suspended or revoked if a certain licensee is convicted of a certain violation; prohibiting the suspension or revocation of a certain license if a certain licensee can establish a certain defense; requiring the Comptroller to create and maintain a record of certain information related to certain violations; prohibiting a minor from purchasing or attempting to purchase a tobacco product or cigarette rolling paper; defining certain terms; and generally relating to the sale or distribution of tobacco products.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16-209; 16-3A-01, and 16-3A-02 to be under the amended subtitle  
“Subtitle 3A. Tobacco Product Vending Machines and Self-Service  
Displays”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 16-3A-03

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Sections 1-101(g) and 10-101(b) and (d)

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10-107 and 10-108

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

**Senate Bill 698 – Senators Klausmeier, Colburn, Middleton, and Rosapepe**

AN ACT concerning

**Income Tax Refund – Direct Deposit – Multiple Accounts**

FOR the purpose of requiring the Comptroller, if a certain request is made, to directly deposit an income tax refund into multiple accounts; and generally relating to the direct deposit of an income tax refund.

BY adding to

Article – Tax – General

Section 13–905(f)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 699 – Senator Klausmeier**

AN ACT concerning

**Education – Immunizations – Children Entering Seventh Grade or Higher**

FOR the purpose of requiring the Department of Health and Mental Hygiene's regulations regarding immunizations to include the requirement that the parent or legal guardian of a child born on or after a certain date entering a certain grade level in this State on or after a certain date to have certain immunizations administered to the child; requiring the Department to require the parent or legal guardian of a child born on or after a certain date transferring into a school in this State on or after a certain date to have certain immunizations administered to the child; making a technical change; and generally relating to immunizations for school children.

BY repealing and reenacting, without amendments,

Article – Education

Section 7–403(a)(2)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–403(a)(3)

Annotated Code of Maryland

(2008 Replacement Volume)

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

**Senate Bill 700 – Senator Klausmeier**

AN ACT concerning

**Pharmacists – Administration of Vaccinations – Expanded Authority**

FOR the purpose of expanding the authority of pharmacists to administer certain vaccinations to individuals under certain circumstances; altering a certain definition; and generally relating to the expansion of the authority of pharmacists to administer vaccinations to individuals.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–101(s) and 12–508  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 701 – Senators Klausmeier, Colburn, Dyson, Jacobs, Mooney, Robey, Rosapepe, and Stone**

AN ACT concerning

**Vehicle Laws – Stolen Registration Plates, Registration Card, or Validation Tabs – Waiver of Fee for Replacement**

FOR the purpose of requiring the Motor Vehicle Administration to waive the fee for certain replacement registration plates, replacement registration cards, or replacement validation tabs if the registration plates, registration card, or affixed validation tabs were stolen and the owner of the vehicle submits proof that a police report regarding the theft was filed in a timely manner; making a certain technical correction; and generally relating to the fee for replacement of registration plates, registration cards, and validation tabs.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–415(d) through (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–952  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 702 – Senators Klausmeier and 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 not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the 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 703 – Senators Klausmeier, Pugh, and Middleton**

AN ACT concerning

**Electric Universal Service Program – Modifications**

FOR the purpose of altering certain criteria for providing bill assistance under the electric universal service program; repealing a certain limitation on providing arrearage retirement assistance under the program; clarifying the scope of certain weatherization assistance funded under the program; authorizing the program to provide arrearage retirement assistance to certain customers under certain conditions; authorizing the Department of Human Resources to establish certain criteria for certain program assistance and to coordinate program benefits with certain other benefits; altering certain information that the Public Service Commission must report to the General Assembly; requiring the Office of Home Energy Programs to report certain information to the Commission and the General Assembly; altering the period within which certain funds may be retained for use in certain fiscal years; making a technical correction; and generally relating to low-income electric customers and the electric universal service program.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies  
Section 7–512.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 704 – Senators Klausmeier, Astle, Brochin, Della, Kasemeyer, Robey, Stone, and Zirkin**

AN ACT concerning

**Public Health – Construction Sites – Toilets and Lavatories**

FOR the purpose of prohibiting a State or local authority from issuing a certain building permit for certain construction projects unless the site has a toilet and lavatory that meet certain requirements; requiring certain toilets to be flush toilets under certain circumstances; providing that certain provisions apply only to certain construction projects that have a certain total cost; defining a certain term; and generally relating to the provision of toilets and lavatories at construction sites.

BY adding to

Article – Health – General  
Section 24–211.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 705 – Senators Pugh, Colburn, Exum, Forehand, Muse, and Rosapepe**

AN ACT concerning

**Blue Ribbon Commission on Health Improvement and Disease Prevention**

FOR the purpose of establishing a Blue Ribbon Commission on Health Improvement and Disease Prevention; providing for the membership, purpose, chair, staff, and reimbursement of the Commission; requiring the Commission to consider and make recommendations on certain incentives; requiring the Commission to report its findings and recommendations to the Governor and General Assembly; providing for the termination of this Act; and generally relating to a Blue Ribbon Commission on Health Improvement and Disease Prevention.

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

**Senate Bill 706 – Senator Pugh**

AN ACT concerning

**Credit Regulation – Mortgage Brokers – Finder’s Fee**

FOR the purpose of clarifying that certain limitations on a mortgage broker’s ability to charge and collect a finder’s fee when obtaining more than one loan secured by the same property within a certain time period applies only if the second loan is obtained for a certain borrower and is for certain purposes or is a certain covered loan; defining a certain term; and generally relating to mortgage brokers’ finder’s fees.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–804  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 707 – Senators Pugh, Astle, Della, Exum, Kelley, Klausmeier, and McFadden**

AN ACT concerning

**Public Safety – Emergency Management – Essential Goods and Services**

FOR the purpose of prohibiting a person from selling or offering to sell certain goods and services for a certain price during a state of emergency; prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency; creating a certain exception; requiring the Office of the Attorney General to provide a person an opportunity to present evidence that a price increase was not unlawful; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; altering a certain definition; defining certain terms; and generally relating to the sale of goods and services during or following a state of emergency.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 14–101(a)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–101(c)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Public Safety  
Section 14–1101 through 14–1104 to be under the new subtitle “Subtitle 11.  
Essential Goods and Services”  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 708 – Senators Pugh, Frosh, Jones, and Lenett**

AN ACT concerning

**Prescription Drugs – Evidence–Based Prescriber Education and Outreach  
Program**

FOR the purpose of establishing an Evidence–Based Prescriber Education and Outreach Program in the Department of Health and Mental Hygiene; establishing the purpose of the Program; requiring the Department, beginning on a certain date in consultation with certain health occupation boards and subject to certain availability, to work with the University of Maryland School of Pharmacy to develop, implement, and promote the Program; authorizing the Department to contract with the School to administer the Program; requiring the Program to provide certain health care professionals with certain information and education; authorizing the Program to provide the information and education to other health care professionals under certain circumstances; establishing requirements for the informational and educational materials used in the Program; requiring the Department, working with the School, to make certain determinations for individuals conducting outreach and education sessions; authorizing the Department to adopt certain regulations; establishing an Evidence–Based Prescriber Education and Outreach Program Fund; establishing the purpose of and requirements for the Fund; providing that the Fund consists of certain fees and certain other money; providing that the Fund may be used only for certain purposes; requiring the State Treasurer to invest the money of the Fund in a certain manner and to credit certain earnings to the General Fund of the State; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring as of a certain date and annually thereafter certain pharmaceutical manufacturers and labelers to pay a certain fee to the Department; authorizing the Department to reduce the fee for certain pharmaceutical manufacturers and labelers; requiring the Department to deposit all fees collected in the Fund; defining certain terms; and

generally relating to an Evidence-Based Prescriber Education and Outreach Program.

BY adding to

Article – Health – General

Section 21–2B–01 through 21–2B–03 to be under the new subtitle “Subtitle 2B. Evidence-Based Prescriber Education and Outreach Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 709 – Senators Rosapepe, DeGrange, Peters, and Robey**

AN ACT concerning

**Prince George’s County – City of Laurel – Tax Rebate for Local Bus Service**

FOR the purpose of requiring Prince George’s County to grant a tax rebate to the City of Laurel equal to the full amount of any county property tax paid by city residents to fund county bus service; authorizing the City of Laurel to use the tax rebate to fund bus service for the greater Laurel area; defining a certain term; providing for the application of this Act; and generally relating to requiring Prince George’s County to grant a tax rebate to the City of Laurel for local bus service.

BY adding to

Article – Tax – Property

Section 6–305.1

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 710 – Senator Miller**

AN ACT concerning

**State Retirement and Pension System – Local Employer Contributions –  
Educators and Educational Staff**

FOR the purpose of providing for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring counties to pay a certain amount of employer contributions for certain members of the Teachers’ Retirement System or the Teachers’ Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain

members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; defining certain terms; and generally relating to the payment of employer contributions for members in the State Retirement and Pension System who are educators or educational staff.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 711 – Senators Mooney, Brinkley, Dyson, and Robey**

AN ACT concerning

**Trooper Tobin Triebel Life Insurance Memorial Act**

FOR the purpose of requiring the Secretary of Budget and Management to include in the State Employee and Retiree Health and Welfare Benefits Program an option to purchase up to a certain amount of additional life insurance coverage for certain employees; and generally relating to benefit options under the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–503  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 712 – Senators Mooney, Brinkley, Dyson, and Robey**

AN ACT concerning

**Trooper Tobin Triebel Benefits Memorial Act**

FOR the purpose of expanding the circumstances under which a police employee of the Department of State Police is considered to have died in the performance of duties for purposes of paying a certain death benefit; providing for the application of this Act; and generally relating to death benefits for police employees of the Department of State Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–202(b)(1)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Public Safety  
Section 1–202(c–1)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 713 – Senators Mooney and Brinkley**

AN ACT concerning

**Frederick County – Archery Hunting – Safety Zone**

FOR the purpose of establishing for archery hunters in Frederick County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; making a stylistic change; and generally relating to archery hunting in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 714 – Senator Forehand**

AN ACT concerning

**Domestic Violence – Interim and Temporary Protective Orders – Custody of  
Minor Child**

FOR the purpose of authorizing a judge to order a law enforcement officer to use all reasonable and necessary force to enforce a temporary custody provision of an interim or temporary protective order; and generally relating to domestic violence protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504.1 and 4–505(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 715 – Senators DeGrange, Brinkley, Della, Dyson, Klausmeier,  
McFadden, Munson, Peters, 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 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 by a certain date each year; requiring an entity to submit an application by a certain date each year or qualify as a certain State–aided educational institution to be an eligible innovative educational organization; requiring an eligible educational scholarship organization or an eligible innovative educational 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 organization and to provide certain notice within a certain time period; requiring the Department to adopt certain regulations; 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; establishing the Building Opportunities for All Students and Teachers Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill; requiring the Comptroller to transfer certain amounts from

the Fund to the General Fund under certain circumstances; 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 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 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k), 10–306(g), and 10–728  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 716 – Senators Kelley, Exum, Klausmeier, and Pugh**

AN ACT concerning

**Long–Term Care Insurance – Qualified State Long–Term  
Care Insurance Partnership – Revisions**

FOR the purpose of repealing the requirement that a certain outline of coverage for long–term care insurance contain a certain statement about a policy or contract of long–term care insurance; altering a certain statement about a policy or contract of long–term care insurance that must be included in a certificate that is issued under group long–term care insurance; and generally relating to long–term care insurance and the Qualified State Long–Term Care Insurance Partnership.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 18–106 and 18–107  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)  
(As enacted by Chapter 70 of the Acts of the General Assembly of 1997)

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

**Senate Bill 717 – Senators Greenip, Colburn, Harris, Jacobs, Kittleman, Klausmeier, Madaleno, Middleton, Munson, Peters, Pugh, Raskin, Robey, Rosapepe, Simonaire, and Stone**

AN ACT concerning

**Disease Prevention – Cancer Reports – Myelodysplastic Syndromes**

FOR the purpose of requiring certain hospitals, laboratories, ambulatory care facilities, radiological centers, and health care practitioners to submit certain reports, make certain information available, or enter into certain agreements with certain hospitals; adding certain syndromes to the diagnoses required to be reported in a cancer report; authorizing the Secretary of Health and Mental Hygiene or the Secretary's agent to inspect certain medical records of certain patients under certain circumstances; making a certain stylistic change; defining a certain term; and generally relating to the reporting of myelodysplastic syndromes.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–204  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 718 – 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 \$250,000, the proceeds to be used as a grant to the Board of Directors of the Hagerstown Neighborhood Development 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; 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 719 – Senators Munson, Edwards, and Mooney**

AN ACT concerning

**Creation of a State Debt – Washington County – Doleman Black Heritage  
Museum**

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 Doleman Black Heritage 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 720 – Senator Forehand**

AN ACT concerning

**Real Estate Investment Trusts – Declaration of Trust and Bylaws**

FOR the purpose of repealing a certain provision requiring that the annual meeting of shareholders provided for in a real estate investment trust's declaration of trust be held after the delivery of the annual report; repealing a certain cross-reference in a provision authorizing provisions of a real estate investment trust's bylaws to be made dependent on facts ascertainable outside the bylaws; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 8–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 721 – Senator Pinsky**

AN ACT concerning

**Private Wastewater Treatment Act of 2009**

FOR the purpose of prohibiting a person from installing a certain privately owned on-site wastewater treatment system under certain circumstances; defining a certain term; and generally relating to privately owned on-site wastewater treatment systems.

BY adding to

Article – Environment

Section 9–1108

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 722 – Senator Madaleno**

AN ACT concerning

#### **Tax General – Motor Fuel Tax – Sales and Use Tax**

FOR the purpose of altering the motor fuel tax rate; altering the distribution of motor fuel tax revenue to the Transportation Trust Fund and the Gasoline and Motor Vehicle Revenue Account; altering the distribution of sales and use tax revenue; altering the distribution of highway user revenues to Baltimore City; and generally relating to the motor fuel tax and the sales and use tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1103, 2–1104, 2–1302.2, and 9–305

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General

Section 2–1105 and 2–1106

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–402 and 8–403

Annotated Code of Maryland

(2008 Replacement Volume)

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

### **Senate Bill 723 – Senator Madaleno**

AN ACT concerning

**Commission on Commuter Rail Governance and Funding**

FOR the purpose of establishing a Commission on Commuter Rail Governance and Funding to examine the needs and funding for commuter rail in Maryland; requiring the Governor to designate the chair of the Commission; providing for the membership and staffing of the Commission; prohibiting members of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to report its 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 Commission on Commuter Rail Governance and Funding.

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

**Senate Bill 724 – Senator Madaleno**

AN ACT concerning

**Transportation Projects – Reimbursement to Owners of Real Property for Loss of Rental Income**

FOR the purpose of requiring a displacing agency to make a monthly payment to an owner of rental real property that is adjacent to a transportation construction site for loss of rental income under certain circumstances; requiring a person, for each month the person seeks payment under this Act, to petition the displacing agency for payment and to prove certain loss of income; limiting the amount of the monthly payment that may be made to a person under this Act; providing for the application of this Act; and generally relating to reimbursements for loss of rental income due to the proximity of the rental property to a transportation construction site.

BY adding to

Article – Real Property

Section 12–204.1

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 725 – Senator Madaleno**

AN ACT concerning

### **Heritage Tax Credit – Expenditures for Work Undertaken Prior to Approval of Plans**

FOR the purpose of allowing a certain tax credit for certain rehabilitation expenditures under certain circumstances, notwithstanding certain requirements; requiring the Director of the Maryland Historical Trust, within a certain time after receiving certain plans for review, to review the plans and under certain circumstances to approve the plans and make a certain certification; prohibiting the Director from charging a certain fee for certifying certain structures or rehabilitations; providing that a certain tax credit may be claimed for a certain taxable year; defining certain terms; and generally relating to allowing a certain tax credit for certain rehabilitation expenditures under certain circumstances notwithstanding certain requirements.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 5A–303(a)(4), (5), (7), and (10)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 726 – Senators Madaleno, Frosh, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

#### **Corporations and Associations – Address and Principal Office – Definitions**

FOR the purpose of altering the definition of “address” for business entities; requiring entities to specify a certain location in the address; altering the definition of “principal office” to include a certain “address”; altering the scope of the definition of “principal office” to include all entities; and generally relating to the definitions of “address” and “principal office” used by entities.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–101(b) and (r)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 727 – Senators Madaleno, Frosh, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

#### **Recordation and Transfer Tax – Controlling Interest Transfers**

FOR the purpose of altering the definition of real property entity for purposes of certain provisions imposing recordation and transfer taxes on certain transfers of a controlling interest in certain entities; requiring the articles of organization of a limited liability company to include the name and address of certain organizers, members, and authorized persons; requiring the State Department of Assessments and Taxation to determine whether a certain tax is owed when certain amendments to the articles of organization of a limited liability company are filed; and generally relating to imposing the recordation and transfer tax on certain transfers of a controlling interest in certain real property entities.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–117(a)(6) and (g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 12–117(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 4A–101(a) and (c) and 4A–204(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 4A–204(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 728 – Senator Madaleno**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Higher Education – System and Funding**

FOR the purpose of adding a new section to the Maryland Constitution to require the funding necessary to support and maintain the public institutions of higher

education in the State in a certain manner; 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 VIII – Education

Section 4

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

**Senate Bill 729 – Senators Madaleno, Exum, Forehand, Jones, Lenett, and Pugh**

AN ACT concerning

**Alcoholic Beverage Tax – Increase and Distribution of Funds**

FOR the purpose of altering State tax rates for alcoholic beverages sold in Maryland; altering the distribution of the alcoholic beverage tax revenue; requiring the Comptroller to distribute a portion of the alcoholic beverage tax revenue to certain special funds to be used only for certain purposes; establishing the Developmental Disability Support Fund as a special fund to be used to support certain services for individuals with developmental disability; establishing the Addiction Treatment and Prevention Fund as a special fund to be used to support certain programs for the treatment and prevention of drug and alcohol addictions; and generally relating to the alcoholic beverage tax and the dedication of certain alcoholic beverage tax revenue for certain purposes.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–301 and 5–105

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 7–208 and 8–207

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 730 – Senator Raskin**

AN ACT concerning

**Human Relations – Discrimination in Housing – Reasonable Accommodations for Religious Practices**

FOR the purpose of prohibiting certain persons from refusing to make certain reasonable accommodations for religious practices when the accommodations may be necessary to afford an individual certain use and enjoyment of a covered multifamily dwelling; providing that certain persons are not required to make certain accommodations for religious practices if the accommodations would pose a certain undue hardship; altering the application of a certain definition; making technical corrections; and generally relating to discrimination in housing.

BY repealing

Article – State Government

Section 20–706(a)

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

BY renumbering

Article – State Government

Section 20–701(b) through (i), 20–706(b) and (c), and 20–707 through 20–710, respectively

to be Section 20–701(c) through (j), 20–706(a) and (b), and 20–708 through 20–711, respectively

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

BY adding to

Article – State Government

Section 20–701(b) and 20–707

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

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

### **Senate Bill 731 – Senator Raskin**

AN ACT concerning

#### **Hate Crimes – Civil Remedy**

FOR the purpose of providing that a person who is aggrieved by a violation of certain hate crime laws may bring a civil action against a certain person; authorizing the court to impose an injunction and award certain damages; providing for the

application of this Act; and generally relating to the right to file a civil action for a hate crime.

BY adding to

Article – Criminal Law

Section 10–309

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

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

**Senate Bill 732 – Senators Raskin, Jacobs, Mooney, and Robey**

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 adding to

Article – Transportation

Section 21–902.2 and 27–101(cc)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 733 – Senators Raskin, Lenett, Peters, and Pugh**

AN ACT concerning

**Elections – Permanent Absentee Ballot List**

FOR the purpose of requiring the State Board of Elections to establish guidelines for a permanent absentee ballot list; authorizing an individual to apply for permanent absentee ballot status; authorizing an application for permanent absentee ballot status to be made by certain methods; requiring a written request for permanent absentee ballot status to include certain information; specifying that a voter is eligible for permanent absentee ballot status under certain circumstances; requiring that a voter be placed on the permanent

absentee ballot list under certain circumstances; requiring that an absentee ballot be sent to a voter on the permanent absentee ballot list for certain elections; requiring that a voter be removed from the permanent absentee ballot list under certain circumstances; requiring a voter that has permanent absentee ballot status to notify the local board of elections with certain information under certain circumstances; and generally relating to permanent absentee ballot lists.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–303, 9–304, and 9–305(a)

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY adding to

Article – Election Law

Section 9–305.1

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

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

### **Senate Bill 734 – Senators Raskin and Frosh**

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 by the State Board of Physicians for medical records for mental health services.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–307(k)(1)(v)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–401(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 735 – Senators Raskin, Forehand, Jacobs, Madaleno, Mooney, Robey, and Simonaire**

AN ACT concerning

**Vehicle Laws – Mandatory Use of Ignition Interlock System**

FOR the purpose of altering the Motor Vehicle Administration’s authority to establish an Ignition Interlock System Program to require the Administration to establish the Program; requiring rather than authorizing the Administration to establish a protocol for the Program by certain regulations; requiring certain individuals who have committed certain alcohol–related driving offenses to participate in the Program; requiring the Administration to require an individual granted probation for certain alcohol–related driving offenses to participate in the Program for certain minimum amounts of time; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring individuals who are in the Program to be monitored by the Administration and to pay a certain fee under certain circumstances; requiring certain service providers to demonstrate a certain ability under certain circumstances; and generally relating to participation in the Ignition Interlock System Program by an individual who is granted probation for certain alcohol–related driving offenses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404.1(b) and (f)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 736 – Senators Raskin, Forehand, and Stone**

AN ACT concerning

**Domestic Violence – Cruelty Toward a Pet or Service Animal**

FOR the purpose of authorizing a District Court Commissioner, in a certain interim protective order, and a judge in a temporary protective order or final protective order, to order a respondent to remain away from a certain pet or service animal, to refrain from cruelty or aggravated cruelty toward the pet or service animal, or in certain circumstances, to give the pet or service animal to a certain person; providing certain penalties for failure to comply with certain relief ordered in a certain interim protective order, temporary protective order, or final protective order; defining certain terms; and generally relating to domestic violence and cruelty toward a pet or service animal.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 10–601(a), (b), and (c), 10–604(a), and 10–606(a)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–501(a) and (l)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Family Law  
Section 4–501(m) and (q), 4–504.1(c)(9), 4–505(a)(2)(viii), and 4–506(d)(14)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501(m), (n), (o), (p), (q), and (r), 4–504.1(c)(7) and (8), 4–505(a)(2)(vi) and (vii), 4–506(d)(12) and (13), and 4–509(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 737 – Senators Raskin, Gladden, Muse, and Stone**

AN ACT concerning

**State Government – Human Relations – Discrimination by Business  
Establishments Against Individuals with Disabilities**

FOR the purpose of guaranteeing individuals with disabilities full and equal access to business establishments; prohibiting a business establishment from denying or abridging the right to full and equal access of an individual with a disability;

establishing that each individual denial or abridgement of rights constitutes a violation of the requirements of this Act; prohibiting a business establishment from violating the Americans with Disabilities Act; providing a certain exception; providing an administrative remedy for an aggrieved individual; providing a private right of action for an aggrieved individual; providing for certain damages and other relief that may be awarded to an aggrieved individual; authorizing a court to award certain costs and reasonable fees to the prevailing party; providing for the construction of this Act; defining certain terms; and generally relating to disability discrimination by business establishments.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–101(d)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

BY adding to

Article – State Government

Section 20–5A–01 through 20–5A–05 to be under the new subtitle “Subtitle 5A. Discrimination by Business Establishments Against Individuals with Disabilities”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

(As enacted by Chapter \_\_\_ (H.B. 51) of the Acts of the General Assembly of 2009)

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

### **Senate Bill 738 – Senators Raskin, Garagiola, and Madaleno**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Old Blair High School Auditorium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007 and Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA01(AR) and ZA02(AV)

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

**Senate Bill 739 – Senator Raskin**

AN ACT concerning

**Good Samaritan Laws – Corporations**

FOR the purpose of providing that a corporation that provides services or goods in response to a state of emergency proclaimed by the Governor is not liable in damages, under certain circumstances, for personal injury, wrongful death, property damage, or other loss caused by an act, error, or omission, in providing the services or goods; providing for certain exceptions; providing for the construction and application of this Act; and generally relating to certain liability protection for a corporation that provides services or goods in response to a state of emergency proclaimed by the Governor under certain circumstances.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–642

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 740 – Senator Raskin**

AN ACT concerning

**Family Law – Child Custody Determinations**

FOR the purpose of specifying the procedures for court determinations of legal and physical custody of minor children; requiring the court, in any proceeding between parents in which the custody of a child is raised as an issue, to make a determination as to legal and physical custody of the child; authorizing the court to award certain forms of legal and physical custody; requiring the court, in making a certain custody determination, to give primary consideration to the best interest of the child; requiring the court, in determining the best interest of the child, to consider certain factors; requiring the court, in making a certain custody determination, to articulate its reasons on the record, including the factors considered in the determination; prohibiting the court from denying custody to a parent solely on the basis of a disability of the parent except under certain circumstances; authorizing the court to modify a custody order or agreement under certain circumstances; specifying that this Act may not be considered to be a material change of circumstances for purposes of modifying a

certain child custody order; defining certain terms; and generally relating to child custody.

BY adding to

Article – Family Law

Section 9–501 through 9–506 to be under the new subtitle “Subtitle 5. Child Custody Determinations”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 741 – Senators Lenett, Harrington, Madaleno, Pugh, and Rosapepe**

AN ACT concerning

**Motor Vehicles – Driver’s License Examination – In-Traffic Driving**

FOR the purpose of requiring the Motor Vehicle Administration to include an in-traffic driving component in a certain examination given to determine the qualifications of an applicant for an original driver’s license or a driver’s license for a class of driver’s license higher than that which the applicant currently holds; and generally relating to driver’s license examinations and in-traffic driving.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–110

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 742 – Senator Kelley**

AN ACT concerning

**Condominiums and Homeowners Associations – Transition of Control**

FOR the purpose of requiring a meeting of the council of unit owners of a condominium to elect a board of directors to be held within a certain time; terminating the term of members of a board of directors appointed by a developer under certain circumstances; requiring a developer to deliver certain documents, funds, and property to the officers or board of directors for the council of unit owners on transfer of control under certain circumstances; authorizing the board of directors to terminate without liability certain

contracts under certain circumstances; authorizing an aggrieved unit owner to submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General under certain circumstances; requiring a developer to make certain books and records available to a unit owner within a certain time under certain circumstances; requiring a meeting of the members of a homeowners association to elect a governing body to be held within a certain time; terminating the term of members of the governing body appointed by a declarant under certain circumstances; requiring a declarant to deliver certain documents, funds, and property to the governing body on transfer of control under certain circumstances; authorizing the members of a governing body to terminate without liability certain contracts under certain circumstances; authorizing an aggrieved lot owner to submit a certain dispute to the Division of Consumer Protection of the Office of the Attorney General under certain circumstances; requiring a declarant to make certain books and records available to a lot owner within a certain time under certain circumstances; defining certain terms; making a stylistic change; and generally relating to the transition of control in a condominium or homeowners association.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–109(c)(16), 11–116, and 11B–112(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing

Article – Real Property

Section 11–132

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – Real Property

Section 11–132 and 11B–106.1

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 743 – Senator Rosapepe**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Laurel Police Department Facility – Community Space**

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 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 744 – Senator Rosapepe**

AN ACT concerning

#### **Electronic Health Records – Regulation and Reimbursement**

FOR the purpose of requiring the Maryland Medical Assistance Program to reimburse certain health care providers in accordance with certain provisions of this Act; requiring the Maryland Health Care Commission, in consultation with the Department of Health and Mental Hygiene and the Maryland Insurance Administration, to adopt certain regulations on or before a certain date requiring certain payors to include certain costs in a certain reimbursement structure; requiring the Commission to designate a certain health information exchange on or before a certain date; requiring the Commission to determine the appropriate level of additional reimbursement in a certain manner; providing that certain regulations shall apply to certain entities under certain circumstances; requiring the Commission, in consultation with the Department and the Administration, to adopt certain regulations that specify certain certification requirements on or before a certain date; requiring the Commission to designate a certain management service organization on or before a certain date; authorizing the Commission to use certain grants and loans in a certain manner; requiring certain health care providers to use certain electronic health records on or after a certain date; prohibiting certain payors from reimbursing certain health care providers on or after a certain date under certain circumstances; providing that certain provisions of this Act shall apply to certain entities under certain circumstances; providing that certain provisions of this Act apply to health maintenance organizations; requiring certain carriers to reimburse certain health care providers in accordance with certain provisions of this Act; requiring the Secretary of Budget and Management to ensure that the State Employee and Retiree Health and Welfare Benefits Program complies with certain provisions of this Act; and generally relating to the regulation of and reimbursement for the use of electronic health records.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 1–101(a) and (c), 15–101(a) and (h), and 19–101

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 15–105.2; 19–142 through 19–145 to be under the new part “Part IV. Electronic Health Records – Regulation and Reimbursement”; and 19–706(ttt)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 15–132

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 2–501(a) and (b)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–503(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 745 – Senator Kasemeyer**

AN ACT concerning

#### **Interest Rate on Tax Deficiencies and Refunds**

FOR the purpose of altering the calculation of the interest rate on tax deficiencies and refunds to 2 percentage points above a certain underpayment rate established under the Internal Revenue Code; providing that the interest rate may not be less than a certain rate for certain fiscal years; repealing a requirement that the Comptroller annually set the interest rate; and generally relating to the 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 2008 Supplement)

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

**Senate Bill 746 – Senators Harris, Colburn, Greenip, Jacobs, Kittleman, Munson, Stoltzfus, and Stone**

AN ACT concerning

**Public Safety – Citizens Self-Defense Act**

FOR the purpose of adding self-defense as a good and substantial reason for the Secretary of State Police to issue a permit to a person to wear, carry, or transport a handgun; and generally relating to wearing, carrying, or transporting a handgun.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5-306(a)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 747 – Senators Harris, Kittleman, Jacobs, Brinkley, Colburn, Edwards, Glassman, Greenip, Haines, Mooney, Munson, Pipkin, Simonaire, and Stoltzfus**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Taxpayer Protection Act**

FOR the purpose of adding a new section to the Maryland Constitution to require the approval of three-fifths of the members elected to each House of the General Assembly to pass legislation to increase the rate of an existing tax or to impose a tax on an individual or entity not subject to the tax at the time of consideration of the legislation; 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 III – Legislative Department  
Section 28A

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

**Senate Bill 748 – Senators Harris, Glassman, Greenip, Jacobs, Kittleman, and Mooney**

AN ACT concerning

**Sales Tax Rollback Act**

FOR the purpose of altering the maximum rate of the admissions and amusement tax that a county or municipal corporation may set for gross receipts that are also subject to the State sales and use tax; altering the rate of the sales and use tax; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies; 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 altering the rate of the sales and use tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 4–105(b), 11–104(a) and (b), and 11–301  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 749 – Senator Gladden**

AN ACT concerning

**Hospitals and Nursing Facilities – Staphylococcus Infections – Reporting**

FOR the purpose of requiring certain individuals to include certain information on a certificate of death; 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 staphylococcus infections; requiring the Department to make a certain report to certain committees of the General Assembly on or before a certain date; making certain stylistic changes; and generally relating to hospitals and nursing facilities and staphylococcus infections.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–212(b)(2)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 19–308.9  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 750 – 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 2008 Supplement)

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

**Senate Bill 751 – Senator Gladden**

AN ACT concerning

**Insurance – Slavery Era Insurance Policies – Reporting**

FOR the purpose of requiring certain insurers to provide the Maryland Insurance Commissioner with a report of certain information about certain slaveholder insurance policies issued during the slavery era; authorizing a holding company to designate an insurer in the holding company to be a reporting insurer on behalf of the member insurers of the holding company; requiring the Commissioner to adopt regulations that specify the form and content of a certain report; requiring the Commissioner to issue a certain report; requiring a certain report to contain certain names; requiring a certain report to be made available to the public; requiring the Commissioner to make a copy of a certain report available on a certain website; requiring the Commissioner to provide a copy of a certain report to the Governor and the General Assembly; defining certain terms; and generally relating to the reporting of slavery era insurance policies.

BY adding to

Article – Insurance

Section 30–101 through 30–103 to be under the new title “Title 30. Slavery Era Insurance Policy Reporting”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 752 – Senator Pipkin**

AN ACT concerning

**Certificate of Need Requirements – Health Care Facilities Other than Home Health Agencies and Hospices – Repeal**

FOR the purpose of altering requirements that certain health care 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; making stylistic changes; authorizing the publisher of the Annotated Code of Maryland to correct cross-references rendered inconsistent by this Act; and generally relating to certificates of need for health care 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 2008 Supplement)

BY repealing

Article – Health – General

Section 19–121 through 19–125 and 19–129

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 753 – Senators Pipkin, Brochin, Colburn, Della, Frosh, Harrington, Jacobs, Pinsky, and Raskin**

AN ACT concerning

**Transportation – Intercounty Connector – Elimination of Funding**

FOR the purpose of requiring the Governor to include a certain appropriation to the Transportation Trust Fund under certain circumstances; limiting the cumulative amount of certain appropriations to the Transportation Trust Fund; providing that a certain appropriation to the Revenue Stabilization Account under a certain provision of law is not required except under certain circumstances; altering the amount of a certain appropriation under certain circumstances; prohibiting the Department of Transportation and the Maryland Transportation Authority from financing the Intercounty Connector or expending any funds for the Intercounty Connector; repealing certain provisions of law concerning the financing of the Intercounty Connector, including a certain statement of legislative intent regarding the authority of the Authority to implement certain cash flow changes for financing the Intercounty Connector; requiring the Authority to retire certain bonds secured by a pledge of future federal aid in a certain manner; and generally relating to the financing of the Intercounty Connector.

BY adding to

Article – Transportation  
Section 3–216(g)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 4–321  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 567 of the Acts of the General Assembly of 2008  
Section 3

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

**Senate Bill 754 – Senators Pipkin, Jacobs, and Stone**

AN ACT concerning

**Vehicle Laws – School Buses – Prohibition on Permitting Sitting on Floor or Standing**

FOR the purpose of prohibiting a person who is responsible for pupils on a school bus from permitting any pupil to stand while the bus is in motion; prohibiting a person who is responsible for pupils on a school bus from permitting any pupil

to sit on the floor; making certain conforming changes; and generally relating to a prohibition on permitting pupils to sit on the floor or stand on a school bus.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1118  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 755 – Senator Pipkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Constitution – Laws Making an Appropriation Made Subject to  
Petition Referendum**

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a law making a certain appropriation shall be subject to rejection or repeal by the voters of the State under the petition referendum process provided under the Maryland Constitution; generally relating to making laws that make a certain appropriation subject to the petition referendum process under the Maryland Constitution; 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 XVI – The Referendum  
Section 2

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

**Senate Bill 756 – Senator Pipkin**

AN ACT concerning

**Consumer Health Open Insurance Coverage Act of 2009**

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; repealing a certain reporting requirement; 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; requiring certain carriers to offer a certain benefit; prohibiting a carrier from conditioning the sale of a certain benefit on participation of certain employees in certain programs or activities; 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 15–146, 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 2008 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 2008 Supplement)

BY repealing

Article – Health – General  
Section 19–108  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 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 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 15–1222 through 15–1224  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing

Article – Insurance  
Section 15–1207, 15–1303(c), and 15–1313  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance  
Section 15–1207  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 2–502(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General  
Section 10–728  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing

Article – Insurance

Section 15–1206, 15–1208, 15–1209 through 15–1211, 15–1213, and 15–1215

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 757 – Senator Pipkin**

AN ACT concerning

**Health Services Cost Review Commission – Repeal of Commission and Study of Alternative Financing of Uncompensated Care 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 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 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–405

Annotated Code of Maryland

(2008 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 2008 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), (e), and (f), 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 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 2–303.1(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing

Article – Insurance

Section 15–604 and 15–1214

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–906(a)(3)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–403(b)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 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 2008 Supplement)

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

**Senate Bill 758 – Senator Kittleman**

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 and the subtitle “Subtitle 4. Senatorial Scholarships”; and 18–501 through 18–507 and the subtitle “Subtitle 5. Delegate Scholarships”

Annotated Code of Maryland  
(2008 Replacement Volume)

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

**Senate Bill 759 – Senator Dyson**

AN ACT concerning

**Public Health – Authority to Certify Incapacity or Death – Nurse Practitioners**

FOR the purpose of authorizing certain nurse practitioners to make a certain determination of incapacity or debilitation under certain circumstances; authorizing certain nurse practitioners to fill out and sign a certain certificate of death under certain circumstances; authorizing certain nurse practitioners to certify that certain patients are incapable of making a certain decision under certain circumstances; authorizing certain nurse practitioners to certify that certain patients are in a certain health condition; and generally relating to nurse practitioners and authority to certify incapacity or death.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 13–906

Annotated Code of Maryland

(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–212, 5–602(e), 5–606, and 5–608(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 760 – Senator Middleton**

AN ACT concerning

#### **State Personnel – At-Will Employment – Reforms and Reports**

FOR the purpose of repealing certain provisions of law that designate certain positions and employees as being in the executive service or management service or as special appointments in the State Personnel Management System; requiring the Secretary of Budget and Management to designate management service positions in the System that must be filled without regard to certain criteria and that may be filled with regard to certain criteria; requiring the Secretary to provide certain information to the Governor and the General Assembly on certain management service positions; providing that certain management service positions may be filled with regard to certain criteria; altering the criteria for designating certain positions in the professional service; altering the criteria for designating certain positions in the management service; repealing a provision of law that designates individuals in certain positions in the management service or the executive service as special appointments; excluding from the scope of certain provisions of law governing appointments in the skilled service and the professional service the recruitment for and the appointment to a professional service position under certain circumstances; altering the circumstances under which an appointing authority may select a candidate for a certain position by recruitment; repealing a certain obsolete provision relating to certain professional assistants; repealing a certain requirement that certain employees in certain demonstration sites be in the management service or a special appointment in the System; requiring the Secretary of Budget and Management and the Secretary of Transportation to compile a list of certain employees on or before a certain date of a certain years; requiring the Secretary of Transportation to provide a certain list of employees to the Secretary of Budget and Management on or before a certain date; requiring the Secretary of Budget and Management to submit a certain report on or before a certain date; requiring the Secretary of Budget and Management to conduct a certain evaluation of certain special appointments and report the results of the evaluation on or before certain dates; and generally relating to State personnel, employment categories, and special appointments.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 4–201, 4–302, 5–208, 6–402, 6–403, 6–405(a), 7–201, and 7–203

Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–215(b) and 4–204  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 2–115  
Annotated Code of Maryland  
(2008 Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 2–104(c)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing  
Article – Family Law  
Section 10–119.2(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–119.2(g) through (j)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–107, 19–206, and 19–2106(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–204(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement

Section 5A-316  
Annotated Code of Maryland  
(2006 Replacement Volume and 2007 Supplement)

BY adding to  
Article – State Government  
Section 8-3A-02  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 761 – Senators Middleton, Klausmeier, Kramer, and Stoltzfus**

AN ACT concerning

**Department of Health and Mental Hygiene – Federal Waiver – Waiver for  
Medicaid Coordinated Long-Term Care Program**

FOR the purpose of requiring the Department of Health and Mental Hygiene to apply for a certain waiver under the federal Social Security Act on or before a certain date; requiring a certain waiver to include certain goals and objectives; requiring a certain waiver to include certain benefits and consumer protections regarding the choice of certain long-term care facilities; requiring certain coordinated care organizations to reimburse certain facilities at certain rates; requiring certain coordinated care organizations to meet certain certification requirements; requiring the Department to report annually on the status of a certain program; defining certain terms; and generally relating to long-term care eligibility requirements and waiver services in the Maryland Medical Assistance Program.

BY adding to  
Article – Health – General  
Section 15-141.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 762 – Senator Middleton**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Workforce Development  
and Adult Learning – Administration**

FOR the purpose of altering the membership of the Institutional Educator Pay Plan Advisory Committee; providing that the State Board of Education is the sole State agency responsible for administering a certain federal act; altering the name of a certain division within the Department of Labor, Licensing, and Regulation; altering the duties of the division; providing that certain personnel who transfer from a certain school system or certain library system to the Department shall be given certain service credit; repealing the authority of the State Board to waive certain residence and withdrawal requirements for a certain examination under certain circumstances; authorizing the Secretary of Labor, Licensing, and Regulation to waive certain residence and withdrawal requirements for a certain examination under certain circumstances; requiring the Department to offer certain examinations a certain number of times per year rather than requiring certain individuals to take a certain examination a certain number of times per year; altering the membership of the Education and Workforce Training Coordinating Council for correctional institutions; requiring a certain council to meet a certain number of times per year; repealing the requirement for the Secretary to appoint a certain director; requiring the Secretary to appoint a certain director; clarifying the title and duties of a certain director; authorizing the use of certain funds for certain programs at a certain correctional institution; providing that certain employees have satisfied certain requirements under certain circumstances; altering a certain defined term; and generally relating to the administration of workforce development and adult learning services in the Department of Labor, Licensing, and Regulation.

BY repealing and reenacting, without amendments,

Article – Education  
Section 6–303(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education  
Section 6–303(b)(1), 21–201, and 21–202  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 11–102, 11–103, 11–801, 11–808(a) and (b), 11–901(b) and (d), 11–903,  
and 11–906(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment  
Section 11–104

Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 11–901(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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

### **Senate Bill 763 – Senator Jacobs**

AN ACT concerning

#### **Indoor Air Quality – Separation of Assessment and Remediation Functions**

FOR the purpose of prohibiting a person who conducts an indoor air quality assessment at a property in the State from performing certain remediation work at the property; authorizing the Maryland Home Improvement Commission to impose certain civil penalties on a person who violates this Act; and generally relating to the separation of indoor air pollution assessment and remediation functions.

BY adding to  
Article – Business Regulation  
Section 8–618  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 764 – Senators Pipkin and Astle**

AN ACT concerning

#### **Reorganization of State Government – Department of Emergency Services**

FOR the purpose of reorganizing State government by establishing a Department of Emergency Services as a principal unit of the Executive Branch; repealing the Maryland Institute for Emergency Medical Services Systems and the State Emergency Medical Services Board; establishing a certain emergency management policy for the State; specifying that the Department is responsible for the coordination of certain emergency services in the State; specifying that the Department includes certain agencies, system plans, programs, and boards;

providing for qualifications, appointment, powers, duties, and salary of the Secretary and Deputy Secretary of Emergency Services; specifying that the Attorney General is legal advisor to the Department; providing for certain duties of the Attorney General and certain counsel to the Department; transferring certain funding from the Maryland Institute for Emergency Medical Services Systems to the Department; transferring the Maryland Emergency Management Agency and certain powers, duties, and functions to the Department; establishing the Maryland Emergency Management Agency in the Department; establishing that the Secretary shall appoint the Director of the Maryland Emergency Management Agency and that the Director serves at the pleasure of the Secretary; transferring certain powers, duties, and functions of the Maryland Institute for Emergency Medical Services Systems and the State Emergency Medical Services Board to the Department; requiring the Department to develop, adopt, and maintain the Emergency Medical System plan; specifying certain duties of the Secretary regarding the Emergency Medical System plan; requiring the Secretary to report to the Governor and General Assembly on or before a certain date; authorizing the Department to set and charge certain fees for the designation of trauma and specialty referral centers and pay certain fees to the EMS Trauma and Specialty Referral Centers Designation Fund; establishing the Emergency Medical Service Advisory Council in the Department to advise and assist the Department in performing certain functions; requiring the Secretary to appoint members of the Emergency Medical Service Advisory Council subject to the approval of the Governor; establishing the Charles McC. Mathias, Jr., National Study Center in the Department; requiring the Secretary to appoint the Director of the Charles McC. Mathias, Jr., National Study Center and receive certain cost recoveries received by the Study Center; requiring the Director of the Charles McC. Mathias, Jr., National Study Center to work closely with and submit certain budget and research plans to the Secretary; establishing that the R Adams Cowley Shock Trauma Center is a unit of the Department; requiring the Secretary to appoint the Director of the R Adams Cowley Shock Trauma Center subject to the approval of the Governor; requiring the Director of the R Adams Cowley Shock Trauma Center to report to and present the budget to the Secretary; requiring the Department to establish and maintain a certain licensing system for ambulance services; establishing a State Board of Paramedics in the Department; requiring the State Board of Paramedics to license certain emergency medical service providers; providing for the appointment, membership, duties, terms, officers, staffing, and reimbursement for the State Board of Paramedics; establishing certain peer review requirements for certain disciplinary proceedings; establishing a Board of Paramedics Fund to fund certain costs of fulfilling certain duties; requiring the Department to administer the Automated External Defibrillator Program; transferring the Maryland Fire and Rescue Institute from the University of Maryland to the Department; requiring the Director of the Maryland Fire and Rescue Institute to report to the Secretary; establishing the Maryland Fire and Rescue Institute in the Department; requiring the Secretary to collaborate with the Governor's Homeland Security Advisor, the Secretary of Health and Mental

Hygiene, and certain other government officials to determine emergency services that are duplicated among those agencies and to submit a report to certain committees of the General Assembly on or before a certain date; substituting references to the Department of Emergency Services for references to the Maryland Institute for Emergency Medical Services Systems in certain provisions; defining certain terms; making certain technical changes; providing for the transfer of certain services, appropriations, funding, and grants on a certain date; providing for the transfer of certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges; abolishing the Maryland Institute for Emergency Medical Services Systems and providing that the Department of Emergency Services shall be the successor to the Institute by a certain date; abolishing the Emergency Medical Services Board and the provider review panel to the Board; providing that the State Board of Paramedics shall be the successor to the Emergency Medical Services Board; providing that certain employees transferred to the Department as a result of this Act shall be transferred without diminution of certain rights, benefits, or employment or retirement status; providing for the continuity of certain transactions affected by or flowing from this Act; providing for the continuity of certain laws, rules and regulations, standards and guidelines, policies, orders, and other directives, permits and licenses, applications, forms, plans, memberships, contracts, property, investigations, and administrative and judicial responsibilities; providing for appropriate transitional provisions relating to the continuity of certain boards and other units; providing that the terms of certain members of the State Emergency Medical Services Board and the provider review panel will expire on a certain date; providing that certain property, records, fixtures, appropriations, credits, assets, liabilities, obligations, rights, and privileges are transferred to the Department of Emergency Services; providing for the continuity of certain persons who are licensed, registered, permitted, and certified under certain departments, offices, and units; providing for the continuity of certain contracts, agreements, grants, or other obligations; providing that the Governor may not appoint a certain individual as Secretary of the Department; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, shall correct agency names and titles in the Code to conform to the changes that are made by this Act; making the provisions of this Act severable; and generally relating to the establishment of a Department of Emergency Services.

BY repealing

Article – Education

Section 13–103; and 13–501 through 13–517 and the subtitle “Subtitle 5. Emergency Medical Services”

Annotated Code of Maryland  
(2008 Replacement Volume)

BY renumbering

Article – Public Safety

Section 14–101 through 14–115, respectively, and the subtitle “Subtitle 1. Maryland Emergency Management Agency Act”  
to be Section 15–301 through 15–316, respectively, and the subtitle “Subtitle 3. Maryland Emergency Management Agency Act”, respectively  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to

Article – Public Safety  
Section 15–101 through 15–206 and 15–401 through 15–1004 to be under the  
new title “Title 15. Department of Emergency Services”  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 15–301 through 15–305, 15–311, and 15–313  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)  
(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 15–306 through 15–310, 15–312, and 15–314 though 15–316  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)  
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–601 and 10–205  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–425  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 5–601(i), 5–608(a)(1), 13–203(a)(2)(i)15., 17–601(d) and (e),  
17–602(c)(5)(iii), 19–130, 19–3A–02(b)(3), and 19–710.1(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Health – General  
Section 17–601(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 14–502 and 14–506  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 1–305(b)(2)(iii) and 14–3A–01(e)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 7–121(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–201  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 11–118, 13–955, 16–102(b)(2), and 22–218(c)(3)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 765 – Senator Dyson**

AN ACT concerning

#### **Natural Resources Police – Minimum Staffing**

FOR the purpose of requiring the Governor to include in the annual proposed State budget for the Department of Natural Resources an appropriation for a

minimum number of natural resources police officer positions; requiring that funding for natural resources police officer positions come from certain designated sources; providing that if funding is reduced for the minimum number of natural resources police officer positions by the General Assembly or the Board of Public Works, the number of natural resources police officer positions may not be reduced below a certain number; and generally relating to the minimum number of natural resources police officer positions authorized in the State budget.

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

**Senate Bill 766 – Senators Astle, Dyson, Edwards, Haines, Harris, Jacobs, Kittleman, 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; requiring the Motor Vehicle Administration to study the effect of this Act on motorcycle injuries and fatalities during a certain period of time and to report to the Governor and the General Assembly by a certain date; providing for the termination of this Act; and generally relating to exceptions to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 767 – Senator Astle**

AN ACT concerning

**Fire, Rescue, and Emergency Medical Services in Anne Arundel County –  
Agreements with Federal Government – Reimbursement**

FOR the purpose of requiring that, in Anne Arundel County, any agreement entered into under a certain provision of law between a fire, rescue, or emergency medical services entity and the federal government to provide fire fighting or rescue activities on certain property shall include a provision that entitles the fire, rescue, or emergency medical services entity to obtain a certain

reimbursement from the appropriate federal authority; and generally relating to agreements between the federal government and fire, rescue, and emergency medical services entities in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 7–104  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

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

**Senate Bill 768 – Senator Astle**

AN ACT concerning

**Commercial Insurance and Workers’ Compensation Insurance – Renewals of Policies – Transfers of Policyholders Between Insurers**

FOR the purpose of providing that, with respect to commercial insurance policies and workers’ compensation insurance policies, the transfer of a policyholder between certain insurers within a certain insurance holding company system is a renewal under certain circumstances; providing that, with respect to commercial insurance and workers’ compensation insurance, the issuance by an insurer of a new policy to replace an expiring policy issued by that insurer is a renewal; providing that, with respect to commercial insurance and workers’ compensation insurance, the issuance by an insurer of a new policy to replace an expiring policy issued by a certain insurer within a certain insurance holding company system is a renewal under certain circumstances; requiring, for policies of commercial insurance and policies of workers’ compensation insurance, that certain notice of the transfer of a policyholder between certain insurers be provided under certain circumstances; providing for the application of this Act; and generally relating to transfers of policyholders between insurers and renewals of policies of commercial insurance and workers’ compensation insurance.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–501(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(q) and 27–601.1  
Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 27–608.1

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 769 – Senator Astle**

AN ACT concerning

**Health Insurance – Transactions Within Insurance Holding Company  
Systems – Exemption**

FOR the purpose of exempting nonprofit health service plans that insure fewer than a certain number of lives from certain provisions of law governing transactions within insurance holding company systems; and generally relating to insurance holding company systems.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 7–701

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

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

**Senate Bill 770 – Senator Astle**

AN ACT concerning

**Commercial Law – Maryland Cigarette Sales Below Cost Act – Cost to  
Retailer and Wholesaler**

FOR the purpose of altering the definitions of “basic cost of cigarettes” and “cost to the retailer” for purposes of the Maryland Cigarette Sales Below Cost Act; repealing the definition of “cost to the wholesaler”; repealing certain special cost provisions; altering the elements of certain prohibited acts; and generally relating to the Maryland Cigarette Sales Below Cost Act.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 11–501, 11–504, 11–505, and 11–506

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Commercial Law

Section 11–503

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY renumbering

Article – Commercial Law

Section 11–504 through 11–510, respectively

to be Section 11–503 through 11–509, respectively

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 771 – Senator Edwards**

AN ACT concerning

#### **Public Utility Companies – Wind Turbines – Performance Standards**

FOR the purpose of requiring the Public Service Commission and the Department of the Environment to develop jointly certain general performance standards for wind–powered electric generating turbines erected in the State; requiring the Commission to adopt certain standards by regulation; and generally relating to general performance standards for wind turbines erected in the State.

BY adding to

Article – Public Utility Companies

Section 7–213

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 772 – Senator Edwards**

AN ACT concerning

#### **Electric Generating Facility Decommissioning and Restoration – Surcharge or Bond or Other Security – Fund**

FOR the purpose of requiring the Public Service Commission to establish a surcharge on certain electric generating facilities for a certain purpose on the basis of certain factors; requiring the Comptroller to collect the revenue from the

surcharge and deposit it into the Maryland Electric Generating Facility Decommissioning and Restoration Fund; requiring the Commission to review the amount of the surcharge at certain intervals; authorizing the Commission to adjust the surcharge on review; authorizing an electric generating facility to post a certain bond or other security in lieu of a surcharge under certain circumstances; requiring the Commission to collect the bond or other security and deposit it in the Fund; requiring the Commission to adopt certain regulations relating to the surcharge and the bond or other security; establishing the Fund for certain purposes; providing for the use, accounting, and administration of the Fund; requiring the Commission to adopt certain regulations relating to the Fund; requiring the State Treasurer to invest the Fund and disburse any revenue from the investment in a certain manner; requiring the Commission to submit a certain report by a certain date each year to the Governor and the General Assembly; and generally relating to the financing of decommissioning and restoration of electric generating facilities in the State.

BY adding to

Article – Public Utility Companies  
Section 7–213 and 7–214  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 773 – Senator Edwards**

AN ACT concerning

**Wind–Powered Electric Generating Facilities – Decommissioning and  
Restoration – Surcharge, Bond or Other Security, and Fund**

FOR the purpose of requiring the Public Service Commission to establish a surcharge on wind–powered electric generating facilities in the State for a certain purpose on the basis of certain factors; requiring the Comptroller to collect the revenue from the surcharge and deposit it into the Maryland Wind–Powered Electric Generating Facility Decommissioning and Restoration Fund; requiring the Commission to review the amount of the surcharge at certain intervals; authorizing the Commission to adjust the surcharge on review; authorizing a wind–powered electric generating facility to post a certain bond or other security in lieu of a surcharge under certain circumstances; requiring the Commission to collect the bond or other security and deposit it in the Fund; requiring the Commission to adopt certain regulations relating to the surcharge and the bond or other security; establishing the Fund for certain purposes; providing for the use, accounting, and administration of the Fund; providing for the investment of the Fund and disbursement of any revenue from the investment in a certain manner; requiring the Commission to adopt certain

regulations relating to the Fund; requiring the Commission to submit a certain report by a certain date each year to the Governor and the General Assembly; and generally relating to the financing of decommissioning and restoration of wind-powered electric generating facilities in the State.

BY adding to

Article – Public Utility Companies  
Section 7–213 and 7–214  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

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

**Senate Bill 774 – Senator Edwards**

AN ACT concerning

**Medical Malpractice Liability Insurance – Garrett County Memorial Hospital  
– Subsidy for Practitioners Who Perform Obstetrical Services – Extension**

FOR the purpose of requiring that, after a certain fiscal year, disbursements be made from the Medical Assistance Program Account of the Maryland Health Care Provider Rate Stabilization Fund to provide a certain subsidy 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; altering the order of preference for distribution from the Fund; requiring that, after a certain fiscal year, disbursements from the Medical Assistance Program Account be used by the Secretary of Health and Mental Hygiene to pay certain subsidies; requiring the Secretary to establish a certain procedure by regulation; 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 19–802(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 19–802(g), 19–804(a), and 19–807(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 775 – Senator Edwards**

AN ACT concerning

**Maryland Dormant Mineral Interests Act**

FOR the purpose of stating the purpose of this Act; authorizing a certain owner of real property to maintain an action to terminate a certain mineral interest under certain circumstances; establishing certain actions that constitute use of a mineral interest; requiring a certain owner to bring a certain action in the circuit court of a certain jurisdiction under certain circumstances; authorizing an owner of a mineral interest to record the mineral interest under certain circumstances; providing that a mineral interest is preserved in the county in which the notice is recorded; authorizing certain individuals to record a certain notice under certain circumstances; requiring certain information to be included in a certain notice; requiring a mineral interest to be identified in a certain manner; requiring a court to permit a certain owner to record a late notice under certain circumstances; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to dormant mineral interests.

BY adding to

Article – Environment

Section 15–1201 through 15–1205 to be under the new subtitle “Subtitle 12.  
Maryland Dormant Mineral Interests Act”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 776 – Senator Della**

AN ACT concerning

**Health Services Cost Review Commission – Financial Assistance and Debt Collection Policies**

FOR the purpose of requiring each hospital in the State to develop a financial assistance policy for providing free care and reduced-cost care to certain patients; requiring a hospital to post a certain notice in its billing office; requiring each hospital to develop an information sheet that meets certain requirements; requiring the Health Services Cost Review Commission to establish uniform requirements for the information sheet and review each

hospital's implementation of and compliance with certain requirements; requiring each hospital to ensure the availability of staff with certain training; altering requirements for each hospital's submission of a policy on debt collection; requiring the policy to meet certain requirements; requiring the Commission to review each hospital's implementation of and compliance with the policy and requirements; authorizing the Commission to impose a certain fine under certain circumstances and to consider certain items before imposing a fine; altering the requirements for regulations establishing alternative methods for financing certain costs of care; requiring the Commission to establish a workgroup on patient financial assistance and debt collection for a certain purpose; requiring the workgroup to report certain findings and recommendations on or before a certain date; requiring the Commission to study, make recommendations, and report on incentives for hospitals to provide free and reduced-cost care to certain patients; requiring the Judiciary to study, make recommendations, and report on the legal rate of interest on a judgment for a certain hospital bill; and generally relating to the Health Services Cost Review Commission and hospital financial assistance and debt collection policies.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–214(b) and 19–214.1

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 19–214.2 and 19–214.3

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 777 – Senator Della**

AN ACT concerning

### **Home Health Agencies – Certificate of Need and Licensing**

FOR the purpose of repealing the requirement that a certificate of need be obtained for a home health agency and for certain services provided by a home health agency within the scope of its home health agency license; altering requirements for rules and regulations relating to licensing of home health agencies; requiring the Department of Health and Mental Hygiene, on or before a certain date, to adopt regulations for the provisional licensing of new home health agencies and the acquisition of home health agencies; establishing requirements for the regulations for provisional licensing of new home health agencies and the

acquisition of home health agencies; requiring a home health agency license to permit a home health agency to operate as a home health agency anywhere in the State; authorizing a home health agency to operate with a provisional license; altering requirements for a home health agency license; requiring an applicant to meet certain requirements to qualify for a provisional license; altering requirements for certain inspections; providing that during a certain time period and notwithstanding certain actions, a home health agency may not operate in the State without a certificate of need and the Maryland Health Care Commission may not approve a certificate of need for a home health agency; providing for the termination of this Act; defining certain terms; and generally relating to home health agency licensing and certificate of need requirements.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–114(a) and (c), 19–120(a)(1), 19–401(a) and (b), and 19–404(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–114(d), 19–120(a)(3) and (j), 19–401(c)(1), 19–404(b), 19–405,  
19–406, and 19–407

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 19–401(d), 19–404(d), and 19–406.1

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Health – General

Section 19–404(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 778 – Senator Della**

AN ACT concerning

**Continuing Care – Department of Aging and Maryland Insurance  
Administration – Transfer of Oversight**

FOR the purpose of transferring oversight of continuing care from the Department of Aging to the Maryland Insurance Administration; requiring the Administration, in consultation with certain groups, to conduct a certain review and to provide a certain report to the General Assembly on or before a certain date; making certain stylistic and technical changes; requiring the publisher of the Annotated Code of Maryland to make certain corrective changes; 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 oversight of continuing care.

BY transferring

Article – Human Services

Section 10–401 through 10–405 and the part “Part I. Definitions; General Provisions”; 10–407 through 10–416 and the part “Part II. Continuing Care in a Retirement Community – Certificates of Registration”; 10–419 through 10–429 and the part “Part III. Providers”; 10–432 through 10–441 and the part “Part IV. Facilities and Assets”; 10–444 through 10–450 and the part “Part V. Continuing Care Agreements”; 10–453 through 10–460 and the part “Part VI. Continuing Care at Home”; 10–463 through 10–469 and the part “Part VII. Financial Review”; 10–472 through 10–493 and the part “Part VIII. Delinquency Proceedings”; and 10–496 through 10–499 and the part “Part IX. Prohibited Acts; Penalties; Remedies”, and the subtitle “Subtitle 4. Continuing Care”, respectively

Annotated Code of Maryland

(2007 Volume and 2008 Supplement)

to be

Article – Insurance

Section 30–101 through 30–105 and the subtitle “Subtitle 1. Definitions; General Provisions”; 30–201 through 30–210 and the subtitle “Subtitle 2. Continuing Care in a Retirement Community – Certificates of Registration”; 30–301 through 30–311 and the subtitle “Subtitle 3. Providers”; 30–401 through 30–410 and the subtitle “Subtitle 4. Facilities and Assets”; 30–501 through 30–507 and the subtitle “Subtitle 5. Continuing Care Agreements”; 30–601 through 30–608 and the subtitle “Subtitle 6. Continuing Care at Home”; 30–701 through 30–707 and the subtitle “Subtitle 7. Financial Review”; 30–801 through 30–822 and the subtitle “Subtitle 8. Delinquency Proceedings”; and 30–901 through 30–904 and the “Subtitle 9. Prohibited Acts; Penalties; Remedies”, and the title “Title 30. Continuing Care”, respectively

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 30–101, 30–102, 30–103, 30–105, 30–201, 30–202, 30–203, 30–204, 30–205, 30–206, 30–207, 30–208, 30–209, 30–210, 30–302, 30–303, 30–304, 30–305, 30–306, 30–307, 30–309, 30–311, 30–401, 30–402,

30-403, 30-404, 30-405, 30-406, 30-407, 30-409, 30-410, 30-501,  
 30-502, 30-503, 30-601, 30-602, 30-603, 30-604, 30-605, 30-606,  
 30-607, 30-608, 30-701, 30-702, 30-703, 30-704, 30-705, 30-706,  
 30-707, 30-801, 30-802, 30-803, 30-804, 30-805, 30-806, 30-807,  
 30-808, 30-809, 30-810, 30-813, 30-814, 30-816, 30-817, 30-818,  
 30-819, 30-820, 30-821, 30-822, 30-901, 30-902, 30-903, and 30-904

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 30-102

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

(As enacted by Chapter 503 of the Acts of the General Assembly of 2007  
 and Section 1 of this Act)

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

### **Senate Bill 779 – 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 \$42,000,000 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, 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 Budget and Taxation.

**Senate Bill 780 – Carroll County Senators**

AN ACT concerning

**Counties – Purchase of Development Rights – Carroll County**

FOR the purpose of authorizing Carroll County to enter into an agreement to purchase development rights under certain circumstances; authorizing Carroll County to determine, by resolution, certain provisions, terms, conditions, and the duration of a certain agreement; providing that a certain payment obligation in a certain agreement shall be a general obligation of Carroll County and may not be subject to a certain annual appropriation; authorizing Carroll County to undertake a certain payment obligation without regard to certain limitations and without complying with certain procedures; providing that the exercise of certain authority constitutes the exercise of certain borrowing authority; providing that a certain agreement, the transfer or assignment of a certain agreement, and the payment required by a certain agreement are exempt from certain taxes; and generally relating to the purchase of development rights by Carroll County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 20–101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 20–102  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 781 – Senator Haines**

AN ACT concerning

**Alcohol and Drug Treatment – Commitment of Defendant – Crime of Violence**

FOR the purpose of prohibiting a defendant who is sentenced for a conviction of a crime of violence from being committed by a court to alcohol or drug treatment unless the defendant is eligible for parole under a certain provision of law; and generally relating to the commitment of defendants to alcohol or drug treatment.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 8–507  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

### **Senate Bill 782 – Senator Haines**

AN ACT concerning

#### **Homestead Property Tax Credit for Housing Units in Independent Living Retirement Communities**

FOR the purpose of making certain housing units at independent living retirement communities eligible for a certain property tax credit under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to the application of a certain property tax credit to certain housing units in certain independent living retirement communities.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(a)(1) through (3) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(a)(4) and (d)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–105(a)(9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

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

**Senate Bill 783 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Driving While Under the Influence of Drugs or Controlled Dangerous Substances**

FOR the purpose of establishing certain drug-related driving offenses; providing for certain criminal and administrative penalties; making conforming changes; and generally relating to certain drug-related driving offenses.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2-503, 2-507(a)(1) and (4), 3-211(c), and 3-212(a)

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16-205(a)(1) and (2)(i), (b)(1), and (d)(1), 16-205.1(a)(2), (b)(2) and (3)(viii)1., (c)(1), (d)(1), (f)(1)(i), (7)(i)1., and (8)(i)1., (ii)2., and (iii)3., 16-402(a)(33), 18-105, 21-902(a), 26-202(a)(3)(i), 26-404(f)(2)(i), 26-405, and 27-101(k)(1)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 784 – Senators Stone, Astle, Dyson, Gladden, Glassman, Haines, Harris, Klausmeier, Kramer, and Mooney**

AN ACT concerning

**Vehicle Laws – Motorcycle at a Red Signal – Affirmative Defense**

FOR the purpose of providing an affirmative defense for the operator of a motorcycle to the charge of entering or crossing an intersection against a red traffic signal in violation of certain provisions of law; establishing certain elements to the affirmative defense; and generally relating to a motorcycle crossing an intersection at a red signal.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11-168 and 21-202(h)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–201  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 785 – Senators Robey and Madaleno**

AN ACT concerning

**Inheritance Tax – Exemption – Domestic Partners**

FOR the purpose of providing an exemption from the inheritance tax for certain property that passes from a decedent to or for the use of a domestic partner of a decedent under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to an exemption from the inheritance tax for certain property that passes from a decedent to or for the use of a domestic partner of a decedent.

BY adding to  
Article – Tax – General  
Section 7–203(l)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

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

**Senate Bill 786 – Senators Madaleno, Forehand, Frosh, Pinsky, and Raskin**

AN ACT concerning

**Alcoholic Beverages – Enhanced Beer**

FOR the purpose of specifying that enhanced beer means alcoholic beverages with certain amounts of overall alcohol content obtained from flavors and other added nonbeverage ingredients containing alcohol; specifying that, for purposes of sales, enhanced beer is liquor that may be sold at retail only by a certain license; specifying that enhanced beer is beer for purposes of the alcoholic beverages tax; altering certain definitions; defining a certain term; and generally relating to alcoholic beverages.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 1–102(a)(1) and (2)  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 1–102(a)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 1–102.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 5–101(a) and (b)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 5–101(d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 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 787 – Senator Madaleno**

AN ACT concerning

#### **Maryland Health Insurance Plan – Coverage of Mammograms**

FOR the purpose of providing that the Maryland Health Insurance Plan is subject to certain provisions of law relating to coverage of mammograms; and generally relating to the Maryland Health Insurance Plan.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 14–509(a), (b), and (d) and 15–814  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance

Section 14-509(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

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

**Senate Bill 788 – Senator Madaleno**

AN ACT concerning

**Enterprise Zones – County Tax Credits**

FOR the purpose of authorizing a county to allow, by law, a business entity that is not eligible for a certain tax credit to claim a credit against county taxes for certain improvements to properties located in an enterprise zone; requiring the governing body of a county to provide for calculation of the amount of the credit and to specify which county tax or taxes the credit applies to, the improvements eligible for the credit, the qualifications for eligibility, the conditions of certification, and the process for application for the credit; authorizing the county to impose limits on the amount of credits issued for any taxable year; authorizing the county to make the credit refundable; authorizing the county to provide for the recapture of the credit; and generally relating to the authority of a county to authorize a credit against county taxes for improvements to property located in an enterprise zone.

BY adding to

Article – Economic Development  
Section 5-710  
Annotated Code of Maryland  
(2008 Volume)

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

**Senate Bill 789 – Senator Klausmeier**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Chiropractic and Massage Therapy Examiners – Massage  
Therapy Advisory Committee**

FOR the purpose of reestablishing the Massage Therapy Advisory Committee under the State Board of Chiropractic and Massage Therapy Examiners; specifying the membership and duties of the Advisory Committee; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the reestablishment of the Massage Therapy Advisory Committee.

BY repealing

Article – Health Occupations  
Section 3–5A–04  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health Occupations  
Section 3–5A–04  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 3–5A–05  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 790 – Senator Klausmeier**

AN ACT concerning

**Secretary of Health and Mental Hygiene – Meningococcal Disease –  
Distribution of Information**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to identify certain resources concerning the risks associated with meningococcal disease, the availability and effectiveness of a certain vaccine, and the potential risks of a certain immunization; requiring the Secretary to provide public access to certain information through the Internet; requiring the Secretary to provide notice to certain organizations of the availability of certain resources; requiring certain organizations to provide notice to certain students and parents or guardians of the availability of certain resources; and generally relating to the distribution of information concerning meningococcal disease.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 18–102  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 791 – Senator Klausmeier**

AN ACT concerning

**Group Model Health Maintenance Organizations – Drug Therapy Management**

FOR the purpose of requiring certain physicians and certain pharmacists who provide certain drug therapy management to certain patients to have certain physician–pharmacist agreements approved by the State Board of Pharmacy and the State Board of Physicians; authorizing certain drug therapy management to be provided under certain circumstances; authorizing certain pharmacists to enter into certain agreements; requiring certain agreements to prohibit certain substitutions of certain drug products, subject to certain exceptions; authorizing certain patients to decline to participate or withdraw from certain drug therapy management at certain times; requiring certain physicians and certain pharmacists to make certain disclosures to certain patients and to obtain certain consent from certain patients following certain disclosures; defining certain terms; and generally relating to drug therapy management of patients in group model health maintenance organizations.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–701(g)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 19–713.6  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–6A–01 and 12–6A–02  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

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

**Senate Bill 792 – Senator Klausmeier**

AN ACT concerning

**Property and Casualty Insurance – Portable Electronics Insurance –  
Regulation**

FOR the purpose of prohibiting the issuance of portable electronics insurance unless certain materials are available to prospective customers at a certain location and in a certain manner; providing for the materials to include a certain summary of coverage, a certain disclosure about other insurance coverage, a certain statement about required enrollment in coverage, a certain description of the process for filing a claim, a certain disclosure about employees evaluating certain insurance coverage, and a certain statement about cancelling the insurance; authorizing the offering of portable electronics insurance on a periodic basis as a certain commercial inland marine policy; authorizing vendors of portable electronics and their employees and authorized representatives to offer enrollment in policies of portable electronics insurance without licensure as insurance producers under certain circumstances; requiring an insurer that offers portable electronics insurance to appoint a certain supervising agency for certain purposes; requiring the development of a certain training program for employees and authorized representatives; authorizing vendors to bill and collect charges for portable electronics insurance in a certain manner; authorizing the Maryland Insurance Commissioner to impose certain fines in certain amounts and impose certain penalties for certain violations; prohibiting an insurer from terminating or changing the terms and conditions of a policy of portable electronics insurance unless the insurer provides at least a certain number of days of notice, with certain exceptions; requiring an insurer that makes certain changes to a policy to provide certain revised policies or endorsements to certain persons; providing that coverage continues under the policy under certain circumstances if the insurer does not provide timely notice; providing that covered customers are eligible for reinstatement of coverage under certain circumstances; requiring a vendor that terminates a policy to give certain notice to covered customers in a certain manner; providing certain circumstances under which notice of termination to covered customers is not required; establishing that certain required notice is to be given in a certain manner; defining certain terms; and generally relating to the regulation of portable electronics insurance.

BY adding to

Article – Insurance

Section 19–901 through 19–904 to be under the new subtitle “Subtitle 9.  
Portable Electronics Insurance”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 793 – Senators Klausmeier, Kasemeyer, and Rosapepe**

AN ACT concerning

**Vehicle Laws – Motor Scooters – Licensing, Titling, Registration, and Insurance**

FOR the purpose of requiring a motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an operator of a motor scooter in the State to be licensed and insured; requiring an application for the registration of motor scooters to be submitted electronically; requiring a licensed dealer of motor scooters under certain circumstances to obtain a motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of motor scooters; establishing an annual registration fee for motor scooters; repealing the authority of a person to operate a motor scooter under a moped operator's permit; providing that certain vehicle equipment and inspection requirements do not apply to motor scooters; altering certain definitions; and generally relating to titling, registration, licensing, and insurance requirements for motor scooters and operators of motor scooters.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–134.5, 13–101.1, 13–402(a)(1), 16–101(a), 17–103(a)(1), 21–1202, 21–1205, 21–1205.1(a) through (c), 21–1207, 23–101(a), 23–104, 23–107(a)(1), 23–202(a)(1), and 23–206(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–135, 11–176, 13–403, 13–954, 16–104.2(d), 22–101(e)(1), 23–101(i)(3), and 23–206.2(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation

Section 13–939.3 and 23–206.2(c)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 794 – Senators Pipkin and Rosapepe**

## EMERGENCY BILL

AN ACT concerning

**Public Service Commission – Required Approval – Acquisition of Generation Facility**

FOR the purpose of prohibiting a person, without prior approval of the Public Service Commission, from acquiring a generation facility or acquiring an ownership interest in a generation facility in the State under certain circumstances; providing for the application of this Act; making this Act an emergency measure; and generally relating to the approval of the Commission prior to the acquisition of a generation facility.

BY adding to

Article – Public Utility Companies

Section 6–105.1

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 795 – Senators Pipkin and Rosapepe**

AN ACT concerning

**Maryland Electricity Reregulation and Energy Independence Act of 2009**

FOR the purpose of requiring the Public Service Commission to assemble and evaluate certain plans regarding electric generating needs and the means to meet those needs; requiring the Commission to take final action on an application for a certificate of public convenience and necessity only after a certain consideration of a need to meet certain electric services; making a certain finding and declaration regarding a goal of the State to return to a regulated electric market; requiring that a certain new electric generation facility be owned by a certain electric company or consortium of electric companies; allowing a certain new electric generation facility to be owned by certain entities other than an electric company under certain circumstances; requiring the sale of certain electricity to be offered for sale first to a certain electric company or consortium; providing that the Commission has a certain jurisdiction over a certain electric generation facility; requiring certain persons to enter into a certain contract for the sale of certain electricity; specifying the standards that the Commission must apply in approving a certain contract; requiring the Commission to determine certain times to take a certain action that require a certain electric company or consortium to acquire an existing electric generation facility; requiring the Commission to seek to identify certain opportunities for appropriate times to take a certain action; requiring the Commission to conduct

certain proceedings or hearings in evaluating certain costs, risks, and benefits; requiring the Commission to consider certain factors in evaluating a certain acquisition and make a certain finding before taking a certain action; authorizing an owner of a certain electric generation facility to enter into a certain contract under certain circumstances; requiring the Commission to direct electric companies to develop a plan toward meeting a certain goal; requiring the Commission to implement a certain provision of law; defining a certain term; and generally relating to the Public Service Commission and electric generation facilities under rate regulation or contracts.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–201 and 7–207  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–518  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 796 – Senator Della**

AN ACT concerning

#### **Office of the Treasurer – Community Services Trust Fund – Restructuring**

FOR the purpose of altering the purpose of the Community Services Trust Fund in the Office of the Treasurer; repealing an account holding certain proceeds from the sale or long-term lease of property and equipment resulting from the sale or long-term lease of Mental Hygiene Administration facilities and certain provisions of law relating to the transfer of funds from the account; and generally relating to the repeal of the Mental Hygiene Administration account of the Community Services Trust Fund.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 24–1101  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 24–1102, 24–1103, 24–1104, and 24–1105

Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 797 – Senator Della**

AN ACT concerning

**Motor Vehicle Insurance – Use of Credit History in Rating Policies**

FOR the purpose of prohibiting an insurer, with respect to private passenger motor vehicle insurance, from rating a risk based, in whole or in part, on the credit history of an applicant or insured in any manner; repealing certain provisions of law authorizing an insurer to use the credit history of an applicant or insured to rate a new policy of private passenger motor vehicle insurance subject to certain limitations and requirements; making conforming and clarifying changes; providing for the application of this Act; and generally relating to rating policies of private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–501(e–2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 798 – Senator Conway**

AN ACT concerning

**Maryland Anesthesiologist Assistants Act**

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure of anesthesiologist assistants and the practice of anesthesia care as anesthesiologist assistants; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees and requiring the Board to distribute certain fees in a certain manner; establishing the Anesthesiologist Assistants Advisory Committee within the Board; providing for the membership, powers, and duties of the Committee; establishing the terms and requirements for certain members of the Committee; providing for certain powers and duties of the Board regarding the Committee and anesthesiologist assistants; providing for the scope of practice for medical acts delegated to an anesthesiologist assistant under certain circumstances; establishing certain medical acts that may be performed or may not be performed by an anesthesiologist assistant; requiring anesthesiologist

assistants to be licensed by the Board before practicing anesthesia care as anesthesiologist assistants; requiring anesthesiologist assistants to execute a certain delegation agreement; providing for the content and regulation of certain delegation agreements; requiring that an individual be licensed by the Board before the individual may practice anesthesia care as an anesthesiologist assistant; providing that certain licensing provisions do not apply to certain students and certain employees of the federal government; providing for the qualifications for an anesthesiologist assistant license; providing for the scope of an anesthesiologist assistant license; providing for the issuance, expiration, renewal, inactivation, and reinstatement of certain licenses; requiring certain licensees to present a certain license or delegation agreement under certain circumstances; 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; establishing certain hearing and appeal procedures for licensed anesthesiologist assistants; requiring certain hospitals, related institutions, certain alternative health systems, and certain employers to report certain information regarding anesthesiologist assistants to the Board under certain circumstances; prohibiting certain acts; providing for certain criminal and civil penalties; requiring that an evaluation of the Committee be performed on or before a certain date; specifying the appointment and terms of the initial members of the Committee; defining certain terms; and generally relating to the licensure of anesthesiologist assistants.

BY renumbering

Article – State Government  
Section 8–403(b)(3) through (68), respectively  
to be Section 8–403(b)(4) through (69), respectively  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health Occupations  
Section 14–5D–01 through 14–5D–27 to be under the new subtitle “Subtitle 5D.  
Anesthesiologist Assistants”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(3)  
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 799 – Senators King, Forehand, Garagiola, and Raskin**

EMERGENCY BILL

AN ACT concerning

**Health Care Facilities – Certificates of Need – Hospitals**

FOR the purpose of requiring the Maryland Health Care Commission to docket and review a certain application for a certificate of need based on a certain letter of intent notwithstanding the pendency of a certain application; requiring the Commission to review a certain application for a certificate of need in a certain manner; defining certain terms; making this Act an emergency measure; and generally relating to certificates of need for hospitals.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–120(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 800 – Senator King**

AN ACT concerning

**Biotechnology Investment Incentive Tax Credit**

FOR the purpose of altering the definition of “qualified investor” under a certain tax credit allowed for certain investments in certain biotechnology companies; clarifying the taxable year for which the credit may be claimed; repealing certain obsolete language; altering a certain applicability provision; clarifying certain provisions requiring the recapture of the credit under certain circumstances; and generally relating to a certain tax credit allowed for certain investments in certain biotechnology companies.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–725(a)(6)(i), (b)(1), and (f)(1) and (2)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing

Article – Tax – General  
Section 10–725(e)(3)(vii)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Chapter 518 of the Acts of the General Assembly of 2008  
Section 2

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 801 – Senators Forehand, Jacobs, and Muse**

AN ACT concerning

**Criminal Procedure – Domestic Violence – Lethality Assessment and Global Positioning Satellite Tracking**

FOR the purpose of requiring a court, in a county that implements a global positioning satellite tracking system program, to require, as a condition of a defendant's pretrial release on a charge of violating a certain protective order, that the defendant undergo a certain lethality assessment evaluation; requiring a court to order a certain defendant supervised by means of active electronic monitoring as a condition of bail under certain circumstances; providing that, in a county that implements a global positioning satellite tracking system program, if the court suspends the sentence of a defendant convicted of failing to comply with certain relief granted in an interim protective order, temporary protective order, or final protective order, the court shall require the defendant to undergo a certain lethality assessment evaluation; requiring the court to place a certain defendant under active electronic monitoring under certain circumstances; requiring a certain defendant to pay certain fees established by the county under certain circumstances; authorizing a county to exempt a certain defendant from certain fees under certain circumstances; requiring the Governor's Office of Crime Control and Prevention to take certain steps to assist the State in securing certain funding and to develop a certain program; and generally relating to evaluations and electronic monitoring of defendants subject to protective orders.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 5–202(e) and 6–221  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 4–509(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 802 – Senators Klausmeier, Colburn, Dyson, Jacobs, Mooney,  
Rosapepe, and Stone**

AN ACT concerning

**Higher Education – Edward T. Conroy Tuition Waiver Program –  
Establishment**

FOR the purpose of repealing the Edward T. Conroy Memorial Scholarship Program and establishing the Edward T. Conroy Tuition Waiver Program that provides a certain waiver of tuition and mandatory fees at public institutions of higher education in the State for certain members of the armed forces, prisoners of war, public safety employees, veterans, and certain spouses and children; providing a certain waiver of tuition and mandatory fees for certain survivors of Maryland residents killed in certain terrorist attacks; exempting a recipient from repaying certain amounts; providing for the duration of the waiver; defining certain terms; and generally relating to the establishment of the Edward T. Conroy Tuition Waiver Program.

BY repealing

Article – Education  
Section 18–601  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Education  
Section 15–106.7  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 803 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Oxford Community 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 Trustees of the Oxford Community 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 804 – Senators Colburn and Pipkin**

AN ACT concerning

**Creation of a State Debt – Caroline County – Adkins Arboretum Native Garden Gateway**

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 Adkins Arboretum, Ltd. 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 805 – Senator Colburn**

AN ACT concerning

**State Emblems – Literacy Symbol – Book “E” Lookee**

FOR the purpose of designating Book “E” Lookee as the State literacy symbol.

BY adding to

Article – State Government

Section 13–322

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 806 – Senators Colburn and Brinkley**

AN ACT concerning

**Business Regulation – Charitable Organizations – Audits and Reviews**

FOR the purpose of increasing the minimum gross income amount by which the registration statement of a charitable organization must include a certain audit; altering the range of gross income amounts by which the registration statement of a charitable organization must include a certain review; altering the range of gross income amounts by which the Secretary of State may require a certain audit or review of a charitable organization; and generally relating to the auditing and review requirements of charitable organizations.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 6–402(a) and (c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 6–402(b)(8) and (d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 807 – Senator Colburn**

AN ACT concerning

**Real Property – Residential Mortgages and Deeds of Trust – Recordation and Foreclosure**

FOR the purpose of altering the definition of “residential property” for purposes of certain residential property foreclosure procedures and certain provisions concerning the recordation of an instrument securing a mortgage loan on residential property; clarifying the application of a certain provision concerning a mortgagor’s or grantor’s right to cure a default before a foreclosure sale; and generally relating to foreclosure procedures and recording instruments in the land records.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–104.1 and 7–105.1(a) and (h)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 7–105.1(b) and (c)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 808 – Senator Colburn**

AN ACT concerning

**Milk Products – Pilot Farmstead Cheese Program – Permits**

FOR the purpose of repealing a certain limitation on the number of milk processor – farmstead cheese producer permits that the Secretary of Health and Mental Hygiene may issue under a certain pilot program; and generally relating to permits for the pilot farmstead cheese program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–401(a) and (g), 21–410(b)(5), 21–416(d), and 21–417(c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–416.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 809 – Senator Colburn**

AN ACT concerning

**State Boat Act – Excise Tax – Computation of Trade-In Value**

FOR the purpose of altering the definition of “fair market value” for purposes of the imposition of the State excise tax on marine vessels; establishing certain methods to determine the value of a trade-in vessel for purposes of determining the fair market value of a marine vessel; and generally relating to the State excise tax on marine vessels.

BY repealing and reenacting, without amendments,  
Article – Natural Resources

Section 8–716(a)(1) and (6)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–716(a)(3) and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 810 – Senator Colburn**

AN ACT concerning

#### **Natural Resources – Oyster Shell Purchase Program – Fair Market Value**

FOR the purpose of requiring the Department of Natural Resources to set, in consultation with the Oyster Advisory Commission and the Tidal Fisheries Advisory Commission, the annual fair market value the Department will pay for certain oyster shells and for the transport and placement of certain oyster shells under the Oyster Shell Purchase Program; requiring the Department to adopt certain regulations; repealing a certain oyster shell price ceiling under the Program; and generally relating to the Oyster Shell Purchase Program.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1019.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 811 – Senator Muse**

AN ACT concerning

#### **Domestic Violence – Duration of Protective Order – Subsequent Act of Abuse**

FOR the purpose of extending the maximum duration of a final protective order under certain circumstances; and generally relating to domestic violence and the duration of a final protective order.

BY repealing and reenacting, with amendments,  
Article – Family Law

Section 4-506(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 812 – Senator Muse**

AN ACT concerning

**Landlord and Tenant – Eviction – Tenant’s Right to Reclaim Personal Property**

FOR the purpose of requiring the sheriff or county official directed to carry out the eviction of a tenant to notify the landlord and the tenant of the scheduled date on which the warrant of restitution will be executed; requiring the notice to be given in a certain manner and at a certain time; requiring the sheriff or county official to post on the door of the premises a notice containing certain information; requiring the landlord to move the tenant’s personal property left in the premises to a public warehouse or a certain other location; requiring the landlord to allow the tenant to make reasonable arrangements to obtain and move the personal property during a certain period; prohibiting the personal property from being left in a public right-of-way or on public property; authorizing the landlord or warehouseman to sell or dispose of certain abandoned property in a certain way; providing that the landlord or warehouseman is responsible for certain disposal fees; specifying that the landlord or warehouseman is not obligated to take certain actions to preserve the tenant’s personal property; authorizing the landlord to impose a transportation and storage charge not exceeding a certain amount to cover certain costs under certain circumstances; providing that the tenant may recover certain money under certain circumstances; requiring the landlord to return certain money to the tenant under certain circumstances; providing that failure to pay a transportation and storage charge shall be considered a failure to pay rent; altering the information required to be included in a security deposit receipt; and generally relating to personal property of a tenant subject to eviction.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8-203.1(a) and 8-401(d)(1)(i)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Real Property  
Section 8-406  
Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 813 – Senator Jones**

AN ACT concerning

**Health Care Affordability Act of 2009**

FOR the purpose of establishing a Maryland Institute for Clinical Value; establishing the purpose of and requirements for the Institute; establishing a Value-Based Advisory Committee in the Institute; establishing the purpose and composition of the Committee; establishing a Citizens Advisory Council in the Institute; establishing the purpose, composition, and responsibilities of the Council; establishing a Maryland Prevention Trust for Health Promotion in the Institute; establishing the purpose and responsibilities of the Trust; altering eligibility requirements for the Maryland Medical Assistance Program; requiring the Department of Health and Mental Hygiene to collect a certain premium from certain enrollees; authorizing an individual who is eligible for the Program and who is offered employer-sponsored insurance to make a certain election, under certain circumstances; requiring the Program to pay a certain portion of a health insurance premium or a certain subsidy, under certain circumstances; establishing an Evidence-Based Prescriber Education and Outreach Program in the Department; establishing the purpose and requirements of the Program; requiring the Department, beginning on a certain date and in consultation with certain health occupation boards, to work with the University of Maryland School of Pharmacy for a certain purpose; authorizing the Department to contract with the School of Pharmacy to administer the Program; authorizing the Department to adopt certain regulations; establishing an Evidence-Based Prescriber Education and Outreach Program Fund; establishing the purpose, administration, sources and uses of the Fund; providing that expenditures from the Fund may be made only in accordance with the State budget; requiring certain pharmaceutical manufacturers and labelers to pay a certain fee to the Department; authorizing the Department to reduce the fee under certain circumstances; requiring the Department to deposit all fees collected in the Fund; establishing a Maryland Health Insurance Pool as an independent unit of State government; establishing the purpose of the Pool; providing that the exercise by the Pool of certain powers is the performance of an essential public function; requiring the Pool to be subject to the State Open Meetings Law and the State Tort Claims Act; exempting the Pool from certain provisions of State law; establishing a Board of Directors of the Pool; requiring the Pool to operate subject to the supervision and control of the Board; providing for the membership of the Board; providing that a member of the Board is entitled to reimbursement for certain expenses; providing for the powers, duties, staffing, and election of a chairman and vice-chairman of the Board; establishing eligibility requirements for participation in the Pool;

requiring, on or before a certain date, the Pool to be the sole mechanism for creditable coverage for certain individuals and a carrier to only insure or offer to insure certain individuals as a participating carrier in the Pool; requiring the Pool to offer certain health benefit plans; establishing certain requirements for the Board and participating carriers with respect to loss ratios, benefit packages, issuance, renewal, and rates of health benefit plans offered through the Pool; requiring the Board, on or before a certain date, to make a certain determination; authorizing the Board, based on its determination, to take certain actions with response to certain individuals seeking to enroll in the Pool; requiring health benefit plans offered through the Pool to incorporate certain chronic care improvement and preventive health measures; requiring the Pool to subsidize health benefit plan coverage for certain enrollees; establishing certain requirements for the subsidy; establishing a Maryland Catastrophic Reinsurance Benefit Plan; establishing the administration, purpose, requirements, and funding of the Plan; establishing a Healthy Maryland Fund; establishing the purpose, administration, sources, and uses of the Fund; requiring the Board to maintain a separate account within the Fund for the Senior Prescription Drug Assistance Program; requiring the Board to expend certain amounts for certain purposes; requiring the Treasurer to invest the money of the Fund in a certain manner; providing that any investment earnings of the Fund shall be retained to the credit of the Fund; requiring expenditures from the Fund to be made only in accordance with the State budget; requiring an employer to pay to the Secretary of the Department of Labor, Licensing, and Regulation a certain amount; prohibiting an employer from deducting a certain payment from the wages of an employee; requiring an employer to make a certain payment to the Secretary on a certain periodic basis; establishing a certain penalty for failure to make the payment; requiring the Secretary to adopt certain regulations and pay certain revenue into the Healthy Maryland Fund; altering the authorized uses for the Cigarette Restitution Fund; requiring, beginning in a certain fiscal year, certain revenue realized by the Fund to be deposited into the Healthy Maryland Fund; altering certain alcoholic beverage tax rates; requiring certain additional alcoholic beverage tax revenue to be distributed to the Healthy Maryland Fund; altering certain tobacco tax rates; specifying the amount of tobacco tax revenue to be distributed to the General Fund; requiring certain tobacco tax revenue to be distributed to the Healthy Maryland Fund; imposing a penalty on the income tax of certain individuals; providing that the penalty does not apply if certain individuals had certain health care coverage; requiring the Comptroller to provide for certain exceptions for certain individuals; requiring the Board of Directors of the Maryland Health Insurance Pool to provide certain information to the Comptroller for a certain purpose; requiring a taxpayer to indicate on the income tax return the presence of certain health care coverage; requiring the Comptroller to distribute certain revenues from the penalty to the Healthy Maryland Fund; providing for the application of the tobacco tax to certain cigarettes; requiring the Comptroller to publicize certain requirements for a certain purpose; providing for a delayed effective date for certain provisions of

this Act; making certain conforming changes; defining certain terms; and generally relating to the Health Care Affordability Act of 2009.

BY repealing

Article – Insurance

Section 14–501 through 14–509

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing

Article – Labor and Employment

Section 8.5–101 through 8.5–107

Annotated Code of Maryland

(2008 Replacement Volume)

BY adding to

Article – Health – General

Section 13–2801 through 13–2805 to be under the new subtitle “Subtitle 28. Maryland Institute for Clinical Value”; and 21–2B–01 through 21–2B–04 to be under the new subtitle “Subtitle 2B. Evidence–Based Prescriber Education and Outreach Program”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 15–103(a) and 19–214(d)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–201(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–510, 14–512(a), and 14–513

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance

Section 14–801 through 14–813 to be under the new subtitle “Subtitle 8. Maryland Health Insurance Pool”; and 14–901 and 14–902 to be under the new subtitle “Subtitle 9. Healthy Maryland Fund”

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Labor and Employment  
Section 8.5–101 through 8.5–104  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 7–317(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 7–317(f) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–301, 2–1603, 5–105, and 12–105  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General  
Section 2–1604 and 10–106.2  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

**Senate Bill 814 – Senators Raskin, Conway, Frosh, Greenip, Harrington, Harris, Jacobs, Kelley, King, Madaleno, Middleton, Muse, Peters, Pinsky, Pugh, and Rosapepe**

EMERGENCY BILL

AN ACT concerning

**Election Law – Voting Machines – Voting System Warranty Requirement**

FOR the purpose of requiring a certain voting system selected by the State Board of Elections to be warranted by the vendor for a certain period of time; requiring a certain warranty to require the vendor to replace or upgrade certain hardware under certain conditions; requiring a certain warranty to require the vendor to disclose and remedy certain matters relating to a voting system and to recall a voting system under certain conditions; authorizing a person other than the State to file a civil action on behalf of the State against a person who has breached a certain warranty; providing for the procedures to be followed in a civil action; authorizing the State to intervene and proceed with the action under certain circumstances; authorizing the person who initiated the action to conduct the action if the State notifies the court that it will not proceed with the action; prohibiting persons other than the State from intervening or bringing a related action based on the same facts; establishing that if the State proceeds with a civil action, the State bears primary responsibility for proceeding and is not bound by certain acts; authorizing the person who initiated the civil action to continue as a party to the action if the State proceeds with a civil action; authorizing the State to petition the court to dismiss an action under certain circumstances; authorizing the State to settle an action under certain circumstances; authorizing the court to award certain costs and fees; defining a certain term; making this Act an emergency measure; and generally relating to requiring a warranty for the purchase of voting machines.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 9–101  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

**Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.**

**Senate Bill 815 – Senator Raskin**

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 the paternity of a child in a guardianship or adoption proceeding under certain circumstances; requiring a court to consider a certain statement when making a certain finding; prohibiting a court from requiring publication of certain information under certain circumstances; requiring that a certain hearing be held within a certain period of time; authorizing a court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody of or visitation with a child to a

parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring a court to consider the safety and well-being of the child's other parent or guardian in approving supervised visitation; and generally relating to adoption, guardianship, custody, and visitation.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–306, 5–3A–06, 5–3B–05, and 9–101.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 816 – Senators Raskin, Kelley, Madaleno, Middleton, Peters, Pinsky, Robey, and Rosapepe**

AN ACT concerning

**Maryland Food and Hunger Policy Council – Department of Agriculture**

FOR the purpose of creating the Maryland Food and Hunger Policy Council in the Department of Agriculture; providing for the composition and staffing of the Council; providing that a member of the Council may not receive compensation but may be reimbursed for certain expenses; specifying the terms of the initial members of the Council; authorizing the Council to establish certain subcommittees and elect certain officers; authorizing the Council to appoint certain nonvoting affiliate members; specifying the duties of the Council; requiring the Council to adopt certain action plans; requiring the Commission to report to the Governor, the Secretary of Agriculture, and the General Assembly on or before certain dates; defining certain terms; specifying the terms of the initial members of the Council; and generally relating to the Maryland Food and Hunger Policy Council.

BY adding to  
Article – Agriculture  
Section 10–1701 through 10–1703 to be under the new subtitle “Subtitle 17.  
Maryland Food and Hunger Policy Council”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 817 – Senator Jones**

AN ACT concerning

**Task Force to Study Prison Violence in Maryland – Continuation**

FOR the purpose of continuing the 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 at certain times and places; requiring the Task Force to provide certain reports to the Governor and the General Assembly on or before certain dates; 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 818 – Senators Jones and McFadden**

AN ACT concerning

**General Obligation Bonds – Required Reports**

FOR the purpose of requiring an enabling act authorizing the creation of a State debt that is for more than a certain amount to contain a provision that requires a certain grantee to submit a certain report to certain persons by a certain date regarding the extent to which the grantee has used, or will use, certain funds for contracts with minority-owned businesses for the purchase of goods, services, construction, or construction services under certain circumstances; and generally relating to the provisions of an enabling act authorizing the creation of a State debt.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 8–117  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 819 – Senator Harrington**

AN ACT concerning

**Prince George’s County – Sale of Residential Property in a Special Taxing District – Property Tax Credit**

FOR the purpose of authorizing Prince George’s County to grant a certain property tax credit against the county property tax imposed on residential real property within a special taxing district; establishing application procedures for the

credit; requiring that the credit first apply to a certain taxable year; specifying the amount of the credit; authorizing Prince George's County to provide by law for implementing the credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for residential property within a special taxing district in Prince George's County.

BY adding to

Article – Tax – Property

Section 9–318(f)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 820 – Senator Harrington**

AN ACT concerning

#### **Employee Opportunity to Purchase Act**

FOR the purpose of requiring certain business entities to give certain employees the option to purchase the business entity under certain circumstances through a certain offer of sale; requiring certain business entities to include certain statements in certain offers of sale; requiring certain business entities to give certain employees the option to purchase the facilities and capital equipment of certain business locations through a certain offer of sale; providing that employees have a certain number of days to respond to certain offers of sale with an offer of purchase; providing that employees may accept a certain offer of sale only through a certain plan; requiring the Department of Business and Economic Development to conduct a certain study under certain circumstances; requiring the Department to conduct a certain election under certain circumstances; providing that a certain percentage of certain employees must vote to purchase a business to be able to make a certain offer of purchase; providing that a certain percentage of certain employees must vote to purchase certain facilities and capital equipment to be able to make a certain offer of purchase; requiring the State to provide credit enhancement and gap financing under certain circumstances; providing that the right of a third party to purchase a business entity that operates in the State is conditional on the exercise of certain rights; providing that certain purchasers are presumed to act with full knowledge of certain rights and policies; requiring the Department, in consultation with the Department of Labor, Licensing, and Regulation and other appropriate stakeholders, to adopt certain regulations; providing for the effective dates of this Act; defining certain terms; and generally relating to employee purchase of business entities.

BY adding to

Article – Economic Development

Section 14–201 through 14–206 to be under the new subtitle “Employee Opportunity to Purchase Act”  
Annotated Code of Maryland  
(2008 Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 821 – Harford County Senators**

AN ACT concerning

**Harford County – Property Tax Exemption – Continuing Care Facility for Aged**

FOR the purpose of exempting certain property owned by certain continuing care facilities for the aged in Harford County from the payment of county or municipal corporation property tax; providing for the application of this Act; and generally relating to property tax exemptions for certain property owned by certain continuing care facilities located in Harford County.

BY adding to

Article – Tax – Property  
Section 7–206.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 822 – Senators Rosapepe, Astle, Colburn, Dyson, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, King, Lenett, Madaleno, McFadden, Middleton, Peters, Pinsky, Pugh, Raskin, Robey, and Stone**

AN ACT concerning

**Tuition Cap and College Opportunity Act of 2009**

FOR the purpose of requiring the Maryland Higher Education Commission to appoint a certain group to assess and report annually on meeting certain goals so that certain institutions are comparable and competitive; requiring the Commission to assess annually the State’s and an institution’s progress toward certain goals and to display the progress in an online format; requiring the Commission to update periodically certain information for certain purposes; requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the State to set certain funding at certain levels as compared to a group of peer institutions in certain states; limiting the amount of the annual increase in tuition and fees that may be charged each academic year for certain students under certain circumstances;

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 additional State funds be used for certain priorities; requiring the Governor to include in the annual budget submission supplemental funding to certain institutions to be used for certain purposes; requiring performance accountability plans to include graduation rates as the primary indicator of performance for certain institutions; 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; establishing a Tuition Stabilization Trust Account within the Higher Education Investment Fund; providing for the purpose of the Account; providing for the source of funds for the Account; providing for a certain amount of funds to be held in the Account; providing for the appropriation of certain funds from the Account to certain institutions for certain purposes; authorizing a governing board to develop a pilot tuition plan for certain purposes, subject to certain restrictions; requiring the Commission to develop and implement a graduated scale for certain grants based on certain criteria; modifying a certain award amount for a certain scholarship program; reauthorizing the Higher Education Investment Fund; requiring the Commission to modify certain grants based on certain criteria; declaring the intent of the General Assembly; requiring certain reports to the General Assembly on or before certain dates; defining certain terms; and generally relating to State support for and tuition at higher education institutions in Maryland.

BY repealing and reenacting, without amendments,

Article – Education  
Section 10–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Education  
Section 11–105(f)(1) and (h), 11–305, 15–106.6, and 18–304(a) and (b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Education  
Section 11–108, 12–117, and 15–106.7  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–613.1  
Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 823 – Senators Currie, Gladden, Peters, and Rosapepe**

AN ACT concerning

**Real Property – Tenant Rights and Protections**

FOR the purpose of authorizing a certain tenant to remain in a property for a certain number of days after a foreclosure sale; establishing the date on which a certain period of tenancy begins to run; requiring that a certain notice of intent to foreclose on a property be sent to certain persons; requiring a landlord to provide a tenant with a certain notice regarding foreclosure; providing for the form of certain notices; requiring a landlord to provide notice to a tenant of the date of a certain foreclosure sale; requiring a certain notice to be sent in a certain manner; providing that a landlord who fails to provide certain notice is guilty of a misdemeanor subject to certain penalties; requiring certain residential leases to contain certain notices regarding foreclosure; prohibiting a landlord from entering into a lease with a certain option under certain conditions; requiring a lease with a certain option to state certain information; requiring certain funds paid by a tenant under a certain lease to be placed in a certain account; providing for certain remedies by a tenant for a certain violation by a landlord; and generally relating to tenant rights and protections.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105 and 7–105.1

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – Real Property

Section 8–209, 8–216, and 8–217

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 824 – Senators Frosh, Brochin, Harrington, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Community Environmental Protection Act of 2009**

FOR the purpose of providing certain persons and associations standing in certain claims under certain circumstances; providing judicial review of certain final administrative decisions under certain circumstances; providing certain persons standing to participate in certain administrative appeal proceedings under certain circumstances; authorizing certain persons to bring certain civil actions under certain circumstances; authorizing a court to award certain costs under certain circumstances; authorizing a court to grant certain relief under certain circumstances; authorizing a court to impose certain civil penalties under certain circumstances; authorizing certain persons to intervene in certain proceedings under certain circumstances; establishing that this Act supersedes certain laws, ordinances, regulations, and judicial interpretations to the extent of certain inconsistencies; defining certain terms; making the provisions of this Act severable; declaring the intent of the General Assembly; and generally relating to enforcing laws related to the environment and natural resources.

BY adding to

Article – Environment

Section 1–901 through 1–908 to be under the new subtitle “Subtitle 9.  
Community Environmental Protection Act”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Natural Resources

Section 8–1815.2

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 825 – Senators Currie, King, and McFadden**

AN ACT concerning

#### **Moist Snuff – Taxation and Regulation**

FOR the purpose of altering the tobacco tax rate for certain tobacco intended to be placed in the oral cavity; requiring that certain tobacco tax revenues be distributed to the Cigarette Restitution Fund for certain purposes; requiring certain revenues to be appropriated for certain activities aimed at cancer research; altering the information required to be stated in a tobacco tax return; prohibiting the manufacturer of moist snuff from taking certain action relating to advertising, marketing, distributing, giving away, promoting, or selling moist snuff; prohibiting a manufacturer of moist snuff from sponsoring certain events, teams, or venues; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; requiring a moist snuff manufacturer to designate

a certain person for the purpose of receiving certain notice from the Attorney General; requiring the Attorney General to provide certain notice under certain circumstances; prohibiting a moist snuff manufacturer from entering into certain contracts or agreements; defining certain terms; and generally relating to the taxation and regulation of moist snuff and moist snuff manufacturers.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–317(b) and (g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 2–1602.1 and 12–101(b–1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1603, 12–105(b), and 12–202  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Business Regulation  
Section 16–701 through 16–713 to be under the new subtitle “Subtitle 7. Moist Snuff”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 826 – Prince George’s County Senators**

AN ACT concerning

#### **Prince George’s County – Safer Roads Act of 2009**

FOR the purpose of adding Prince George’s County and municipal corporations in Prince George’s County as entities authorized to use certain speed monitoring systems to enforce highway speed laws under certain standards and procedures; requiring Prince George’s County, municipal corporations in Prince George’s County, and the Comptroller to distribute certain funds in a certain manner; altering the speed of a motor vehicle at which a speed monitoring system will produce a recorded image of the vehicle on a residential highway; prohibiting in Prince George’s County the use of a speed monitoring system unless authorized

by the County Council or, if applicable, the governing body of a municipal corporation in Prince George's County by ordinance or resolution adopted after reasonable notice and a public hearing; requiring a certain ordinance or resolution to provide for the issuance of warnings during a certain period for certain violations; authorizing the use of speed monitoring systems in Prince George's County on certain highways that have certain posted speed limits and that have been identified by local law enforcement agencies as significant dangerous locations based on certain data with certain exceptions; making an exception for certain interstate highways; establishing a certain maximum fine for a violation of law enforced by means of a speed monitoring system in Prince George's County; adding to the list of defenses that the District Court of Prince George's County may consider in defense of a certain violation; requiring the Chief Judge of the District Court to consult with a certain Prince George's County agency in adopting certain procedures; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; requiring Prince George's County to report on the effectiveness of speed monitoring systems to the General Assembly on or before a certain date; altering a certain definition; requiring certain police departments, during a certain period, to issue only warning citations to certain motorists and to conduct a public education and awareness campaign regarding the use of speed monitoring systems in Prince George's County; requiring the Prince George's County Police Department to submit a certain annual report to the Prince George's County Delegation to the General Assembly and to the County Executive and County Council of Prince George's County; providing for the construction of this Act; prohibiting a presently existing obligation or contract from being impaired by this Act; and generally relating to imposition of liability on certain persons recorded by speed monitoring systems violating certain laws regarding the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 4–401(13), 7–301(a), and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–302(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 11–215(e) and 11–318(e)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–616(o)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 26–305(a) and 26–401  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 827 – 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 \$300,000, 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 Budget and Taxation.

### **Senate Bill 828 – Senator Pipkin**

AN ACT concerning

#### **Environment – Independent Audit – Use of State Money by Nongovernmental Organizations**

FOR the purpose of requiring a nongovernmental organization that receives State money for a purpose authorized or required under certain provisions of environmental law to employ a certain certified public accountant to conduct a

certain annual audit; requiring the nongovernmental organization to submit a certified copy of the annual audit to the Governor and the General Assembly on a certain date, for a certain period of time, and in a certain manner; and generally relating to audits of nongovernmental organizations that receive State money for certain purposes.

BY adding to

Article – Environment

Section 1–205

Annotated Code of Maryland

(2007 Replacement Volume and 2008 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 829 – Senator Lenett**

AN ACT concerning

#### **Real Property – Tenants in Foreclosure Protection Act**

FOR the purpose of establishing that a foreclosure sale of certain property shall be made subject to a certain tenancy under certain circumstances; providing for the effect of a foreclosure sale on a certain lease; and generally relating to the effect of a foreclosure sale on certain tenancies.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 830 – Senator Lenett**

AN ACT concerning

#### **Maryland False Claims Act**

FOR the purpose of prohibiting certain actions constituting false claims against the State; providing certain penalties for making false claims against the State; requiring the Attorney General to investigate certain violations; authorizing a person other than the State to file a civil action on behalf of the State against a person who makes a false claim against the State; providing for certain procedures to be followed in a civil action; authorizing the State to proceed with the action with or without the person that initiated the action; authorizing the

State to choose not to proceed with the action but allow the person that initiated the action to proceed; authorizing the court to limit the participation of the person that initiated the action under certain circumstances; authorizing the State to intervene at a later time in the proceedings or to pursue alternative remedies; authorizing the State to stay certain discovery under certain circumstances; providing for certain damages and payments to the person that initiated the action; providing for certain payments to a person that provides certain documentary materials or information; providing for certain payments to the person charged under certain circumstances if the person charged prevails; prohibiting an employer from taking retaliatory action against an employee under certain circumstances; providing certain remedies for retaliatory action; providing certain limitations on civil actions filed under this Act; providing that certain civil actions may be brought retroactively under certain circumstances; providing that certain guilty verdicts shall estop certain defendants from denying certain elements in a certain civil action; making the provisions of this Act severable; providing that a certain subtitle be liberally construed; defining certain terms; and generally relating to false claims against the State.

BY adding to

Article – State Government

Section 12–601 through 12–609 to be under the new subtitle “Subtitle 6.  
Maryland False Claims Act”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 831 – Senators Peters, Currie, Frosh, Harrington, Madaleno,  
Muse, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Maryland Wage and Hour Law – Payment of Overtime – Exemptions**

FOR the purpose of exempting certain employers from the requirement to pay a certain overtime wage; altering the manner in which a wage for overtime is computed by employers for employees; and generally relating to overtime pay.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–401 and 3–415(a)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–415(c) and 3–420  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 832 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Lincoln Vista  
Neighborhood Park Recreation Building**

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 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; 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 833 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Shabach Adult Day Care  
and Senior 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 the Board of Directors of the SHABACH! 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 Budget and Taxation.

**Senate Bill 834 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Whitmarsh Turf Field**

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 the Bowie 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 Budget and Taxation.

**Senate Bill 835 – Senators Peters and Muse**

AN ACT concerning

**Prince George’s County – Roadside Solicitation of Money or Donations  
– Permit Program**

FOR the purpose of authorizing the County Council of Prince George’s County or the governing body of a municipal corporation in Prince George’s County to enact a permit program to allow certain individuals and certain representatives of fire companies or bona fide religious, fraternal, civic, war veterans’, or charitable organizations to stand in a roadway, median divider, or intersection and solicit money or donations from the occupant of a vehicle; requiring that an ordinance or resolution authorized by this Act require that an applicant for a permit submit certain information, provide that a permit is effective for one day, and provide that an individual or a qualified organization may obtain one permit per calendar year; making technical and conforming changes; and generally relating to a permit program for roadside solicitation of money or donations in Prince George’s County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–507  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 836 – Senators Muse, Jacobs, Mooney, and Stone**

AN ACT concerning

**Law Enforcement Officers’ Bill of Rights – Discovery and Admissibility of  
Allegations**

FOR the purpose of establishing that an allegation against a law enforcement officer, including the existence of an investigation into an allegation against the officer

and the content of the investigation, is not discoverable or admissible in a judicial proceeding in which the officer is testifying or for which the officer is a party if the investigation resulted in a certain outcome; and generally relating to allegations against law enforcement officers.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–110  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 837 – Senator Currie**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Chosen Youth Group Basketball Court**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$25,000, the proceeds to be used as a grant to the Board of Trustees of the Gethsemane UMC Chosen Youth Group, 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 Budget and Taxation.

### **Senate Bill 838 – Anne Arundel County Senators**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – MTR Education and Rehabilitation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Therapeutic Riding, 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 839 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Homeport Farm Park  
Building Rehabilitation Project**

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 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 840 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern High School  
Field House**

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 for the Southern High School Sports Booster 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 Budget and Taxation.

**Senate Bill 841 – Senator Lenett**

AN ACT concerning

**Environment – Landfills – Methane Testing**

FOR the purpose of requiring the Department of the Environment to conduct a certain study of certain landfills for certain emissions; authorizing the Department to determine the procedures and method of each study; requiring the Department to report to certain committees of the General Assembly and a certain executive agency; and generally relating to landfill methane emissions.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–215  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 842 – Senator Lenett**

EMERGENCY BILL

AN ACT concerning

**Real Property – Foreclosure of Mortgages and Deeds of Trust on Residential Property – Notice to Occupants**

FOR the purpose of requiring a certain notice to be sent to a certain address in a certain manner at the time of filing an action to foreclose a mortgage or deed of trust on certain residential property; requiring a certain notice of foreclosure sale to be sent to a certain address in a certain manner a certain period of time before a foreclosure sale of certain property; requiring a certain notice to be sent to a certain address in a certain manner after the entry of a judgment awarding possession of certain property; requiring certain notices to be in a certain form and contain certain information; requiring certain envelopes to contain a certain statement; defining a certain term; providing for the application of this Act; making this Act an emergency measure; and generally relating to notices regarding foreclosure actions on residential property.

BY adding to

Article – Real Property  
Section 7–105.9  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 843 – Senators Currie, Colburn, Della, Dyson, Edwards, Forehand, Frosh, Garagiola, Jones, Kasemeyer, King, Madaleno, Robey, and Stone**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Wellness**

FOR the purpose of requiring the Secretary of Budget and Management to designate a wellness coordinator to create and develop a certain wellness program; authorizing the wellness program to include certain initiatives; requiring the

wellness coordinator to take certain actions; requiring each State agency to designate an employee to serve as a wellness liaison; authorizing the Department to seek, through a request for proposals, a certain wellness program; requiring the Secretary to submit a certain report to the Governor and the General Assembly at a certain time; and generally relating to wellness programs for State employees and retirees in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 1–101(f) and (m) and 2–501  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 2–502.2 and 2–506  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 844 – Senator Middleton**

AN ACT concerning

#### **Public Service Commission – New Electric Generation Facilities – Rate Regulation and Contracts**

FOR the purpose of requiring the Public Service Commission to assemble and evaluate certain plans regarding generating needs and the means to meet those needs; requiring the Commission to take final action on an application for a certificate of public convenience and necessity only after a certain consideration of a need to meet certain electric services; making a certain finding and declaration regarding a goal of the State to return to a regulated electric market; requiring that a certain new electric generation facility be owned by a certain electric company or consortium of electric companies; allowing a certain new generation facility to be owned by certain entities other than an electric company under certain circumstances; requiring the sale of certain electricity to be offered for sale first to a certain electric company or consortium; providing that the Commission has a certain jurisdiction over a certain electric generation facility; requiring certain persons to enter into a certain contract for the sale of certain electricity; specifying the standards that the Commission must apply in approving a certain contract; requiring the Commission to implement a certain provision of law by regulation or order; defining a certain term; and generally relating to the Public Service Commission and new electric generation facilities under rate regulation or contracts.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–201 and 7–207  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–518  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 845 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Leadership Through Athletics Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$35,000, the proceeds to be used as a grant to the Board of Directors of Leadership Through Athletics, 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 846 – Senator Harris**

AN ACT concerning

**Election Law – Public Financing Act – Revisions**

FOR the purpose of altering the dollar amount limit in the definition of eligible private contribution under the Public Financing Act; altering the amount of money a gubernatorial ticket may spend in an election if the ticket accepts a public contribution from the Fair Campaign Financing Fund; and generally relating to the Public Financing Act.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 15–102(d) and 15–105

Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 847 – Senator Harris**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Election Law – Legislative Districting and Apportionment Commission**

FOR the purpose of proposing an amendment to the Maryland Constitution to alter the process of legislative districting and apportionment in the State by establishing a Legislative Districting and Apportionment Commission; providing for the membership, qualifications, chair, and duties of the Commission; requiring the Commission to establish rules and procedures; making Commission meetings and records subject to State law governing open meetings and public records; requiring the Commission to file a final report within a certain period of time with the Secretary of State; providing for the removal of a Commission member under certain circumstances; specifying a process for filling a vacancy on the Commission; providing for the dissolution of the Commission; requiring the Attorney General to petition the Court of Appeals to review the Commission's final report and make certain determinations; requiring the Commission to prepare an amended plan under certain circumstances; requiring the Court of Appeals to take certain actions with respect to the Commission's report under certain circumstances; specifying that the Commission shall have staff and other resources as provided in the State budget; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing a repeal of the Maryland Constitution  
Article III – Legislative Department  
Section 5

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 5

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 848 – Senators Harris and Kittleman**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Authorized Resolutions – Spending Mandates – Three-Fifths Vote and Limited Duration Requirement**

FOR the purpose of proposing an amendment to the Maryland Constitution that requires that any bill requiring the Governor to make an appropriation in the State budget may not become law without at least a three-fifths supermajority in each House and may only remain effective for 4 years; 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 28

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 849 – Senators Harrington and Pinsky**

AN ACT concerning

**Task Force to Study Restrictions on Campaign Contributions from Government Contractors**

FOR the purpose of establishing a Task Force to Study Restrictions on Campaign Contributions from Government Contractors; establishing the composition of the Task Force; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to conduct a certain study and make certain recommendations; requiring the Task Force to report its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Restrictions on Campaign Contributions from Government Contractors.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 850 – Senator Muse**

AN ACT concerning

**Public Safety – Electronic Control Devices – Requirements**

FOR the purpose of prohibiting a person from possessing or using a certain electronic control device unless the person meets certain requirements; prohibiting a certain electronic control device from being sold, possessed, or used in the State unless the electronic control device meets certain requirements; requiring a certain manufacturer to provide a certain law enforcement agency with prompt access to certain records; establishing penalties for a violation of this Act; requiring the Police Training Commission to require that certain curriculum and minimum courses of study include certain training; requiring the Correctional Training Commission to require that certain curriculum include certain training; requiring the Governor's Office of Crime Control and Prevention to submit a certain report to certain committees on or before a certain date; defining a certain term; and generally relating to electronic control devices.

BY adding to

Article – Criminal Law  
Section 4–109  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 3–207  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 8–208(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 851 – Senator Astle**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – Monarch Academy Public Charter School Building**

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 Monarch Academy Public Charter 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 852 – Senator Garagiola**

AN ACT concerning

**Health Insurance – Assignment of Benefits**

FOR the purpose of prohibiting a carrier from prohibiting the assignment of benefits to a health care provider by an insured, subscriber, or enrollee; prohibiting a carrier from refusing to directly reimburse a health care provider under an assignment of benefits; defining certain terms; and generally relating to the assignment of benefits under health insurance.

BY adding to

Article – Health – General  
Section 19–706(ttt)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance  
Section 15–132  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 853 – Senator Garagiola**

AN ACT concerning

**Maryland Transportation Infrastructure Funding Task Force**

FOR the purpose of establishing a Maryland Transportation Infrastructure Funding Task Force; requiring the Task Force to review and evaluate the current funding by the State for the Maryland Transportation Trust Fund; specifying the membership and staffing of the Task Force; requiring the Governor to designate the chair of the Task Force; prohibiting members of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to report its findings and recommendations by certain dates; providing for the termination of this Act; and generally relating to the Maryland Transportation Infrastructure Funding Task Force.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 854 – Senator Garagiola**

AN ACT concerning

**Health Insurance – Definition of Coverage Decisions – Pharmacy Inquiries**

FOR the purpose of altering the definition of “coverage decision” so that it does not include a pharmacy inquiry for purposes of a certain complaint process; defining certain terms; and generally relating to health insurance coverage decisions.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–10D–01

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 855 – Senator Muse**

AN ACT concerning

**Prince George’s County – Vehicle Laws – Speed Monitoring Systems**

FOR the purpose of authorizing the placement of certain speed monitoring systems on certain highways in Prince George’s County; making certain provisions of law relating to the enforcement of speed limit laws with certain speed monitoring systems applicable in Prince George’s County; requiring certain local police departments in Prince George’s County to mail citations to the owners of vehicles that are recorded by speed monitoring systems in the county in violation of certain laws relating to the operation of motor vehicles in excess of certain speed limits; authorizing local police departments to send warnings instead of citations; authorizing a person who receives a citation for violating a speed limit and whose vehicle was recorded by a speed monitoring system while being operated in violation of the speed limit to pay a civil penalty to the Prince George’s County Office of Finance or elect to stand trial; requiring the Chief Judge of the District Court, in consultation with the Prince George’s County Office of Finance and local police departments, to adopt procedures for the issuance of citations, trial of civil violations, and the collection of civil penalties under laws relating to the enforcement of speed limit laws with certain speed monitoring systems; altering a certain definition; restricting the use of certain revenues generated by this Act; providing for the application of this Act; providing that existing obligations or contracts may not be impaired by this Act; requiring the Prince George’s County Council to report to the General Assembly

on or before a certain date; and generally relating to imposition of liability, in Prince George's County, on certain persons recorded by speed monitoring systems violating certain laws relating to the operation of motor vehicles in excess of certain speed limits.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–809  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 856 – Senators Pugh, Astle, Exum, Gladden, Lenett, McFadden,  
and Rosapepe**

AN ACT concerning

**Maryland Energy Administration – Green Jobs Workforce Training Program**

FOR the purpose of establishing the Green Jobs Workforce Training Program; requiring the Maryland Energy Administration to administer the Program; requiring the Administration to consult regularly with the Governor's Workforce Investment Board, the Maryland Clean Energy Center, and the Department of Business and Economic Development concerning the activities of the Program; stating the purpose of the Program; authorizing the Administration to award a grant to a certain person or governmental unit; requiring the Administration to establish eligibility criteria for workforce training programs that may receive funding under this Act; establishing the Green Jobs Workforce Training Fund as a special, nonlapsing fund; providing for the purposes of the Fund; requiring the Administration to administer the Fund; requiring the State 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; providing for the investment of money in the Fund; defining certain terms; and generally relating to the Green Jobs Workforce Training Program.

BY adding to  
Article – State Government  
Section 9–2101 through 9–2106 to be under the new subtitle “Subtitle 21. Green  
Jobs Workforce Training Program”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 857 – Senators Pugh and McFadden**

AN ACT concerning

**Education – Public High Schools and Public High School Students –  
Revisions and Requirements**

FOR the purpose of requiring the State Department of Education to develop a certain data collection system and evaluate certain information relating to certain students who earn a GED on or before a certain date; identifying the purpose of a certain provision of law; requiring the State Board of Education to include certain information in certain reports; identifying the intent of the General Assembly relating to the review of certain course content, scheduling, and examinations and certain preparations and interventions provided to certain students; requiring certain county boards of education to partner with certain community colleges to offer certain discounts to certain students who take certain courses under certain circumstances; requiring certain children under a certain age to attend a public school regularly during the entire school year, subject to certain exceptions; raising the age to which certain individuals are responsible for a child's attendance at school or receipt of certain instruction; requiring certain children to attend alternative educational programs or to be given certain information regarding GED programs by certain county boards; requiring certain students to participate in certain virtual learning opportunities; requiring certain virtual learning opportunities to include certain types of opportunities; requiring a certain report; requiring the Department, in consultation and cooperation with the Maryland Higher Education Commission, to implement a certain student-identifying data system to be used for certain purposes on or before a certain date; requiring the Department, in consultation and cooperation with the Commission and other stakeholders, to determine certain standards to be used to define a certain term; making certain stylistic changes; and generally relating to public high schools and public high school students.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–203.2, 7–301(a), (c), (d), and (e), and 7–1002

Annotated Code of Maryland

(2008 Replacement Volume)

BY adding to

Article – Education

Section 7–204.1, 7–205.1, and 7–301(a)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education

Section 7-301(b)  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 858 – Senators Pugh, DeGrange, Edwards, Exum, Gladden, Kasemeyer, King, Kramer, Miller, Peters, Rosapepe, and Stone**

AN ACT concerning

**Commercial Law – Maryland Gasohol and Gasoline Products Marketing Act – Marketing Premises**

FOR the purpose of prohibiting a refiner under the Maryland Gasohol and Gasoline Products Marketing Act from selling, transferring, or assigning to another person the refiner's fee simple or leasehold interest in certain premises leased to a dealer unless the refiner makes certain offers of the refiner's interest to the dealer; requiring a certain person that acquires a refiner's interest in certain marketing premises to maintain a certain lease and offer a certain new lease before a certain date; providing that this Act does not prohibit a refiner from requiring a dealer to enter into a certain supply agreement as a condition to the sale of the refiner's interest to the dealer; defining certain terms; providing for the application of this Act; and generally relating to the Maryland Gasohol and Gasoline Products Marketing Act.

BY renumbering

Article – Commercial Law  
Section 11-301(k)  
to be Section 11-301(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law  
Section 11-301(a) and 11-304(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Commercial Law  
Section 11-301(k) and 11-304(n)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 859 – Senator Pugh**

AN ACT concerning

**Vehicle Laws – Advertising Practices – Prohibited Acts**

FOR the purpose of prohibiting a vehicle dealer or an agent or employee of a dealer from stating the purchase price of a vehicle in an advertisement unless the purchase price is printed in the largest font in the advertisement, the advertisement identifies certain attributes of the vehicle, and the vehicle is currently available for sale at the price stated in the advertisement; requiring the price stated in an advertisement to be the full delivered purchase price of the vehicle, excluding certain taxes and fees, and including certain charges; requiring an advertisement that states specific purchase prices for a list of vehicles to state the purchase price in the appropriate column or space for each vehicle listed; and generally relating to the advertising practices of vehicle dealers.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–313  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 860 – Senator Pugh**

AN ACT concerning

**Maryland Not–For–Profit Development Center Program – Qualifying  
Not–For–Profit Entity Assistance**

FOR the purpose of adding and amending certain defined terms under the Maryland Not–For–Profit Development Center Program; requiring the Program to provide certain support and assistance to qualifying not–for–profit entities; altering the requirements for a certain designee of the Program; and generally relating to the Maryland Not–For–Profit Development Center Program.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–1201, 5–1202, 5–1203, and 5–1205  
Annotated Code of Maryland  
(2008 Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 861 – Senators Currie, Dyson, Kasemeyer, and Munson**

AN ACT concerning

**Higher Education Funding Model for Maryland Act of 2009**

FOR the purpose of setting certain funding, tuition, performance, and financial aid goals for Maryland's higher education system; repealing the requirement that certain scholarship awards supplement certain education benefits; repealing certain State funding goals; requiring certain funding proposals for certain regional higher education centers to be calculated using a certain funding strategy; providing that a program should be developed that promises to cover a certain percent of financial need for certain students; requiring the Maryland Higher Education Commission to develop and update certain accountability measures and benchmarks and to provide the information in a certain format; requiring the Commission to perform a certain analysis prior to the establishment of certain additional higher education centers; authorizing institutions of higher education and the Commission to propose certain projects; requiring the Commission to evaluate certain project proposals; requiring the Commission to conduct certain annual assessments measuring progress toward meeting certain performance and funding goals; requiring certain institutions of higher education to provide certain information under certain circumstances; requiring certain institutions to provide a 10-year capital improvement plan that contains certain information; requiring the Commission to establish a certain committee to review certain reporting requirements; modifying the program approval process for certain programs; exempting certain members of the Maryland National Guard from paying nonresident tuition at public institutions of higher education; reauthorizing the Higher Education Investment Fund; expanding the authorized uses of the Higher Education Investment Fund; establishing a Tuition Stabilization Trust Account in the Higher Education Investment Fund; requiring certain funds to be transferred to the Trust Account under certain circumstances; limiting the authorized use of funds in the Trust Account; authorizing certain institutions to develop certain pilot 4-year fixed-rate tuition plans for resident undergraduate students; requiring certain institutions to establish a policy for maintaining certain capital assets; requiring the Commission to appoint a certain panel of individuals to outline certain programs and services and to make certain recommendations for supplemental funding for certain institutions; requiring the graduation rate to be used as the primary indicator of undergraduate student performance at certain institutions; requiring certain institutions with doctoral level programs to develop certain strategic plans; requiring the Commission to review and approve certain strategic plans; requiring certain institutions to identify certain doctoral programs for certain targeted efforts; requiring the Commission to appoint a certain panel of individuals to make a

determination of certain support and capacity needed for targeted programs; requiring the Governor to appoint a certain panel of advisors to assess progress made toward the comparability and competitiveness of certain institutions; establishing a certain program for students with financial need; requiring the Office of Student Financial Assistance to develop a graduated scale for award amounts of a certain scholarship based on certain criteria; increasing the award amount for a certain scholarship; altering the eligibility requirements for certain scholarships and tuition benefits for Maryland National Guard members; increasing the number of awards of a certain scholarship under certain circumstances; modifying the eligibility requirements of certain scholarship programs; repealing the termination date for certain provisions related to the Dual Enrollment Grant Program; renaming the Dual Enrollment Grant Program as the Early College Access Grant Program; requesting the Department of Budget and Management to study the creation of a capital funding category for research space; requiring the Commission to consider adopting regulations modifying the Guaranteed Access Grant for certain students and to consider developing a single application for certain financial aid programs; requiring the Commission to develop a methodology for estimating certain costs for certain capital needs; requiring the Commission to consider developing a private donation incentive program for facility renewal needs of certain institutions; requiring the Commission to establish a group to examine and recommend best practices for certain higher education centers; requiring the Commission to work with the Governor's Workforce Investment Board to conduct certain studies of employer perceptions; requiring certain institutions to review certain capital priorities and to ensure the alignment with certain institution needs; requesting the Governor to accelerate capital funding for certain institutions and to fund certain other capital projects as planned; stating certain intent regarding certain funding for certain programs; requiring the State Department of Education and the P-20 Leadership Council to establish a certain statewide primary and secondary curriculum and to develop a common definition of college readiness; establishing the Task Force on Linking Public PreK-12 and Higher Education Data; providing for the membership of the Task Force; requiring the Task Force to make certain recommendations; requiring certain reports to the Governor and the General Assembly on or before certain dates; requiring certain reports to certain agencies on or before certain dates; altering certain definitions; defining certain terms; specifying the distribution of certain corporate income tax revenues; providing for the termination of certain provisions of this Act; and generally relating to the Higher Education Funding Model for Maryland.

BY repealing

Article – Education

Section 18-604(d)

Annotated Code of Maryland

(2008 Replacement Volume)

BY renumbering

## Article – Education

Section 18–604(e), (f), (g), (h), (i), (j), and (k), respectively  
to be Section 18–604(d), (e), (f), (g), (h), (i), and (j), respectively  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

## Article – Education

Section 10–203, 11–105(b), (f)(1), (h), and (i), 11–206.1(b)(1) and (2), (c) and (e),  
15–106.4, 15–106.6, 18–304, 18–601(a), 18–604(c), 18–1101, 18–1102(a)  
through (c), 18–1103, 18–1106; 18–14A–01 through 18–14A–03 to be  
under the amended subtitle “Subtitle 14A. Early College Access Grant  
Program”; and 18–1502(b)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

## Article – Education

Section 11–105(a), 18–604(b), and 18–1502(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

## Article – Education

Section 11–106(c), 15–106.7, 15–112 through 15–115, and 18–303.2  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

## Article – Public Safety

Section 13–405(a)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Public Safety

Section 13–405(b)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

## Article – Tax – General

Section 2–613.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Chapter 296 of the Acts of the General Assembly of 2007  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 297 of the Acts of the General Assembly of 2007  
Section 3

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 862 – Senator Pugh**

AN ACT concerning

#### **Child Fatality Review – Child Death Review Case Reporting System**

FOR the purpose of authorizing certain members and staff of certain State teams to provide identifying information to a national center for child death review in accordance with certain data use agreements that require the national center to act as a fiduciary agent of certain State and local teams; establishing that certain information provided to a national center for child death review is confidential and subject to certain confidentiality and discovery protections; defining certain terms; and generally relating to child fatality review and a child death review case reporting system.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–701 and 5–704  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 863 – Senator Edwards**

AN ACT concerning

#### **Workers' Compensation – Death Benefits for Partially Dependent Individuals – Payment**

FOR the purpose of requiring an employer or insurer to continue certain payments under certain circumstances to certain individuals who were partially dependent at the time of the covered employee's death or who were wholly dependent at the time of the covered employee's death and became partially self-supporting; altering the total amount of compensation payable to an individual who was partially dependent at the time of the covered employee's death or became self-supporting after the covered employee's death; authorizing the Workers' Compensation Commission to recalculate certain weekly death

benefit payments; providing for the application of this Act; and generally relating to death benefits under workers' compensation law for partially dependent individuals.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–101(d) and 9–681(e)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–681(j) and 9–682  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 864 – Senator Muse**

AN ACT concerning

#### **Horse Racing – Satellite Simulcast Betting – Instant Racing**

FOR the purpose of broadening the scope of satellite simulcast betting on horse races to include instant racing; specifying that instant racing involves a bettor viewing a self-serve totalizator machine that displays a previously run horse race in digitalized form and certain information before and after the race; and generally relating to pari-mutuel betting on horse races.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–815  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 865 – Senator Pugh**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Parks and People Headquarters at Auchentoroly Terrace**

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 Parks and People,

The Foundation of Baltimore Recreation and 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 866 – Senator Pipkin**

AN ACT concerning

**Commission to Study the Impact of Large Truck Traffic on the Chesapeake Bay Bridge**

FOR the purpose of establishing a Commission to Study the Impact of Large Truck Traffic on the Chesapeake Bay Bridge; providing for the membership and staffing of the Commission; requiring the Governor to designate the chair of the Commission; prohibiting members of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study certain matters and to report its 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 Commission to Study the Impact of Large Truck Traffic on the Chesapeake Bay Bridge.

Read the first time and referred to the Committee on Finance.

**Senate Bill 867 – Senators Lenett and Rosapepe**

AN ACT concerning

**The Renewables First Act**

FOR the purpose of declaring certain findings and policies of the General Assembly; establishing certain energy policy goals for the State; declaring that it is the policy of the State that certain policy goals should be prioritized in a certain manner; requiring a certain person to submit a certain statement when applying for a certain certificate of public convenience and necessity under certain circumstances; requiring a certain person to submit a certain statement when applying for permission to construct a certain generating station under certain circumstances; requiring the Public Service Commission to publish certain statements on its website; and generally relating to construction of electricity generation facilities or transmission lines and the energy policy goals of the State.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–207(c), 7–207.1(b), and 7–208(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–208(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Public Utility Companies  
Section 7–209.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

## INTRODUCTION OF BILLS

### Senate Bill 868 – Senator Brinkley

AN ACT concerning

#### **Frederick County – Tip Jars and Punchboards – Licensed Distributors**

FOR the purpose of altering a certain requirement to be met by a distributor licensed in Frederick County from whom certain persons may purchase a tip jar or punchboard for gaming purposes; and generally relating to tip jar and punchboard gaming in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1302 and 13–1305(a)(1)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1305(d)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 869 – Senators Brinkley and Kittleman**

AN ACT concerning

**Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct certain card games and casino games under certain circumstances; requiring an organization to obtain a permit from the county commissioners before conducting games; specifying certain requirements for the conduct of games and certain limits for wagers and prizes; defining a certain term; and generally relating to gaming in Carroll County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–902(a)  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 870 – Senator Gladden**

AN ACT concerning

**Marriage Ceremonies – Performance by Tax Court Judges**

FOR the purpose of authorizing a judge of the United States Tax Court to perform a marriage ceremony in this State; altering a certain definition; and generally relating to marriage ceremonies.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–406(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 871 – Senator Gladden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Iota Phi Theta Love/Action Center**

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 Iota Phi Theta Fraternity, 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 872 – Senator Zirkin**

AN ACT concerning

**Election Law – Candidate for Judge of the Circuit Court – Filing Requirements**

FOR the purpose of requiring a candidate for the office of judge of the circuit court who seeks nomination by petition to file a certain declaration of intent by a certain date; requiring a candidate for the office of judge of the circuit court who seeks nomination by a political party not required to nominate candidates by party primary to file a certain declaration of intent by a certain date; and generally relating to the time for filing a certain declaration of intent by certain candidates for the office of judge of the circuit court.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 5–303(a) and 5–701  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–703 and 5–703.1  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 873 – Senator Exum**

AN ACT concerning

**Maryland Community Association Managers Act**

FOR the purpose of creating the State Board of Community Association Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and for meetings of the Board; authorizing the Board to sue in the name of the State, with the permission of the Attorney General, to enjoin certain conduct; establishing certain powers and duties of the Board; requiring the Board to maintain certain records; requiring the Board to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Community Association Managers Fund; requiring certain individuals to be licensed by the Board before an individual may practice community association management in the State through a partnership, limited liability company, or corporation that holds a certain permit; establishing certain education and examination requirements for community association managers; requiring certain partnerships, limited liability companies, and corporations to hold a permit before certain partnerships, limited liability companies, and corporations may operate a business through which community association management is practiced; establishing certain qualifications for partnerships, limited liability companies, and corporations to obtain a certain permit; establishing certain requirements for qualifying, renewing, reinstating, and surrendering a certain license or a certain permit; authorizing the Board to deny a license or permit to an applicant, refuse to renew a license or permit, reprimand a licensee or permit holder, suspend or revoke a license or permit, or impose certain penalties under certain circumstances; establishing certain hearing and appeal procedures for licensees and permit holders; prohibiting certain acts; establishing certain criminal and civil penalties; establishing the State Board of Community Association Managers Fund; requiring that the Fund be used for certain purposes; providing for an audit of the Fund; requiring the Secretary of Labor, Licensing, and Regulation, or a designee of the Secretary, to administer the Fund; requiring the Secretary, in consultation with the Board, to calculate annually certain costs; authorizing the Board to set certain fees, based on certain calculations, beginning on a certain date; requiring the Board to publish a certain fee schedule; prohibiting certain fees from increasing by more than a certain amount each year; specifying the terms and qualifications of the initial members of the Board; providing for status of individuals providing community association management services on or before a certain date; defining certain terms; and generally relating to the State Board of Community Association Managers and the regulation of community association management.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (34), respectively  
to be Section 2–108(a)(11) through (35), respectively  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY renumbering

Article – State Government  
Section 8–403(b)(13) through (68), respectively  
to be Section 8–403(b)(14) through (69), respectively  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 4.5–101 through 4.5–602 to be under the new title “Title 4.5.  
Community Association Managers”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Business Regulation  
Section 2–106.7, 2–106.8, and 2–108(a)(10)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 874 – Senators Exum and Pugh**

AN ACT concerning

### **Mental Hygiene Administration – Rights of Individuals with Mental Disorders in Facilities**

FOR the purpose of altering certain policies of the State concerning the rights of individuals with mental disorders who receive services in certain facilities; repealing the authority of staff in certain facilities to use a certain technique to transition individuals to a restraint position; defining certain terms; and generally relating to the rights of individuals with mental disorders in facilities that provide treatment to individuals with mental disorders.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–701  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 875 – 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 in the amount of \$400,000, 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; 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 876 – Senator DeGrange**

AN ACT concerning

**Prior Authorizations of State Debt to Fund Capital Projects – Alterations**

FOR the purpose of amending certain prior Acts of the General Assembly that authorized the creation of State Debt through the issuance, sale, and delivery of general obligation bonds, the proceeds of which were designated for funding certain capital projects; altering the grantees under certain projects; altering and expanding the authorized uses of certain grants; requiring certain loan proceeds to be encumbered by the Board of Public Works or expended for certain purposes by a certain date; altering the name of certain projects; altering the name of certain grants; extending the deadline by which certain grantees must present evidence to the Board of Public Works that certain matching funds will be provided; requiring that the construction and equipping of certain

underground utilities be located on certain streets; altering the location of certain projects; authorizing certain grantees to provide and expend a certain type of matching fund; altering the name of certain grantees; making other technical changes; and generally relating to amending prior authorizations of State Debt by the General Assembly to fund certain capital projects.

BY repealing and reenacting, without amendments,

Chapter 432 of the Acts of the General Assembly of 2001, as amended by  
Chapter 219 of the Acts of the General Assembly of 2008  
Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2001, as amended by  
Chapter 219 of the Acts of the General Assembly of 2008  
Section 1(3)

BY repealing and reenacting, with amendments,

Chapter 715 of the Acts of the General Assembly of 2001, as amended by  
Chapter 94 of the Acts of the General Assembly of 2002  
Section 1

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002  
Section 1(3) Item ZA00(OO)

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)(i) Item (AV) and (ii) Item (O)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item ZA01(BE) and ZA02(BJ)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by  
Chapter 65 of the Acts of the General Assembly of 2007 and Chapter 219  
of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(AR) and ZA02(AV)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA00(T) and ZA02 (BI)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter  
219 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA01(CA) and ZA02(BU)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA00(P), ZA01(AM), (AS), and (AT), and ZA02(AW), (AX), and (BH)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item ZA00(M) and (S), ZA01(AJ), (BA), (BP), and (BQ,) and ZA02(BA) and (BB)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 877 – Senator Harrington**

AN ACT concerning

### **Department of Housing and Community Development – Affordable Housing – Financing Ownership Interests**

FOR the purpose of authorizing the Department of Housing and Community Development to provide financing to acquire ownership interests in entities that own real property that can be used for affordable rental housing; authorizing the Department to make certain loans, establish certain terms for certain loans, impose certain fees, impose certain equity limitations, and establish certain income limits; requiring the Department to adopt certain policies and to administer certain loans and attach certain terms and conditions to the loans; authorizing the Department to adopt certain regulations; expanding the authorized uses of and the sources of funds in the Rental Housing Programs Fund; defining certain terms; and generally relating to providing financing for ownership interests for affordable housing.

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4–504

Annotated Code of Maryland

(2006 Volume and 2008 Supplement)

BY adding to

Article – Housing and Community Development

Section 4–2001 through 4–2005 to be under the new subtitle “Subtitle 20.

Financing Ownership Interests for Affordable Housing”

Annotated Code of Maryland

(2006 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 878 – Senators Harrington and Frosh**

AN ACT concerning

**Smart Growth – Visions and Performance Standards**

FOR the purpose of altering the visions for certain land use plans; establishing certain performance standards to measure the achievement of the visions; requiring a certain plan to be designed to allow a local jurisdiction to meet certain performance standards on or before a certain date; adding to the requirements for the elements of a plan; requiring a local jurisdiction to demonstrate to the satisfaction of the Department of Planning on or before a certain date that the plan will achieve the performance standards on or before a certain date; authorizing the Department of Planning to grant certain extensions under certain circumstances; requiring the Department of Planning to review the plan and any amendments within a certain time period and to make a certain certification or finding; requiring the Department of Planning to take certain actions, including granting a local jurisdiction a certain extension to revise, readopt, and resubmit its plan to the Department of Planning for certification under certain circumstances; authorizing a certain local jurisdiction to seek a contested case hearing before the Office of Administrative Hearings under a certain provision of law; providing for the application of certain provisions of this Act; requiring that a local jurisdiction be given the same priority as a priority funding area in receiving certain funds under certain circumstances; requiring a planning commission to follow certain procedures in proposing and approving a plan; requiring a planning commission to provide certain technical assistance under certain circumstances; requiring the Department of the Environment to deny certain permits and approvals under certain circumstances; requiring a planning commission to include certain information in a certain annual report; requiring a local legislative body to adopt certain regulations to achieve certain performance standards; prohibiting the Department of the Environment from issuing certain permits under certain conditions; altering the State Economic Growth, Resource Protection, and Planning Policy; requiring the Governor to establish certain procedures for review of State projects by a certain date; requiring a local government to make a certain certification to the Department of Planning regarding priority funding areas; defining a certain term; and generally relating to the visions and performance standards applicable to certain land use plans.

BY adding to

Article 66B – Land Use

Section 1.00(i), 3.05(g) and (h), and 3.07.1

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 66B – Land Use  
Section 1.00(i), (j), (k), (l), and (m), 1.01, 3.05(a)(2) and (3) and (b)(1) and (2),  
3.07, 3.09, and 4.03  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article 66B – Land Use  
Section 3.05(a)(1)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–103(a), 4–204(a), and 9–324(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7A–01, 5–7A–02(c), and 5–7B–08(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 879 – Senator Harrington**

AN ACT concerning

#### **Gwendolyn Britt Student Health and Fitness Act**

FOR the purpose of requiring certain local school systems to develop and implement certain physical fitness measurement programs to be used for certain purposes; requiring the State Department of Education to take certain steps to support certain fitness measurement programs; requiring each local school system to submit certain plans and certain reports to the Department; requiring the Department to establish a certain Advisory Council; providing for the membership, election of officers, and staff of the Advisory Council; prohibiting certain members of the Advisory Council from receiving certain compensation; authorizing certain members of the Advisory Council to receive certain reimbursement; requiring the Advisory Council to meet certain times per year; requiring the Advisory Council to develop and coordinate certain educational programs for students; authorizing the Advisory Council to seek, accept, and

expend certain funds and to seek, accept, and use certain services; and generally relating to the development and implementation of physical fitness measurement programs.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–409  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 880 – Senator Dyson**

AN ACT concerning

**St. Mary’s County – Alcoholic Beverages – Winery License**

FOR the purpose of authorizing the St. Mary’s County Board of License Commissioners to issue a Class W winery license to certain holders of a Class 4 manufacturer’s license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in St. Mary’s County.

BY adding to  
Article 2B – Alcoholic Beverages  
Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery Licenses”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–519  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 881 – Senator Pinsky**

AN ACT concerning

**Maryland Health System Act of 2009**

FOR the purpose of establishing the Maryland Health System; specifying the purposes of the Health System; stating a certain intention of the General Assembly; providing that certain residents of the State are members of the Health System and are eligible to receive certain benefits; prohibiting certain health care providers from using preexisting medical conditions to determine the eligibility of a member to receive benefits; prohibiting certain health care providers from refusing to provide services to a member on the basis of certain factors; requiring the Maryland Health System Policy Board to establish a certain package of benefits including certain services to be provided by the Health System; providing that certain coverage may not be subject to coinsurance, deductibles, or co-payments; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to offer benefits that do not duplicate the services covered by the Health System; authorizing a member to choose any participating health care provider; requiring the Health System to make certain reimbursements to certain members; authorizing a participating health care provider to charge a member directly for certain services; prohibiting a participating health care provider from imposing certain charges; requiring the Health System to institute and use an electronic claim and payment system; requiring a participating health care provider to use the electronic claim and payment system to file claims; providing for certain budgets and payments for certain health care providers; establishing the Maryland Health System Policy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Administrative Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health System Health Needs, Planning, and Improvement Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Health Quality Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Maryland Patient Advocacy Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Patient Advocacy Board; establishing the Maryland Health System Trust Fund; specifying the purposes, contents, and uses of the Fund; establishing the Maryland Health System Fund Board; specifying the membership of the Fund Board and the terms, duties, and powers of the members of the Fund Board; establishing the Maryland Health System Payment Board; specifying the membership of the Board and the terms, duties, and powers of the members of the Board; establishing the Office of the Health Inspector General; specifying the duties of the Health Inspector General; specifying the initial terms of the appointed members of the Maryland Health System Policy Board; 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 Maryland Health System Policy Board to seek certain waivers on or before a certain date; requiring the Maryland Health System Policy Board 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; defining certain terms; providing for the effective dates of this Act; and generally relating to the Maryland Health System.

BY adding to

Article – Health – General

Section 25–101 through 25–1001 to be under the new title “Title 25. Maryland Health System”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 882 – Senator Klausmeier**

AN ACT concerning

#### **Physicians – Professional Liability Insurance Coverage – Notification and Posting Requirements**

FOR the purpose of requiring physicians licensed to practice medicine in the State to notify patients in writing and on each visit of certain information relating to professional liability insurance coverage; requiring physicians to maintain certain records and post certain information in their place of practice; authorizing the Board of Physicians to establish language for certain notice requirements; and generally relating to physicians and professional liability insurance.

BY adding to

Article – Health Occupations

Section 14–508

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 883 – Senators Dyson, Brinkley, Colburn, Edwards, Exum, Forehand, Glassman, Haines, Harrington, Harris, Jacobs, Jones,**

**Kasemeyer, Klausmeier, Middleton, Miller, Muse, Pipkin, Pugh, Robey,  
Simonaire, Stoltzfus, and Stone**

AN ACT concerning

**State Government – Commemorative Days – Firemen and Rescue Workers  
Memorial Service**

FOR the purpose of requiring the memorial service commemorating firemen and other rescue workers that is organized by a certain organization to be held annually on a certain date at a certain place; and generally relating to the firemen and rescue workers memorial service.

BY adding to

Article – State Government  
Section 13–408  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 884 – Senators Brinkley and Mooney**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Wine Festival License**

FOR the purpose of establishing a special wine festival (WF) license in Frederick County; requiring that an applicant for a special WF license must be a holder of a certain other license; specifying that a holder of a special WF license may display and sell wine in a certain manner; requiring the Frederick County Board of License Commissioners to assure that the primary focus of the festival is the promotion of Maryland wine; requiring a holder of a special WF license to display and sell certain wine; providing for a license fee; providing that this Act does not prohibit the holder of a special WF license from holding another alcoholic beverages license; authorizing the Board to choose certain weekends for festivals; requiring the Board to choose certain locations for the festivals; requiring the Board to adopt certain regulations; defining certain terms; and generally relating to wine in Frederick County.

BY renumbering

Article 2B – Alcoholic Beverages  
Section 8–308.1  
to be Section 8–308.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 8–308.1

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 885 – Senators Jones and McFadden**

AN ACT concerning

**Baltimore City Charter – East Baltimore Community Benefits District**

FOR the purpose of authorizing the Mayor and City Council of Baltimore to establish by ordinance the East Baltimore Community Benefits District to provide certain services; authorizing the Mayor and City Council to establish the East Baltimore Community Benefits District Authority to provide certain services; requiring a certain ordinance to provide the method for establishing certain boundaries; requiring a certain ordinance to specify certain taxes; providing for the appointment of officers and board members of the East Baltimore Community Benefits District; requiring a certain financial plan to be subject to approval by the Baltimore City Board of Estimates; providing certain limitations, powers, and duties of the East Baltimore Community Benefits District Authority; requiring the Mayor and City Council to take certain matters into consideration when enacting certain ordinances; prohibiting the Mayor and City Council from authorizing certain reductions in services; providing for the reversion of unspent funds under a certain condition; placing a certain condition on a certain ordinance taking effect; and generally relating to the establishment of the East Baltimore Community Benefits District.

BY adding to

The Charter of Baltimore City

Article II – General Powers

Section (65)

(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 886 – Senator Rosapepe**

AN ACT concerning

**Prince George’s County – Laurel Commons – Alcoholic Beverages  
– Additional Class B Licenses**

FOR the purpose of adding Laurel Commons to a list of areas designated as underserved in Prince George's County in which a licensee may hold or have an interest in an additional Class B beer, wine and liquor license for a restaurant; and generally relating to alcoholic beverages for restaurants in Prince George's County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(f)(5)(ii)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 887 – Senators Peters and McFadden**

AN ACT concerning

#### **Creation of a State Debt – Prince George's County – Kappa Alpha Psi Playground Equipment**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$10,000, the proceeds to be used as a grant to the Board of Directors of the Kappa Alpha Psi Foundation 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 888 – Senator Della**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Life Safety System Upgrades at the Baltimore Museum of Industry**

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 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.

**Senate Bill 889 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Bowie Police Dispatch 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 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 890 – Senator Jones**

AN ACT concerning

**Maryland Community Enhancement Transit–Oriented Development Fund**

FOR the purpose of establishing the Maryland Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund administered by the Secretary of Housing and Community Development; providing for the contents and uses of the Fund; requiring a certain portion of certain revenues from certain projects be paid into the Fund; authorizing certain financial assistance to be provided to certain qualified recipients in certain areas from the Fund in certain manners; requiring the Secretary to provide financial assistance from the Fund in consultation with certain persons; requiring the Secretary to solicit certain input from certain local governing bodies in connection with certain financial assistance; requiring the Secretary to appoint certain local advisory groups for certain purposes; requiring the Secretary to provide certain financial assistance in a certain manner; requiring the Secretary to adopt certain regulations;

stating certain findings of the General Assembly; providing for the purposes of this Act; defining certain terms; and generally relating to the Maryland Community Development Transportation Fund and community initiatives.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 1–101(e)  
Annotated Code of Maryland  
(2008 Volume)

BY adding to  
Article – Housing and Community Development  
Section 6–501 through 6–505 to be under the new subtitle “Subtitle 5. Maryland Community Enhancement Transit–Oriented Development Fund”  
Annotated Code of Maryland  
(2006 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 891 – Senator Forehand**

AN ACT concerning

#### **Transportation – Highways – Lighting**

FOR the purpose of authorizing the State Highway Administration or a political subdivision to install or replace a certain luminaire for highway lighting only if it determines that the concerns to be addressed by the lighting cannot be addressed by certain alternative means; authorizing the Administration, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new luminaire that meets certain requirements; authorizing the Administration, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new luminaire with a certain output if the new luminaire is of a certain type; authorizing the Administration or a political subdivision to waive a certain requirement for luminaires for highway lighting for certain reasons; requiring the Administration or a political subdivision to document certain information in writing for each waiver granted; requiring an electric company to provide certain written notice to the Administration or a political subdivision by a certain date to obtain a waiver authorized under this Act; requiring an electric company’s written notice to include certain information; limiting the application of this Act if the Administration makes a certain determination based on a certain analysis; defining certain terms; and generally relating to highway lighting.

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies

Section 1–101(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 1–101(a) and (k) and 8–101(a), (b), (g), (i), and (q)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Transportation  
Section 8–609.2  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 892 – Senator Forehand**

AN ACT concerning

#### **Maryland State Song**

FOR the purpose of changing the State song; and generally relating to the State song.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 13–307  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 893 – Senator Mooney**

AN ACT concerning

#### **Protection of Children from Online Predators Act of 2009**

FOR the purpose of requiring a certain Internet access provider to make a certain parental Internet control product or service available to a subscriber under certain circumstances; requiring an Internet access provider to provide certain information to a subscriber at a certain time under certain circumstances; authorizing an Internet access provider to make a parental Internet control product or service available to a subscriber in a certain manner and charge for

the product or service; granting a provider of a certain interactive computer service immunity from civil liability for taking certain actions based on a certain belief or for failing to take certain actions under certain circumstances; authorizing an investigative or law enforcement officer to request the creation of a certain backup copy if the request is made in connection with a certain investigation; requiring a certain service provider to take all necessary steps to preserve certain records and evidence at a certain time; prohibiting a person who is at least a certain number of years older than a certain minor from knowingly requesting or encouraging the victim through a certain means to expose or touch the victim's own or another person's genital area or female breasts or observe the person's genital area or female breasts while communicating with the person through a certain means; providing that a certain violation is considered to be committed in the State for a certain purpose if a certain request or encouragement originated or is received in the State; providing penalties for a violation of this Act; requiring the Department of Public Safety and Correctional Services to make certain information available through a certain mechanism to certain entities for a certain purpose; authorizing a judge imposing a sentence on a person who has been convicted of a sexual offense against a minor to include a certain special sentence of supervision; requiring that a person serving a special sentence of supervision be subject to one or more conditions that may include certain supervision or inspections; requiring that a special sentence of supervision be conducted by a certain officer or specialist, in a certain manner and form; authorizing a judge to limit or restrict a certain person's Internet access in a certain manner under certain circumstances; establishing procedures by which a person may petition for and a judge may grant release from a special sentence of supervision; defining certain terms; and generally relating to protection of children from online predators.

BY adding to

Article – Commercial Law

Section 14–3701 and 14–3702 to be under the new subtitle “Subtitle 37.  
Parental Internet Control Products and Services”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–427

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–4A–05(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Criminal Law  
Section 3–325  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure  
Section 11–717(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Criminal Procedure  
Section 11–728  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

### **Senate Bill 894 – Senator Mooney**

AN ACT concerning

#### **Transportation Trust Fund Protection Act**

FOR the purpose of prohibiting the transfer or diversion of funds from the Transportation Trust Fund except under certain circumstances; requiring the Governor to make a certain declaration if funds are transferred or diverted from the Transportation Trust Fund; requiring the enactment of legislation providing for a certain repayment plan before funds are transferred or diverted from the Transportation Trust Fund; and generally relating to limiting transfers or diversions from the Transportation Trust Fund.

BY adding to

Article – Transportation  
Section 3–217  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 895 – Senator Stone**

AN ACT concerning

**Public Safety – Fire Fighters’ Bill of Rights**

FOR the purpose of establishing a bill of rights for certain fire fighters under investigation and subjected to interrogation that could lead to certain punitive action; providing for the application of this Act; defining certain terms; and generally relating to a bill of rights for fire fighters.

BY adding to

Article – Public Safety

Section 7–501 through 7–504 to be under the new subtitle “Subtitle 5. Fire Fighters’ Bill of Rights”

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 896 – Senators Garagiola, Astle, Middleton, and Pugh**

AN ACT concerning

**Commercial Law – Equipment Dealer Contract Act – Scope**

FOR the purpose of altering the definitions of “dealer” and “inventory” for purposes of the Equipment Dealer Contract Act to clarify that it applies to persons engaged in the business of selling, on commission or at retail, commercial heating, ventilation, and air–conditioning equipment or repair parts; and generally relating to the scope of the Equipment Dealer Contract Act.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 19–101

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**INTRODUCTION OF JOINT RESOLUTIONS****Senate Joint Resolution 7 – The President, the Majority Leader, and the Minority Leader**

A Senate Joint Resolution concerning

**In Celebration of the 200th Anniversary of the Birth of Abraham Lincoln**

FOR the purpose of celebrating the 200th anniversary of the birth of Abraham Lincoln.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Joint Resolution 8 – Senators Lenett and Frosh**

A Senate Joint Resolution concerning

**Federal Mandates Regarding Environmentally Damaging Corn Ethanol**

FOR the purpose of requesting the General Assembly to petition the U.S. Environmental Protection Agency to grant a certain waiver of the federal mandate for the consumption of corn-based ethanol on certain grounds; requesting the General Assembly to urge the United States Congress to amend the Energy Independence and Security Act of 2007 to ensure that federal law does not encourage the production of corn-based ethanol; and generally relating to corn-based ethanol.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**ADJOURNMENT**

At 8:29 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:30 P.M. on Monday, February 9, 2009.

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**Annapolis, Maryland**  
**Monday, February 9, 2009**  
**8:30 P.M. Session**

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The Senate met at 8:29 P.M.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 113)

The Journal of February 6, 2009 was read and approved.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 7 – Senator Glassman**

AN ACT concerning

**State Government – Flags – Made in USA**

**SB0007/204031/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 7

(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike “Senator Glassman” and substitute “Senators Glassman, Colburn, Conway, Dyson, Garagiola, Greenip, Harrington, Harris, Jacobs, Jones, Klausmeier, Lenett, and Stone”; and in line 3, strike “a flag of the United States or a State flag” and substitute “certain flags”.

AMENDMENT NO. 2

In line 15, after “PROPERTY” insert “AND PURCHASED WITH STATE MONEY”.

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 72 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Exempt  
Institutions**

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 162 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverages – Resident Dealer’s Permit**

**SB0162/634933/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 162

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “persons;” insert “altering the fee for certain permits;”.

AMENDMENT NO. 2

On page 2, in line 21, strike “\$100” and substitute “\$200”.

The preceding 2 amendments were 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 47 Members present.

(See Roll Call No. 114)

**ADJOURNMENT**

At 8:34 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 10, 2009.

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**Annapolis, Maryland  
Tuesday, February 10, 2009  
10:00 A.M. Session**

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The Senate met at 10:14 A.M.

Prayer by Reverend Clare Petersburg, Towson Unitarian Universalist Church, guest of Senator James Brochin.

(See Exhibit A of Appendix III)

The Journal of February 9, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 116)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Kimberly “Kimmie” Meissner	The President and All Members	282

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 117)

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request – Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Recording, Filing, or Other Fees – Returned  
Check Fee**

**SB0068/328478/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 68  
(First Reading File Bill)

In line 17, strike “**THE IMPOSITION OF A**” and substitute “**A**”.

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 with amendments:

**Senate Bill 127 – Senators Brochin, Frosh, and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant  
Confidentiality and Eligibility**

**SB0127/568178/2**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 127  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “a” insert “certain”.

AMENDMENT NO. 2

On page 2, in line 2, strike “VICTIM’S OR CLAIMANT’S”; and in line 3, after “BOARD” insert “FOR A VICTIM OR A CLAIMANT WHO IS A VICTIM OF A SEXUAL OFFENSE UNDER TITLE 3, SUBTITLE 3 OF THE CRIMINAL LAW ARTICLE”.

AMENDMENT NO. 3

On page 3, strike beginning with “A” in line 9 down through “2.” in line 11; strike in their entirety lines 13 and 14; in lines 15, 17, 19, 22, 24, 26, and 28, strike “4.”, “5.”, “6.”, “7.”, “8.”, “9.”, and “10.”, respectively, and substitute “2.”, “3.”, “4.”, “5.”, “6.”, “7.”, and “8.”, respectively; and in line 15, strike “3-212” and substitute “3-213”.

On page 4, in line 5, strike “OR § 5-622”; in line 15, after “ARTICLE;” insert “OR”; strike in their entirety lines 16 and 17; and in lines 1, 3, 5, 7, 9, 11, 13, and 18, strike “11.”, “12.”, “13.”, “14.”, “15.”, “16.”, “17.”, and “19.”, respectively, and substitute “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, “15.”, and “16.”, respectively.

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 #7**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 8 – Senator Haines**

AN ACT concerning

**Insurance – Unfair and Deceptive Practices – Limit on Offer, Promise, or Gift of Valuable Consideration Not Specified in a Contract**

**SB0008/997175/1**

BY: Finance Committee

AMENDMENT NO. 1

On page 1, in line 3, after “Contract” insert “or Policy”; in line 5, strike “a certain contract” and substitute “certain contracts or policies”; and in line 14, after “27–209” insert “and 27–212”.

AMENDMENT NO. 2

On page 2, in line 23, strike “less than”; in the same line, after “[~~\$~~10]” insert “NO MORE THAN”; and after line 24, insert:

“27–212.”

(a) This section does not apply to life insurance, health insurance, and annuities.

(b) Except to the extent provided for in an applicable filing with the Commissioner as provided by law, an insurer, employee or representative of an insurer or insurance producer may not pay, allow, give, or offer to pay, allow, or give directly or indirectly as an inducement to insurance or after insurance has become effective:

(1) a rebate, discount, abatement, credit, or reduction of the premium stated in the policy;

(2) a special favor or advantage in the dividends or other benefits to accrue on the policy; or

(3) any valuable consideration or other inducement not specified in the policy.

(c) An insured named in a policy or an employee of the insured may not knowingly receive or accept directly or indirectly a rebate, discount, abatement, credit, reduction of premium, special favor, advantage, valuable consideration, or inducement described in subsection (b) of this section.

(d) Except as otherwise provided by law, a person may not knowingly offer, promise, or give any valuable consideration not specified in the policy, except for educational materials, promotional materials, or articles of merchandise that cost [~~less than \$~~10] **NO MORE THAN \$25**, regardless of whether a policy is purchased.

(e) (1) An insurer may not make or allow unfair discrimination between insureds or properties having like insuring or risk characteristics in:

(i) the premium or rates charged for insurance;

- (ii) the dividends or other benefits payable on the insurance; or
- (iii) any of the other terms or conditions of the insurance.

(2) Notwithstanding any other provision of this section, an insurer may not make or allow a differential in ratings, premium payments, or dividends for a reason based on the sex, physical handicap, or disability of an applicant or policyholder unless there is actuarial justification for the differential.

(f) This section does not prohibit an insurer from:

(1) paying commissions or other compensation to licensed insurance producers; or

(2) allowing or returning to its participating policyholders, members, or subscribers lawful dividends, savings, or unabsorbed premium deposits.”.

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 with amendments:

**Senate Bill 23 – Senator Colburn**

AN ACT concerning

**Caroline County – Department of Corrections Employment Applicants – Polygraph Examinations**

**SB0023/297675/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 23  
(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Colburn” and substitute “Senators Colburn 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:

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Inflatable Amusement Attractions – Inspections**

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 119 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Horse Racing Act – Sunset Extension and Program Evaluation**

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 110 – Senator Stone**

AN ACT concerning

**Vehicle Laws – Transporting Pets in Trucks or Trailers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Della moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2009.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 118)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #7

##### Senate Bill 12 – Senator Forehand

AN ACT concerning

**Tobacco Product Manufacturers – Settlement of State Claims –  
Nonparticipating Manufacturers – Deposit of Funds in Escrow – Codification  
of Model Statute**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 119)

The Bill was then sent to the House of Delegates.

##### Senate Bill 74 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

##### State Tobacco Authority – Repeal

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 120)

The Bill was then sent to the House of Delegates.

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Organic Certification Program – Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 121)

The Bill was then sent to the House of Delegates.

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Practice of Veterinary Medicine – Students – Immunity**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 1      (See Roll Call No. 122)

The Bill was then sent to the House of Delegates.

**Senate Bill 91 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Lawn and Turf Grass Seed – Testing and Labeling Requirements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 123)

The Bill was then sent to the House of Delegates.

**Senate Bill 307 – The President**

**EMERGENCY BILL**

AN ACT concerning

**Judicial Compensation Commission**

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.

**Recognition of Maryland's Fallen Heroes By Senator Douglas J. J. Peters**

Mr. President, it is my sad duty to report that the following soldiers from Maryland were killed in action serving the United States of America over the past year. I would ask that each Senator, when their district is called, to press the green button in acknowledgement of the hero from their district.

Private 2nd Class Charles Y. Barnett -	District 35-Glassman
Sergeant Ryan P. Baumann -	District 29-Dyson
Sergeant 1st Class Collin J. Bowen -	District 7-Harris
Master Sergeant Anthony Davis -	District 40-Pugh
Specialist Michael B. Matlock, Jr. -	District 33-Greenip
Captain Jesse Melton III -	District 10-Kelly
Colonel Michael R. Stahlman -	District 18-Madaleno
Lieutenant Colonel James J. Walton -	District 19-Lenett

Mr. President, I ask that we observe a moment of silence for our fallen heroes. May they Rest in Peace.

Remarks by Lieutenant Governor Anthony G. Brown.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 126)

**ADJOURNMENT**

At 10:53 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 11, 2009 in memory of the Eight Marylanders who gave their lives in the War Against Terror.

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**Annapolis, Maryland**  
**Wednesday, February 11, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:14 A.M.

Prayer by Senator Edward J. Kasemeyer.

(See Exhibit A of Appendix III)

The Journal of February 10, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 128)

**INTRODUCTION OF BILLS**

**Senate Bill 897 – Senators Rosapepe and Pipkin**

**EMERGENCY BILL**

AN ACT concerning

**Public Service Commission – Acquisition of Power to Influence Electric  
Company, Gas and Electric Company, or Gas Company Policy or Action –  
Authorization**

FOR the purpose of providing that a certain provision of law may not be construed to limit the authority of the Public Service Commission to authorize certain financial transactions relating to an electric company, a gas and electric company, or a gas company; providing for the application of this Act; making this Act an emergency measure; and generally relating to the authority of the Public Service Commission to authorize certain financial transactions relating to an electric company, a gas and electric company, or gas company.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 6–105(e)  
Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 898 – Senator Zirkin**

AN ACT concerning

**Sales and Use Tax – Exemptions – Veterans’ Organizations**

FOR the purpose of providing for an exemption from the sales and use tax for sales to certain veterans’ organizations; 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 a sales and use tax exemption for sales to certain veterans’ organizations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)(7) and (8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Tax – General  
Section 11–204(a)(9)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)(6) and (7)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)  
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of  
2006)

BY adding to  
Article – Tax – General  
Section 11–204(a)(8)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)  
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of  
2006)

Read the first time and referred to the Committee on Rules.

**Senate Bill 899 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Driver Improvement Programs – Deduction of Accumulated Points**

FOR the purpose of authorizing an individual who has accumulated a certain number of points on the individual's driving record to request the Motor Vehicle Administration to deduct a certain number of points from the individual's driving record if the individual attends a certain driver improvement program or driver safety program; prohibiting the Administration from deducting more than a certain number of points from an individual's driving record in a certain time period; requiring the Administration to apply a certain point deduction in a certain manner; requiring an individual who is awarded a certain point deduction to pay a certain fee; requiring the Administration to send a warning letter that includes a certain notification to an individual who accumulates a certain number of points; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–212  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–404  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 900 – Senator McFadden**

AN ACT concerning

**Inmates – In Banc Review of Sentences – Parole Eligibility**

FOR the purpose of authorizing the parole of a certain person with the approval of a certain three-judge panel sitting in banc; allowing certain individuals under certain circumstances to seek in banc review of a judgment or determination on any point or question relating to a conviction or sentence by filing a notice for in banc review after a certain time; and generally relating to review of convictions and sentences and parole eligibility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 4–305(b) and 7–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 8–109  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–109  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 901 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Land Bank Authority – Recodification**

FOR the purpose of transferring, without substantive change, certain provisions of law concerning the Baltimore City Land Bank Authority from the Annotated Code of Maryland to the Baltimore City Charter; making stylistic changes; and generally relating to the recodification of the Baltimore City Land Bank Authority.

BY repealing  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 22–101 through 22–212 and the title “Title 22. Baltimore City Land Bank Authority”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to  
The Charter of Baltimore City  
Article II – General Powers  
Section (65)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 711 – Senators Mooney, Brinkley, Dyson, and Robey**

AN ACT concerning

**Trooper Tobin Triebel Life Insurance Memorial Act**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**Senate Bill 843 – Senators Currie, Colburn, Della, Dyson, Edwards, Forehand,  
Frosh, Garagiola, Jones, Kasemeyer, King, Madaleno, Robey, and Stone**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Wellness**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**Senate Bill 861 – Senators Currie, Dyson, Kasemeyer, and Munson**

AN ACT concerning

**Higher Education Funding Model for Maryland Act of 2009**

Reassigned to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**Senate Bill 895 – Senator Stone**

AN ACT concerning

**Public Safety – Fire Fighters’ Bill of Rights**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 129)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #8**

**Senate Bill 7 – ~~Senator Glassman~~ Senators Glassman, Colburn, Conway, Dyson, Garagiola, Greenip, Harrington, Harris, Jacobs, Jones, Klausmeier, Lenett, and Stone**

AN ACT concerning

**State Government – Flags – Made in USA**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 130)

The Bill was then sent to the House of Delegates.

**Senate Bill 72 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Higher Education – Institutions of Postsecondary Education – Exempt Institutions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 131)

The Bill was then sent to the House of Delegates.

**Senate Bill 162 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverages – Resident Dealer’s Permit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 132)

The Bill was then sent to the House of Delegates.

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

Resolution Maryland Teacher of the Year William Thomas and all County Teachers of the Year

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
William Thomas	The President and All Members	114
Michaela Linn	The President and All Members	98
Clayton Culp	The President and All Members	99
Kristin Covaleskie	The President and All Members	100
John Billingslea	The President and All Members	101
Margo Gross	The President and All Members	102
Melissa McFayden	The President and All Members	103
Mary Catherine Stephens	The President and All Members	104
Sharon L. Thomas	The President and All Members	105
Margaret Sue Childers	The President and All Members	106
Dawn Chandler	The President and All	107

	Members	
Kathryn Tobery	The President and All Members	108
Jenny Neville	The President and All Members	109
Ronald Wooden	The President and All Members	110
Terry Eberhardt	The President and All Members	111
Lorraine Armstrong	The President and All Members	112
Christopher Orlando	The President and All Members	113
Karey Anne Coppage	The President and All Members	115
Sharon Richards	The President and All Members	116
Bonnie Beavan	The President and All Members	117
Julie Matthews Harp	The President and All Members	118
Shanna Byrd	The President and All Members	119
Debra R. Wilkins	The President and All Members	120
Amy Gallagher	The President and All Members	121

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 133)

### QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 134)

### ADJOURNMENT

At 10:36 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 12, 2009.

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**Annapolis, Maryland**  
**Thursday, February 12, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:06 A.M.

Prayer by Senator C. Anthony Muse.

(See Exhibit A of Appendix III)

The Journal of February 11, 2009 was read and approved.

On motion of Senator Kasemeyer it was ordered that Senator Stone be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 136)

**LINCOLN DAY ADDRESS**

**By Senator Richard Colburn**

**DOUGLASS AND LINCOLN**

MR. PRESIDENT, PRESIDENT PRO TEM, MAJORITY LEADER, MINORITY LEADER, FELLOW SENATORS, LADIES AND GENTLEMEN. IT IS INDEED A GREAT HONOR FOR ME TO PRESENT THE ANNUAL LINCOLN DAY ADDRESS IN THIS HISTORIC SENATE CHAMBER ON THE OCCASION OF THE 200TH ANNIVERSARY OF THE BIRTH OF PRESIDENT ABRAHAM LINCOLN. THROUGHOUT MY LIFE THERE WERE TIMES WHEN I HAVE FELT A SPECIAL CONNECTION TO ABRAHAM LINCOLN. I AM SURE MANY OF YOU HAVE FELT

A SPECIAL KINSHIP TO OUR 16TH PRESIDENT AS WELL. AND MANY OF YOU MAY HAVE NOTICED THAT GOVERNOR O'MALLEY ALWAYS REFERS TO REPUBLICANS AS THE "PARTY OF LINCOLN" WHENEVER HE MENTIONS THE MINORITY PARTY IN ANNAPOLIS AS A TRIBUTE TO THE GOP'S RICH HERITAGE. HISTORIANS EVALUATE POLITICAL LEADERS BY THEIR "LEGACY." THEY EXAMINE THEIR MAJOR PROGRAMS AND INITIATIVES TO DETERMINE WHETHER ANY HAVE LONG-LASTING IMPLICATIONS FOR OUR CITIZENS. CERTAINLY, LINCOLN HAS A MOST ENDURING LEGACY. AS WE SAW THIS PAST ELECTION DAY, THE HISTORIC PATH FROM THE EMANCIPATION PROCLAMATION LEADS DIRECTLY TO A POINT IN TIME ONE HUNDRED AND FORTY-FIVE YEARS LATER WHEN BARACK OBAMA WAS ELECTED PRESIDENT OF THE UNITED STATES. PRESIDENT OBAMA HIMSELF LIKES TO RELISH THE ECHOES OF LINCOLN IN HIS OWN LIFE AND POLITICAL CAREER. HE, LIKE LINCOLN, SERVED IN THE STATE LEGISLATURE IN ILLINOIS. PRESIDENT OBAMA'S PRE-INAUGURAL VISIT BY TRAIN TO OUR STATE, WITH A SPEECH IN BALTIMORE, TRACKED LINCOLN'S PATH TO HIS 1861 ARRIVAL IN WASHINGTON, D.C. HOWEVER, THEIR CIRCUMSTANCES WERE MUCH DIFFERENT. THE TRIUMPHANT ARRIVAL OF PRESIDENT OBAMA WAS IN SHARP CONTRAST TO THE PRE-CIVIL WAR NIGHTTIME PASSAGE OF LINCOLN THROUGH OUR STATE. WE KNOW THAT JUST DAYS BEFORE TAKING OFFICE, PRESIDENT OBAMA MADE A SURPRISE VISIT TO THE LINCOLN MEMORIAL. HE THEN USED THE LINCOLN INAUGURAL BIBLE FOR HIS SWEARING-IN AS A TRIBUTE TO THE HEROIC ROLE THAT LINCOLN PLAYED IN ENDING THE EVIL OF SLAVERY IN

THIS COUNTRY. I THOUGHT THAT AFTER ENJOYING PRESIDENT OBAMA'S FIRST INAUGURAL SPEECH, THAT TODAY MY COMMENTARY WOULD FOCUS ON LINCOLN'S SECOND INAUGURAL ADDRESS AS WELL AS LINCOLN'S SPECIAL RELATIONSHIP WITH A MAN FROM MY HOME COUNTY ON THE EASTERN SHORE.

THE DAY OF LINCOLN'S SECOND INAUGURATION, WAS RAW AND RAINY. THE STEADY RAIN ON THE MORNING OF MARCH 4, 1865 DID NOT DAMPEN THE SPIRITS OF THE ESTIMATED FIFTY THOUSAND PEOPLE GATHERED AT THE CAPITOL TO WITNESS THE INAUGURATION. HE ENCOURAGED THE NATION TO EXAMINE THE SINS THAT UNDERLINED THE TRAGIC CIVIL WAR. IN PREACHING "MALICE TOWARD NONE" AND "CHARITY FOR ALL", LINCOLN EXPRESSED A TENDERNESS MADE POSSIBLE BY THE COMMON BOND OF GUILT THAT BOUND THE NORTH AND SOUTH. THE UNITED STATES HAD BEEN WEIGHED IN THE BALANCE, AND HAD BEEN FOUND WANTING. LINCOLN, UNDER HEAVY GUARD, WALKED OUT ONTO THE INAUGURAL PLATFORM OFF THE EAST FRONT OF THE NEWLY COMPLETED CAPITOL DOME. IT WOULD BE THE ONLY TIME LINCOLN WOULD BE PHOTOGRAPHED SPEAKING. WE SHOULD ALSO NOTE THAT TWO MARYLANDERS – ONE FROM TALBOT COUNTY AND A BALTIMORE NATIVE – WERE IN THE AUDIENCE. RESPECTFULLY, FREDERICK DOUGLASS AND JOHN WILKES BOOTH ARE AMONG THE ONLOOKERS. HOW DO WE KNOW THAT THE BALTIMORE NATIVE BOOTH WAS THERE? HE IS IN THE PHOTOGRAPH. LINCOLN, BEFORE RECEIVING THE OATH FROM CHIEF JUSTICE SALMON CHASE, HIS FORMER SECRETARY OF THE TREASURY

AND POLITICAL RIVAL, DELIVERED THE MAGNIFICENT “WITH MALICE TOWARD NONE” ORATION. WITH VICTORY IN THE FIELD NOW ALL BUT CERTAIN, HIS MIND WAS CHIEFLY FOCUSED ON WHAT HE BELIEVED WOULD BE THE DIFFICULT PROBLEM OF RECONSTRUCTION. FREDERICK DOUGLASS DECIDED TO JOIN “IN THE GRAND PROCESSION OF CITIZENS FROM ALL PARTS OF THE COUNTRY.” AFRICAN-AMERICANS HAD BEEN EXCLUDED FROM PREVIOUS INAUGURAL FESTIVITIES. THAT EVENING THE GATES OF THE WHITE HOUSE WERE OPENED FOR A PUBLIC RECEPTION. THE PRESIDENT WAS REPORTED TO BE “IN EXCELLENT SPIRITS” AS HE SHOOK THE HANDS OF THE MORE THAN FIVE THOUSAND PEOPLE WHO CAME TO SHOW THEIR RESPECT AND AFFECTION. DOUGLASS WOULD WRITE “IT WAS NOT TOO GREAT AN ASSUMPTION FOR A BLACK MAN TO OFFER HIS CONGRATULATIONS TO THE PRESIDENT WITH THOSE OF OTHER CITIZENS.” THEREFORE, THAT NIGHT, DOUGLASS, WENT TO THE WHITE HOUSE RECEPTION TO OFFER HIS CONGRATULATIONS. REFUSED ADMITTANCE AT FIRST BY THE POLICE, DOUGLASS ULTIMATELY JOINED THE RECEPTION AT LINCOLN’S ORDER. DOUGLASS HAD NO DIFFICULTY SPOTTING LINCOLN, WHO STOOD, AS HE DESCRIBED, “LIKE A MOUNTAIN PINE HIGH ABOVE THE OTHERS, IN HIS GRAND SIMPLICITY, AND HOME-LIKE BEAUTY. RECOGNIZING ME, EVEN BEFORE I REACHED HIM, HE EXCLAIMED, SO THAT ALL AROUND COULD HEAR HIM, ‘HERE COMES MY FRIEND DOUGLASS’. TAKING ME BY THE HAND, HE SAID, ‘I AM GLAD TO SEE YOU. I SAW YOU IN THE CROWD TODAY, LISTENING TO MY INAUGURAL ADDRESS; HOW DID YOU LIKE IT?’ DOUGLASS WAS

EMBARRASSED TO DETAIN THE PRESIDENT IN CONVERSATION WHEN THERE WERE “SEVERAL THOUSAND WAITING TO SHAKE HANDS. BUT LINCOLN INSISTED, “YOU MUST STOP A LITTLE, DOUGLASS; THERE IS NO MAN IN THE COUNTRY WHOSE OPINION I VALUE MORE THAN YOURS. I WANT TO KNOW WHAT YOU THINK OF IT.”

WE SEE FOR A MOMENT THESE TWO REMARKABLE MEN STANDING TOGETHER. LINCOLN KNEW THAT DOUGLASS WOULD SPEAK HIS MIND, JUST AS HE ALWAYS HAD. “MR. LINCOLN,” DOUGLASS SAID FINALLY, “THAT WAS A SACRED EFFORT”. LINCOLN’S FACE LIT UP WITH DELIGHT. “I AM GLAD YOU LIKED IT!” HE REPLIED. LINCOLN HAD BEEN EAGER TO KNOW WHAT THE ABOLITIONIST THOUGHT OF HIS SPEECH, AND DOUGLASS HAD ASSURED HIM WITH TWO WELL-CHOSEN WORDS.

ONE BY ONE, MANY OF LINCOLN’S CRITICS WERE TURNING INTO ADMIRERS, AND THAT INCLUDED THE OUTSPOKEN AFRICAN-AMERICAN ORATOR/JOURNALIST WHO HAD CRITICIZED LINCOLN HARD ON THE SLAVERY ISSUE EVER SINCE HIS FIRST INAUGURATION DAY.

IT IS NOT IMPOSSIBLE TO SEE WHY THE TWO MEN TOOK A LIKING TO ONE ANOTHER. BOTH HAD THEIR BEGINNINGS IN DIRT-POOR FAMILIES, EACH HAD VIRTUALLY EDUCATED THEMSELVES, AND THEN WORKED THEIR WAY UP INTO PROMINENCE. LINCOLN COULD NOT HELP ADMIRING THIS FORMER SLAVE AND SHIP’S CAULKER WHO HAD FACED A LIFETIME OF WHITE HATRED – BUT WHO STILL BELIEVED PASSIONATELY IN AMERICA’S GREAT INTERRACIAL FUTURE.

DURING THE SPEECH THE PRESIDENT SUGGESTED THAT GOD HAD GIVEN “TO BOTH NORTH AND SOUTH, THIS TERRIBLE WAR” AS PUNISHMENT FOR THEIR SHARED SIN OF SLAVERY. HE THEN ISSUED HIS HISTORIC PLEA TO HIS FELLOW COUNTRYMEN: “WITH MALICE TOWARD NONE; WITH CHARITY FOR ALL, WITH FIRMNESS IN THE RIGHT, AS GOD GIVES US TO SEE THE RIGHT, LET US STRIVE ON TO FINISH THE WORK WE ARE IN; TO BIND UP THE NATION’S WOUNDS; TO CARE FOR HIM WHO SHALL HAVE BORNE THE BATTLE, AND FOR HIS WIDOW, AND HIS ORPHAN – TO DO ALL WHICH MAY ACHIEVE AND CHERISH A JUST, AND A LASTING PEACE, AMONG OURSELVES, AND WITH ALL NATIONS”.

MANY BELIEVED THAT THE CHIEF EXECUTIVE WAS GOING TO BE MORE AGGRESSIVE IN HIS RECONSTRUCTION POLICY IN HIS SPEECH. ALTHOUGH IT WAS ONE OF THE SHORTEST INAUGURAL ADDRESSES, WITH ONLY 703 WORDS, IT WAS ONE OF THE MOST MEMORABLE.

WITH THE RE-ELECTION OF ABRAHAM LINCOLN IN 1864, A STRING OF MILITARY VICTORIES IN THE FIELD AND CRUMBLING CONFEDERATE RESOLVE, THERE WAS A WIDESPREAD EXPECTATION IN THE NORTH THAT THE UNION WOULD PREVAIL. WHEN ABRAHAM LINCOLN MADE HIS SECOND INAUGURAL ADDRESS MARCH 4, HE WAS STARTING TO LAY THE GROUNDWORK FOR THE HARD WORK OF RECONCILIATION. INVOKING BIBLICAL TERMS, LINCOLN REMAINED INTENT ON FINISHING THE WAR THAT HAD DIVIDED THE COUNTRY AND FORGING A NEW NATION, BOUND TOGETHER IN PEACE. DOUGLASS WOULD LATER WRITE, “IT WAS MORE LIKE A SERMON THAN A STATE ADDRESS.” IN

AN EXCERPT FROM A PEOPLE'S CONTEST: THE UNION AND CIVIL WAR, 1861-1865, PHILIP PALUDAN STATED, "THE WAR HAD BEEN INCREDIBLY VAST; OVER A HALF-A-MILLION DEAD YOUNG MEN, GRIEF SHATTERED FAMILIES THROUGHOUT THE NATION; WILLIE, THE FAVORITE SON - DEAD; 4 MILLION FREE MEN, WOMEN, CHILDREN, CHAINS NOW SHATTERED, FREE AFTER HOPELESS CENTURIES OF SLAVERY; VAST FIELDS, BUSY CITIES, QUIET VILLAGES DESTROYED; NEW ECONOMIC PATHS CHARTED WITH UNKNOWN COSTS AND CONSEQUENCES AHEAD; 1 MILLION MEN IN ARMS, TOUCHED BY FIRE, SOON COMING HOME, CHANGED FOREVER, CHANGED UTTERLY." THE POINT OF LINCOLN'S ADDRESS WAS NOT TO ASSIGN BLAME, BUT QUITE THE OPPOSITE. HE WAS TRYING TO ESTABLISH A NATIONAL MOOD FOR RECONSTRUCTION. BLOOD HAD BEEN SPILLED, HE GRANTED, BUT NO REVENGE SHOULD BE TAKEN. LINCOLN SHOWED NOT A TRACE OF VINDICTIVENESS AS HE WELCOMED THE SOUTHERN STATES BACK INTO THE UNION.

LESS THAN A WEEK AFTER LEE'S SURRENDER AT APPOMATTOX (APRIL 9, 1865), THE 56-YEAR OLD PRESIDENT WAS MURDERED BY A PRO-SLAVERY TERRORIST, AN ACTOR WHOM LINCOLN HAD ONCE INVITED TO THE WHITE HOUSE. IN HIS SECOND INAUGURATION SPEECH, LINCOLN WAS CLOSE TO ESTABLISHING A NATIONAL MOOD OF RECONCILIATION AND RECONSTRUCTION. HAD LINCOLN LIVED, THE DAYS OF RECONSTRUCTION WOULD HAVE BEEN SOFTENED. JOHN WILKES BOOTH'S MURDER OF LINCOLN ON GOOD FRIDAY HAD DESTROYED ANY CHANCE OF KNOWING JUST HOW CLOSE LINCOLN WAS TOWARDS HIS

RECONSTRUCTION POLICY. HOW AMERICAN HISTORY WOULD HAVE CHANGED HAD LINCOLN SURVIVED THAT FATAL NIGHT AT FORD'S THEATER. ONE OF THE PRESIDENT'S MANY BIOGRAPHERS, CARL SANDBURG, CAPTURED LINCOLN'S LINGERING CONTRADICTIONS WHEN HE SPOKE BEFORE CONGRESS IN 1959, ON LINCOLN'S 150TH BIRTHDAY. HE STATED, "NOT OFTEN IN THE STORY OF MANKIND DOES A MAN ARRIVE ON EARTH WHO IS BOTH STEEL AND VELVET, WHO IS HARD AS ROCK AND SOFT AS DRIFTING FOG, WHO HOLDS IN HIS HEART AND MIND THE PARADOX OF TERRIBLE STORM AND PEACE UNSPEAKABLE AND PERFECT."

MR. PRESIDENT, IN CLOSING TODAY, I ASK ALL OF OUR MEMBERS TO JOIN IN A COMMEMORATIVE SENATE JOINT RESOLUTION ON THIS JOYOUS OCCASION IN HONOR OF THE 200TH BIRTH OF ABRAHAM LINCOLN.

I WOULD LIKE TO THANK JOE GETTY, VICTORIA GRUBER, HEATHER MOLNAR AND JESSICA STEWART FOR THEIR HELP WITH THIS SPEECH!

### **Remarks by Dr. Edward Papenfuse**

President Miller, Members of the Senate. Good morning.

One of the great aspects of being an archivist and historian is that there is always something new to learn about the past, even when you think there isn't. I have long enjoyed reading about Abraham Lincoln. As a child I wore out the covers of my Landmark Series biography. I even once had the privilege of attending a performance by Carl Sandburg in which he spoke in verse and sang about Lincoln.

When a local bookseller and historian, Rock Toews posted a message on the Annapolis History Consortium's email that he thought Abraham Lincoln had actually come to Annapolis and walked through the town, I found it hard to believe, and turned to my copy of *Lincoln Day By Day* to see what it had to say. It is a work that attempts to document every moment of Lincoln's life. This is what I found:

“[Friday February 2, 1865] Writes check to John G. Nicolay for \$20.00. ...goes by train to Annapolis, Md. where he boarded steamer “Thomas Collyer,” and late in evening arrives in Fortress Monroe,” Virginia which was a considerable distance down the Bay.

I posted an email saying that I couldn't believe the president had time to walk anywhere in Annapolis, and that in any event he would have been met at the Annapolis train station by carriage for the trip to the Naval Academy to board the Collyer. Was I ever wrong. Alderman Dick Israel, a long time counsel to this body, joined in the discussion by pointing out that he had a copy of the newspaper detailing the walk referred to by Rock. There was a reporter present on the Collyer from the New York Herald. Lincoln indeed had walked through town. Still the doubting Thomas, I asked for more proof.

The rest is the booklet you have before you for which I had great fun writing the introduction, but the credit for the substance of which goes to Rock Toews who authored the main essay, and to Jane McWilliams who edited our prose and included an excellent chronology that she developed for her forthcoming book on the history of Annapolis.

The booklet was paid for exclusively from private funds raised by the Friends of the Maryland State Archives, including a grant from the City of Annapolis. The proceeds from the sales (\$5 a copy) go directly to support our summer internship program designed to encourage high school and college students to explore history with the same dedication and enthusiasm as Rock Toews and Jane McWilliams. As a result our interns learn how to think critically and experience the importance of preserving and accessing the rich historical heritage contained in the collections of the Archives.

Lincoln did come to Annapolis on Friday February 2 and again on February 4. On the 2nd, because he gave such short notice of his arrival and the military railroad from West Street to the dock at the Naval Academy was clogged with supplies headed for the Union Army before Richmond, he walked the mile along the tracks to board the Collyer. He was on his way to meet with Confederate Peace Commissioners near City Point Virginia, at General Grant's urging. He brought with him a satchel, a valet, and a single DC police escort who accompanied him as far as the West Street Station. As Lincoln walked that extra mile towards peace negotiations, the State House was alive with activity which the President did not wish to disturb. On Thursday, February 1, 1865, William Seward Lincoln's Secretary of State had hand delivered the 13th Amendment abolishing slavery throughout the Union to Governor Bradford. The Maryland House of Delegates ratified that day, but on the 2nd the Senate was still debating, and would not ratify until the following day, Saturday the 3rd. The actual ratification documents are reproduced in the booklet. As a result of the Senate's action on the 3rd, Maryland became the 4th State to ratify the 13th amendment with Illinois the first to do so.

As the research committee dug deeper into Lincoln's walk under the auspices of the Annapolis Lincoln Bicentennial Commission, chaired by Dick Israel, with the assistance of Owen Lourie, one of our continuing research interns, we discovered a

whole support group of historical figures generally ignored by the history text books. They were essential to the Annapolis story as a major hospital center and war depot, ranging from the Naval Academy professor who built the long forgotten railroad spur to the docks from the West Street Station, to the oven maker turned quarter master, who ruled over the Annapolis depot throughout the war. Rock and I thought it important that their stories be told as well in the booklet before you.

We were also fortunate in finding illustrative material that conveyed the immediacy of the moment. I think I probably can imagine how Lincoln must of felt on the morning of Sunday, February 5, when reminded by Mrs. Lincoln or perhaps his secretaries, that after an arduous journey to Fortress Monroe and back in three days, braving a bed aboard the River Queen that was too short for our tallest (6'4") president, that he had to dress in his Sunday best and take Tad to Alexander Gardner's studio to have his picture taken. It is one of those pictures, taken the day after he returned from Annapolis that graces the cover, while one of the photographs with Tad will be found facing page 26.

As we celebrate the bicentennial of Abraham Lincoln's birth, we ought not to forget that the major sea change in American history that he rightfully unleashed with the abolition of slavery, would be a long and painful one. One hundred years ago *on this day*, the National Association for the Advancement of Colored People was organized to fight lynching, bigotry and racism that pervaded the land. In an early speech to the Young Men's Lyceum of Springfield Illinois, Lincoln had called for the end of vigilante justice and lynching and urged change within the law, yet he too, as Louis Henry Gates, Jr. pointed out last night on PBS, held views of ethnic superiority that have no place in today's world. Abraham Lincoln was a person of his times and needs to be understood in that context, but he also had the courage to lead and to move the nation towards change with dignity and determination that rose above personal prejudice. Lincoln, despite personal shortcomings, and the shortcomings of his age, was willing to walk the extra mile that it takes to push the country forward towards better, less divisive times, towards what President Lincoln referred to in his first inaugural as the mystic chords of memory that reach back to the *better* angels of our nature.

Thank you.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #5**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Joint Resolution 7 – The President, the Majority Leader, and the  
Minority Leader**

A Senate Joint Resolution concerning

**In Celebration of the 200th Anniversary of the Birth of Abraham Lincoln**

Favorable report adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 137)

Read the second time and ordered prepared for Third Reading.

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
NASA's Goddard Space Flight Center	Senator Paul G. Pinsky	66

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 138)

**INTRODUCTION OF BILLS****Senate Bill 902 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Aleph Bet Jewish Day School**

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 Aleph Bet Jewish Day School 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 903 – Senators Muse and Exum****EMERGENCY BILL**

AN ACT concerning

**Education – High School Assessment – Graduation Requirement  
– Prohibition**

FOR the purpose of prohibiting the State Board of Education from including the passing of certain types of examinations or assessments in the graduation requirements for certain students; making this Act an emergency measure; providing for the termination of this Act; and generally relating to public high school graduation requirements.

Read the first time and referred to the Committee on Rules.

**Senate Bill 904 – Senators Muse, Exum, Gladden, Harrington, Jones, Kelley,  
Peters, and Pugh**

AN ACT concerning

**Police and Court Records – Nonviolent Crimes – Expungement**

FOR the purpose of authorizing a person convicted of a nonviolent crime, with certain exceptions, who completed the sentence imposed for the conviction, including probation, to petition for the expungement of certain records maintained by the State or a political subdivision of the State pertaining to the conviction; providing that a person convicted of a certain nonviolent crime of a sexual nature is not entitled to an expungement under certain circumstances; prohibiting the petition from being filed until after a certain time period; providing that a person is not entitled to an expungement under certain circumstances; and generally relating to the expungement of police records, court records, and other records maintained by the State or a political subdivision of the State.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–105(a) and (e)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Criminal Procedure  
Section 10–105(c)(8)  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 905 – Senator Muse**

AN ACT concerning

**Orphans' Court – Minors – Guardianship of Person**

FOR the purpose of providing that an orphans' court may exercise jurisdiction over the guardianship of the person of a minor regardless of whether the minor has property, may inherit property, or is destitute under certain circumstances; providing that an orphans' court may transfer a certain matter to a circuit court under certain circumstances; providing that an orphans' court may waive certain costs; providing for the application of this Act; and generally relating to the jurisdiction of an orphans' court concerning the guardianship of the person of a minor.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–105  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 906 – Senator Muse**

AN ACT concerning

**Health Care Malpractice – Expression of Regret or Apology – Inadmissibility**

FOR the purpose of repealing a certain exception to the provision of law that a certain expression of regret or apology made by a health care provider is inadmissible for certain purposes in a certain proceeding or civil action; 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 and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 907 – Senators Muse, Exum, Garagiola, Harrington, and Peters**

AN ACT concerning

**Disability History and Awareness Month – Educational Requirements**

FOR the purpose of requiring the Governor to proclaim the month of October to be Disability History and Awareness Month; encouraging a county board of education to provide certain instruction in a certain manner; encouraging the president of a constituent institution of the University System of Maryland to conduct and promote certain activities; prohibiting a certain interpretation of this Act; and generally relating to disability history and awareness.

BY adding to

Article – Education  
Section 7–430 and 12–109(h)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Education  
Section 12–101(a) and (b)(1) through (5)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – State Government  
Section 13–503  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 908 – Senators Muse, Conway, Exum, Gladden, Harrington, Jones, Kelley, Peters, and Zirkin**

AN ACT concerning

### **Task Force on Prisoner Reentry**

FOR the purpose of establishing a Task Force on Prisoner Reentry; providing for the membership of the Task Force; providing for the designation of a chair of the Task Force; providing for staff for the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to study certain issues; requiring the Task Force to report its interim findings to the Governor and the General Assembly on or before a certain date; requiring the Task Force to report its final 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 establishment of a Task Force on Prisoner Reentry.

BY adding to

Article – Correctional Services

Section 2–501

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 909 – The President (By Request – Administration) and Senators Kelley, Raskin, Currie, Forehand, Gladden, Harrington, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Rosapepe, and Stone**

AN ACT concerning

### **Workplace Fraud Act of 2009**

FOR the purpose of prohibiting certain employers from failing to properly classify individuals who perform work for remuneration paid by the employer; authorizing the Commissioner of Labor and Industry to initiate an investigation under certain circumstances to determine whether certain violations occurred; requiring the Commissioner to enforce certain provisions; establishing the method of determining whether an employer–employee relationship exists for purposes of proper classification under certain circumstances; establishing certain presumptions; prohibiting certain employers from knowingly failing to properly classify individuals who perform work for remuneration paid by the employer; providing certain criteria to be used to determine whether a violation is knowing; requiring the Commissioner to make certain investigations; providing for the confidentiality of certain complaints or statements; authorizing the Commissioner to enter a place of business under certain circumstances and to require certain employers to take certain actions; authorizing the Commissioner to issue a subpoena under certain circumstances and to file a complaint in circuit court under certain circumstances; requiring the Commissioner to issue a citation under certain circumstances; requiring the Commissioner to grant an employer’s request for a hearing conducted by the Office of Administrative Hearings to contest a citation; providing for certain penalties for certain violations of this Act; requiring an employer to come into compliance with certain laws; requiring the Commissioner to provide notice of potential violations of this Act to the Workers’ Compensation Commission, the Office of Unemployment Insurance, the Insurance Administration, and the Comptroller’s Office under certain circumstances; requiring cooperation under this Act by certain units of State government; authorizing certain individuals who have not been properly classified as employees to bring a civil action for damages against an employer; requiring that a civil action be filed within a certain time period; requiring a court to award an individual or class of individuals certain costs and relief under certain circumstances; prohibiting an

employer from discriminating against a person under certain circumstances; prohibiting a person from making certain complaints to the Commissioner; authorizing certain individuals to submit certain complaints alleging discrimination; authorizing the Commissioner to investigate certain complaints and file certain complaints in certain circuit courts; requiring the Commissioner to notify a public body of a citation issued for certain violations by an employer; requiring the public body, on notification, to withhold payment to an employer in a certain amount; requiring the Commissioner to file with the Secretary of State, the Department of Budget and Management, and the Department of General Services a list of certain violators of this Act; authorizing an employer to request a review by the Secretary of Labor, Licensing, and Regulation of the decision to place the employer on the list; prohibiting certain employers from entering into a contract with a public body under certain circumstances; requiring certain employers to retain certain records for a certain period of time; requiring certain employers to provide certain individuals notice of their status and classification; prohibiting a person from incorporating or assisting in the incorporation of certain entities for the purposes of facilitating or evading detection of a violation of this Act; prohibiting certain persons from conspiring with, aiding and abetting, assisting, advising, or facilitating another person with violating this Act; establishing certain civil and administrative penalties under this Act and other laws under the jurisdiction of the Commissioner; requiring certain penalties to be paid into the General Fund of the State; requiring the Commissioner to prepare certain reports; requiring the Commissioner to adopt regulations to carry out certain provisions of this Act; establishing certain unemployment insurance penalties for employers that misclassify employees in violation of this Act; authorizing the Secretary of Labor, Licensing, and Regulation to adopt certain regulations; creating certain presumptions under the unemployment insurance law and workers' compensation law; prohibiting an employer from misclassifying an employee as an independent contractor for purposes of workers' compensation; authorizing the Workers' Compensation Commission to order certain remedies if an employer misclassifies an employee; authorizing the Workers' Compensation Commission to adopt certain regulations; defining certain terms; providing for certain funding; making certain provisions of this Act severable; and generally relating to the failure to properly classify an individual as an employee.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 2–107(g)

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–101

Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–102(a), 3–103, 3–104, 8–201, 8–628, and 9–202  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Labor and Employment  
Section 3–901 through 3–919 to be under the new subtitle “Subtitle 9.  
Workplace Fraud”; 8–201.1 and 9–402.1  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 910 – Senator Conway**

AN ACT concerning

#### **Health Occupations – Morticians and Funeral Directors – Crematory License**

FOR the purpose of repealing an exemption for a crematory from the scope of the Maryland Morticians and Funeral Directors Act; requiring one member of the State Board of Morticians and Funeral Directors to be an owner or operator of a crematory; authorizing the Board to inspect the records, premises, equipment, and physical operations of licensed funeral establishments and licensed crematories; prohibiting an individual or certain entities from establishing, owning, or operating a crematory in the State on or after a certain date unless the crematory is licensed; requiring an applicant for a crematory license to submit a certain application to the Board; requiring an applicant for a crematory license to pay a certain fee; requiring that the application for a crematory license include certain information; prohibiting a licensed crematory from being required to pay funds into the Family Security Trust Fund; requiring an inspection of a crematory to be unannounced; authorizing an unannounced inspection of a crematory to include advance notice under certain circumstances; defining certain terms; and generally relating to morticians, funeral directors, and crematories.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–101, 7–102, 7–202(a), 7–205, and 7–409  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations

Section 7–201, 7–406, and 7–410  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health Occupations  
Section 7–406.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 911 – Senators King, Currie, Kasemeyer, and Middleton**

AN ACT concerning

**Horse Racing – Purse Dedication Account – Allocation of Funds**

FOR the purpose of altering certain allocations of the Purse Dedication Account under the authority of the State Racing Commission to be funded with certain video lottery proceeds; requiring that funds in the Account be allocated in a certain way to thoroughbred purses at certain race tracks, the Maryland–bred Race Fund, standardbred purses at certain race tracks, and the Standardbred Race Fund; and generally relating to the Purse Dedication Account under the authority of the State Racing Commission.

BY repealing and reenacting, without amendments,

Article – State Government  
Section 9–1A–27(a)(4) and 9–1A–28(a), (b)(1), and (c)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–28(d) and (e)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**YEAS AND NAYS**

**SENATE BILLS PASSED IN THE HOUSE**

<b>NUMBER</b>	<b>SPONSOR</b>	<b>CONTENT</b>
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SB 65	Ch., Budget & Tax	State Ret and Pension System
(Emergency Bill)	–	Line of Duty Death Benefits
	–	Md. Transp. Authority
		Employees

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

### 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  
February 12, 2009

#### **Assistive Technology Guaranteed Loan Program Board of Directors**

1. Lawrence Nathaniel Adams District 34  
712 Teal Court  
Havre de Grace, MD 21078

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

#### **Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists, State Board of Examiners for**

2. Rebecca Conley–Hartman District 13

6315 Eastern Star Way  
Clarksville, MD 21029

Member of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech–Language Pathologists; appointed to serve remainder of a term of four years from July 1, 2005

### **Canal Place Preservation and Development Authority**

3. Matthew W. Diaz District 1  
P.O. Box 442  
Ellerslie, MD 21539

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2007

4. Susan M. Keller District 1  
340 Grandview Drive  
Frostburg, MD 21532

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2008

5. Douglas S. Schwab District 1  
835 MacDonald Terrace  
Cumberland, MD 21501

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2007

6. Frederick A. Thayer, IV District 1  
208 Washington Street  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2006

7. Andrew L. Vick District 1  
12 South Mechanic Street  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2006

### **Certified Interior Designers, State Board of**

8. Barbara Portnoy Levine District 10

1805 By Woods Lane  
Stevenson, MD 21153

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2008

9. H. Christine Pirrung District 30  
12 Romar Drive  
Annapolis, MD 21403

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2008

10. David S. Watts District 42  
1408 Carrollton Avenue  
Towson, MD 21204

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2007

#### **Child Care Program Administrators, State Board for Certification of Residential**

11. Robin R. El-Amin District 43  
1517 Northgate Road  
Baltimore, MD 21218

Member of the State Board for Certification of Residential Child Care Program Administrators; reappointed to serve a term of four years from July 1, 2007

12. Krystal McKinney District 24  
4010 Bald Hill Terrace  
Bowie, MD 20721

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2007

#### **Clean Energy Center, Board of Directors for Maryland**

13. Jeremy Butz District 3  
1323 Buckeystown Pike  
Adamstown, MD 21710

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2013

14. Kenneth M. Connolly  
3702 Underwood Street  
Chevy Chase, MD 20815  
District 18  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2013
15. Karen Galindo–White  
2709 Rocky Glen Way  
Ellicott City, MD 21043  
District 9  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2010
16. Dan Goodman  
17716 Dominion Drive  
Sandy Spring, MD 20860  
District 14  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2011
17. Ivan V. Lanier  
320 Prospect Bay Drive West  
Grasonville, MD 21638  
District 36  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2012
18. I. Katherine Magruder  
205 Green Street  
Centreville, MD 21617  
District 36  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2010
19. David Isaac Opalinsky  
1039 Scituate Harbour  
Pasadena, MD 21122  
District 31  
Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2011

**Consumer Council**

20. Tamara Davis Brown  
P.O. Box 1292  
Clinton, MD 20735  
District 27

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2004

21. Frank A. Porter District 26  
5306 Lorraine Drive  
Camp Springs, MD 20748

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2008

22. Fred H. Spigler District 42  
609 Goucher Avenue  
Lutherville, MD 21093

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

23. Wyatt K. Wallace District 34  
283 Poplar Point Road  
Perryville, MD 21903

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2004

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

24. Dirk R. Albrecht District 4  
11203 Hessong Bridge Road  
Thurmont, MD 21788

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2006

25. Alexis A. Allenback District 4  
2501 Shelley Circle, 2B  
Frederick, MD 21702

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2008

26. Carl W. Bailey, Jr. District 7  
8 Barbie Court  
Baltimore, MD 21220

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years to expire September 30, 2008; and a term of three years from October 1, 2008

27. Amy L. Bopp District 10  
5211 Old Frederick Road  
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2007

28. Cheri Dowling District 9  
1205 Ed Glenn Drive  
Woodbine, MD 21797

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2007

29. Alicia Epstein District 18  
2057 Westchester Drive  
Silver Spring, MD 20902

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2006

30. Paul K. Farrell District 99  
42815 Oatyer Court  
Ashburn, VA 20148

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2007

31. George N. Kosovich District 17  
1755 Redgate Farms Court  
Rockville, MD 20850

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve remainder of a term of three years from October 1, 2008

32. Julie R. Moyer District 32  
208 Lincoln Avenue, SW  
Glen Burnie, MD 21061

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2007

33. John J. Rouse District 17

781 Kimberly Court West  
Gaithersburg, MD 20878

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2007

34. Judy C. Stout District 39  
18812 Lake Placid Lane  
Germantown, MD 20874

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2008

35. Laurie Michelle Yaffe District 37  
32655 Meadowlark Lane  
Easton, MD 21601

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years to expire September 30, 2008; and for a term of three years from October 1, 2008

#### **Historical Trust Board of Trustees**

36. Gale Huntington Yerges District 38  
30448 Plantation Drive  
Princess Anne, MD 21853

Member of the Maryland Historical Trust Board of Trustees; reappointed to serve a term of four years from July 1, 2008

#### **Prevailing Wage Rates, Advisory Council on**

37. Patricia Cook–Ferguson District 11  
4709 Dark Star Way  
Owings Mills, MD 21117

Member of the Advisory Council on Prevailing Wage Rates; appointed to serve remainder of a term of three years from July 1, 2006

38. Joseph Michael Herbert District 12  
4417 Linden Avenue  
Halethorpe, MD 21227

Member of the Advisory Council on Prevailing Wage Rates; appointed to serve remainder of a term of three years from July 1, 2006

#### **Psychologists, State Board of**

39. Laurie Friedman Donze, Ph.D. District 33  
314 South Riverside Drive  
Crownsville, MD 21032

Member of the State Board of Psychologists; appointed to serve remainder of a term of four years from July 1, 2008

40. Steven A. Sobelman, Ph.D. District 46  
2901 Boston Street, #410  
Baltimore, MD 21224

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2008

#### **Real Estate Appraisers and Home Inspectors, State Commission of**

41. J. Otis Smith District 18  
1902 Dayton Street  
Silver Spring, MD 20902

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2007

#### **Stadium Authority, Maryland**

42. Demanune Millard District 40  
2407 Madison Avenue  
Baltimore, MD 21117

Member of the Maryland Stadium Authority; appointed to serve remainder of a four year term to expire June 30, 2012

#### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

#### **Certified Interior Designers, State Board of**

- S-1. Carla K. Viar District 2  
138 South Mulberry Street  
Hagerstown, MD 21740

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2008

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 13, 2009

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 139)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #9**

**Senate Bill 8 – Senator Haines**

AN ACT concerning

**Insurance – Unfair and Deceptive Practices – Limit on Offer, Promise, or Gift of Valuable Consideration Not Specified in a Contract or Policy**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 140)

The Bill was then sent to the House of Delegates.

**Senate Bill 23 – ~~Senator Colburn~~ Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Department of Corrections Employment Applicants – Polygraph Examinations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 141)

The Bill was then sent to the House of Delegates.

**Senate Bill 68 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Corporations and Associations – Recording, Filing, or Other Fees – Returned  
Check Fee**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 142)

The Bill was then sent to the House of Delegates.

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Inflatable Amusement Attractions – Inspections**

Read the third time and passed by yeas and nays as follows:

Affirmative – 38      Negative – 8      (See Roll Call No. 143)

The Bill was then sent to the House of Delegates.

**Senate Bill 119 – The President (By Request – Department of Legislative  
Services)**

AN ACT concerning

**Maryland Horse Racing Act – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 144)

The Bill was then sent to the House of Delegates.

**Senate Bill 127 – Senators Brochin, Frosh, and Stone**

AN ACT concerning

**Criminal Procedure – Criminal Injuries Compensation Board – Claimant  
Confidentiality and Eligibility**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 1      (See Roll Call No. 145)

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. 146)

**ADJOURNMENT**

At 10:57 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 13, 2009 in Celebration of the 200th Anniversary of the Birth of President Abraham Lincoln.

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**Annapolis, Maryland**  
**Friday, February 13, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:12 A.M.

Prayer by Senator Ulysses Currie.

The Journal of February 12, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 148)

**INTRODUCTION OF BILLS**

**Senate Bill 912 – Senators Conway, Pugh, Astle, Currie, Della, Dyson, Exum,  
Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Klausmeier,  
Lenett, Madaleno, McFadden, Middleton, Muse, Peters, and Rosapepe**

AN ACT concerning

**Labor and Employment – Misclassification of Employees as Independent  
Contractors**

FOR the purpose of prohibiting certain employers from misclassifying employees as independent contractors under certain circumstances; providing for the burden of proof in certain proceedings; authorizing the Commissioner of Labor and Industry to investigate alleged employee misclassification under certain circumstances; providing for the construction of this Act; establishing certain presumptions and procedures; requiring certain employers to keep certain records; requiring employers to allow the Commissioner to inspect and copy certain records; establishing certain penalties that may be imposed in certain proceedings relating to employment standards and conditions, workers' compensation, unemployment insurance, and income tax payment and withholding; defining certain terms; and generally relating to employers misclassifying employees as independent contractors.

BY adding to  
Article – Labor and Employment

Section 3–103(e); and 3–901 through 3–905 to be under the new subtitle  
“Subtitle 9. Misclassification of Employees”  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 8–630 and 9–407  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax–General  
Section 13–816  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 913 – Senator Zirkin**

AN ACT concerning

#### **Drunk Driving – Administrative Per Se Offense – Alcohol Concentration – Ignition Interlock System Program**

FOR the purpose of requiring a police officer to advise a person that the person may elect under certain circumstances to participate in the Ignition Interlock System Program of the Motor Vehicle Administration instead of requesting a certain administrative hearing if the person takes a test that indicates a certain alcohol concentration; providing that a person who takes a test indicating a certain alcohol concentration may elect to participate in the Program instead of requesting a certain administrative hearing under certain circumstances; authorizing the Administration to modify a license suspension or issue a restrictive license for a licensee who takes a test that indicates a certain alcohol concentration under certain circumstances; requiring the Administration to adopt certain regulations; and generally relating to an administrative per se offense involving a certain alcohol concentration.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(b)(3)(vii) and (n)(4)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation

Section 16–404.1(a)(1), (4), and (5) and (b)(3)(iv)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 914 – Harford County Senators**

AN ACT concerning

**Harford County – Tax Credit – First-Time Homebuyers**

FOR the purpose of authorizing the governing body of Harford County or of a municipal corporation in Harford County to grant, by law, a property tax credit against the county or municipal property tax to a first-time Maryland homebuyer under certain circumstances; authorizing the governing body of Harford County or of a municipal corporation in Harford County to provide, by law, for the amount and duration of the credit; defining a certain term; providing for the application of this Act; and generally relating to a property tax credit for first-time Maryland homebuyers in Harford County.

BY adding to

Article – Tax – Property  
Section 9–314(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 915 – Senators Forehand, Madaleno, and Muse**

AN ACT concerning

**Washington Metropolitan Area Transit Authority – Finance and Governance**

FOR the purpose of amending the Washington Metropolitan Area Transit Authority Compact in order to comply with certain federal requirements; increasing the number of directors on the Washington Metropolitan Area Transit Authority Board to include directors representing the federal government, subject to a certain requirement; providing for the appointment of federal directors and alternates; establishing an Office of the Inspector General within the Washington Metropolitan Area Transit Authority; providing for the duties and functions of the Office; providing that the Director of the Office is the Inspector General; requiring that certain payments made by signatories to the Washington Metropolitan Area Transit Authority to match certain federal funds be made from certain dedicated funding sources; requiring the Maryland Department of Transportation to provide grants from the Transportation Trust

Fund to the Washington Suburban Transit District for the purpose of funding Maryland’s required share of local funds for the Washington Metropolitan Area Transit Authority to match certain federal funds; defining a certain term; clarifying language; making this Act subject to a certain contingency; and generally relating to the finance and governance of the Washington Metropolitan Area Transit Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 10–204 Title III Article III Section 5 and 9 and Article VII Section 18;  
and 10–205  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #3**

Senator Currie, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 11 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County Tourism and Economic Development  
Promotion Act of 2009**

**SB0011/239037/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 11  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “fund;” insert “requiring certain organizations to report to the Anne Arundel County Executive and to the members of the General Assembly representing Anne Arundel County;”.

AMENDMENT NO. 2

On page 3, in line 5, after “COUNTY” insert “, FROM THE COUNTY’S SHARE OF ANY REVENUE FROM THE HOTEL TAX,”; strike beginning with “25%” in line 6 down through “(II)” in line 9; strike beginning with the first “OF” in line 9 down through “TAX” in line 10; and in line 10, after “CORPORATION” insert “;

(II) IN FISCAL YEAR 2011, 15% TO THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CONFERENCE AND VISITORS BUREAU;

(III) IN FISCAL YEAR 2012, 20% TO THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CONFERENCE AND VISITORS BUREAU; AND

(IV) IN FISCAL YEAR 2013 AND EACH FISCAL YEAR THEREAFTER, 25% TO THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CONFERENCE AND VISITORS BUREAU”.

AMENDMENT NO. 3

On page 3, after line 14, insert:

“(E) THE ANNE ARUNDEL ECONOMIC DEVELOPMENT CORPORATION AND THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CONFERENCE AND VISITORS BUREAU SHALL REPORT TO THE ANNE ARUNDEL COUNTY EXECUTIVE AND THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ANNE ARUNDEL COUNTY ON THEIR USE OF HOTEL TAX REVENUE DURING THE PRECEDING FISCAL YEAR.”.

The preceding 3 amendments were 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 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverage Tax – Assessment and Appeals – Tax Procedures and Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Introduction of Captain Charles Herbert Flowers, one of the original Thirteen Tuskegee Airmen.

**THE COMMITTEE ON FINANCE REPORT #8**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 61 – Chair, Finance Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Port Administration – Jurisdiction, Powers, and Duties**

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 133 – Senators Forehand and Miller**

AN ACT concerning

**Task Force to Study Changes to the Automotive Warranty Enforcement Act**

**SB0133/107374/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 133

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute:

“Consumer Protection – Automotive Warranty Enforcement Act – Warranty Period”;

strike beginning with “establishing” in line 3 down through “Act;” in line 10 and substitute “altering the definition of “manufacturer’s warranty period” for purposes of the Automotive Warranty Enforcement Act to extend the warranty period;”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14-1501(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14-1501(e)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)”.

#### AMENDMENT NO. 2

On page 1, in line 14, after “That” insert “the Laws of Maryland read as follows”; and after line 14, insert:

“Article – Commercial Law

14-1501.

(a) In this subtitle the following words have the meanings indicated.

(e) (1) “Manufacturer’s warranty period” means the earlier of:

(i) The period of the motor vehicle’s first [15,000] **18,000** miles of operation; or

(ii) [15] **24** months following the date of original delivery of the motor vehicle to the consumer.

(2) This subsection does not extend any manufacturer’s express warranty.”

On pages 1 through 3, strike in their entirety the lines beginning with line 15 on page 1 through line 13 on page 3, inclusive.

AMENDMENT NO. 3

On page 3, in line 15, strike “June” and substitute “October”; and strike beginning with “It” in line 15 down through “effect.” in line 17.

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 161 – Senator Middleton**

AN ACT concerning

**Injured Workers’ Insurance Fund – Board – Term Limits**

Favorable report adopted.

Senator Middleton moved, duly seconded, to make the Bill a Special Order for February 17, 2009.

The motion was adopted.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 376 – Senator Middleton**

AN ACT concerning

**Charles County – Workers’ Compensation – Auxiliary Volunteer of Sheriff’s Office**

**SB0376/337871/1**

BY: Finance Committee

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “county;” insert “specifying the computation of the average weekly wage of a certain auxiliary volunteer;”; and in line 10, after “9-233” insert “and 9-602(j)”.

AMENDMENT NO. 2

On page 1, after line 24, insert:

“9-602.

(j) For the purpose of computing the average weekly wage of a volunteer deputy sheriff of Cecil County OR AN AUXILIARY VOLUNTEER OF THE CHARLES COUNTY SHERIFF’S OFFICE who is a covered employee under § 9-233 of this title, the wages of the covered employee shall be:

(1) if the covered employee had other employment at the time of the accidental personal injury or last injurious exposure, the wages from the other employment;

(2) if the covered employee had had other employment but was not otherwise employed at the time of the accidental personal injury or last injurious exposure, the wages last received by the covered employee from the other employment;  
or

(3) if the covered employee had never had other employment at the time of the accidental personal injury or last injurious exposure, an amount that allows minimum compensation under this title.”.

The preceding 2 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 #9**

Senator Middleton, Chair, for the Committee on Finance recommended the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance:

**Senate Bill 340 – Senators Pugh, Conway, Garagiola, Gladden, Harrington, Kelley, Lenett, McFadden, and Muse**

AN ACT concerning

**Education – High School Diploma – GED Options Program**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 110 – Senator Stone**

AN ACT concerning

**Vehicle Laws – Transporting Pets in Trucks or Trailers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Colburn moved, duly seconded, to make the Bill and Report a Special Order for February 17, 2009.

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  
Chair

Senate Executive Nominations Committee  
Report #2  
February 12, 2009

**Assistive Technology Guaranteed Loan Program Board of Directors**

1. Lawrence Nathaniel Adams District 34  
712 Teal Court  
Havre de Grace, MD 21078

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists, State Board of Examiners for**

2. Rebecca Conley-Hartman District 13  
6315 Eastern Star Way  
Clarksville, MD 21029

Member of the State Board of Examiners for Audiologists, Hearing Aid Dispensers, and Speech-Language Pathologists; appointed to serve remainder of a term of four years from July 1, 2005

**Canal Place Preservation and Development Authority**

3. Matthew W. Diaz District 1  
P.O. Box 442  
Ellerslie, MD 21539

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2007

4. Susan M. Keller District 1  
340 Grandview Drive  
Frostburg, MD 21532

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2008

5. Douglas S. Schwab District 1  
835 MacDonald Terrace  
Cumberland, MD 21501

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2007

6. Frederick A. Thayer, IV District 1  
208 Washington Street  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2006

7. Andrew L. Vick District 1  
12 South Mechanic Street  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2006

#### **Certified Interior Designers, State Board of**

8. Barbara Portnoy Levine District 10  
1805 By Woods Lane  
Stevenson, MD 21153

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2008

9. H. Christine Pirrung District 30  
12 Romar Drive  
Annapolis, MD 21403

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2008

10. David S. Watts District 42  
1408 Carrollton Avenue  
Towson, MD 21204

Member of the State Board of Certified Interior Designers; appointed to serve remainder of a term of three years from July 1, 2007

**Child Care Program Administrators, State Board for Certification of Residential**

11. Robin R. El-Amin District 43  
1517 Northgate Road  
Baltimore, MD 21218

Member of the State Board for Certification of Residential Child Care Program Administrators; reappointed to serve a term of four years from July 1, 2007

12. Krystal McKinney District 24  
4010 Bald Hill Terrace  
Bowie, MD 20721

Member of the State Board for Certification of Residential Child Care Program Administrators; appointed to serve remainder of a term of four years from July 1, 2007

**Clean Energy Center, Board of Directors for Maryland**

13. Jeremy Butz District 3  
1323 Buckeystown Pike  
Adamstown, MD 21710

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2013

14. Kenneth M. Connolly District 18  
3702 Underwood Street  
Chevy Chase, MD 20815

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2013

15. Karen Galindo-White District 9  
2709 Rocky Glen Way  
Ellicott City, MD 21043

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2010

16. Dan Goodman District 14  
17716 Dominion Drive  
Sandy Spring, MD 20860

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2011

17. Ivan V. Lanier District 36  
320 Prospect Bay Drive West  
Grasonville, MD 21638

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2012

18. I. Katherine Magruder District 36  
205 Green Street  
Centreville, MD 21617

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2010

19. David Isaac Opalinsky District 31  
1039 Scituate Harbour  
Pasadena, MD 21122

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2011

### **Consumer Council**

20. Tamara Davis Brown District 27  
P.O. Box 1292  
Clinton, MD 20735

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2004

21. Frank A. Porter District 26  
5306 Lorraine Drive  
Camp Springs, MD 20748

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2008

22. Fred H. Spigler District 42  
609 Goucher Avenue  
Lutherville, MD 21093

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2006

23. Wyatt K. Wallace District 34  
283 Poplar Point Road  
Perryville, MD 21903

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2004

### **Deaf and Hard of Hearing, Maryland Advisory Council for the**

24. Dirk R. Albrecht District 4  
11203 Hessong Bridge Road  
Thurmont, MD 21788

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2006

25. Alexis A. Allenback District 4  
2501 Shelley Circle, 2B  
Frederick, MD 21702

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; reappointed to serve a term of three years from October 1, 2008

26. Carl W. Bailey, Jr. District 7  
8 Barbie Court  
Baltimore, MD 21220

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years to expire September 30, 2008; and a term of three years from October 1, 2008

27. Amy L. Bopp District 10  
5211 Old Frederick Road  
Baltimore, MD 21229

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2007

28. Cheri Dowling District 9  
1205 Ed Glenn Drive  
Woodbine, MD 21797

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
appointed to serve remainder of a term of three years from October 1, 2007

29. Alicia Epstein District 18  
2057 Westchester Drive  
Silver Spring, MD 20902

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
appointed to serve remainder of a term of three years from October 1, 2006

30. Paul K. Farrell District 99  
42815 Oatyer Court  
Ashburn, VA 20148

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
reappointed to serve a term of three years from October 1, 2007

31. George N. Kosovich District 17  
1755 Redgate Farms Court  
Rockville, MD 20850

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
reappointed to serve remainder of a term of three years from October 1, 2008

32. Julie R. Moyer District 32  
208 Lincoln Avenue, SW  
Glen Burnie, MD 21061

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
reappointed to serve a term of three years from October 1, 2007

33. John J. Rouse District 17  
781 Kimberly Court West  
Gaithersburg, MD 20878

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing;  
appointed to serve remainder of a term of three years from October 1, 2007

34. Judy C. Stout District 39  
18812 Lake Placid Lane  
Germantown, MD 20874

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2008

35. Laurie Michelle Yaffe District 37  
32655 Meadowlark Lane  
Easton, MD 21601

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years to expire September 30, 2008; and for a term of three years from October 1, 2008

#### **Historical Trust Board of Trustees**

36. Gale Huntington Yerges District 38  
30448 Plantation Drive  
Princess Anne, MD 21853

Member of the Maryland Historical Trust Board of Trustees; reappointed to serve a term of four years from July 1, 2008

#### **Prevailing Wage Rates, Advisory Council on**

37. Patricia Cook-Ferguson District 11  
4709 Dark Star Way  
Owings Mills, MD 21117

Member of the Advisory Council on Prevailing Wage Rates; appointed to serve remainder of a term of three years from July 1, 2006

38. Joseph Michael Herbert District 12  
4417 Linden Avenue  
Halethorpe, MD 21227

Member of the Advisory Council on Prevailing Wage Rates; appointed to serve remainder of a term of three years from July 1, 2006

**Psychologists, State Board of**

39. Laurie Friedman Donze, Ph.D. District 33  
314 South Riverside Drive  
Crownsville, MD 21032

Member of the State Board of Psychologists; appointed to serve remainder of a term of four years from July 1, 2008

40. Steven A. Sobelman, Ph.D. District 46  
2901 Boston Street, #410  
Baltimore, MD 21224

Member of the State Board of Psychologists; reappointed to serve a term of four years from July 1, 2008

**Real Estate Appraisers and Home Inspectors, State Commission of**

41. J. Otis Smith District 18  
1902 Dayton Street  
Silver Spring, MD 20902

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2007

**Stadium Authority, Maryland**

42. Demanune Millard District 40  
2407 Madison Avenue  
Baltimore, MD 21117

Member of the Maryland Stadium Authority; appointed to serve remainder of a four year term to expire June 30, 2012

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Certified Interior Designers, State Board of**

S-1. Carla K. Viar  
138 South Mulberry Street  
Hagerstown, MD 21740

District 2

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2008

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 – 47      Negative – 0      (See Roll Call No. 149)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 150)

**ADJOURNMENT**

At 11:37 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 16, 2009.

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**Annapolis, Maryland  
Monday, February 16, 2009  
8:00 P.M. Session**

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The Senate met at 8:14 P.M.

Prayer by Reverend William E. Butler, Wilson Memorial United Methodist and Living Spring Christian Fellowship, guest of Senator Peters.

(See Exhibit A of Appendix III)

The Journal of February 13, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 152)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Winston Churchill High School Golf Team	Senator Garagiola	285

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 153)

**INTRODUCTION OF BILLS**

**Senate Bill 916 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Ignition Interlock System Program – Participation After  
Request for a Hearing**

FOR the purpose of authorizing a person who has submitted a certain request for a hearing on the administrative offense of refusing to take a certain breath or

blood test or taking a test that indicates a certain alcohol concentration to submit a written revocation of the request for a hearing and elect to participate in the Ignition Interlock System Program under certain conditions; establishing that a person may be a participant in the Ignition Interlock System Program if the Motor Vehicle Administration modifies a suspension or issues a restrictive license to the person after revocation of a request for a certain hearing; and generally relating to the Ignition Interlock System Program.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–205.1(b)(3)(v), (vi), and (vii) and 16–404.1(a)(1) and (4)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Transportation

Section 16–205.1(f)(9)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205.1(n)(4) and 16–404.1(b)(3)(iv)

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 917 – Senators Lenett, Exum, McFadden, Pinsky, Rosapepe, and Stone**

AN ACT concerning

**Agriculture – Fertilizers and Pesticides – Release Reporting**

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding the reporting on the release of fertilizers and pesticides; declaring certain findings of the General Assembly; requiring a certain person that releases fertilizers and pesticides to submit a certain report to the Department; requiring the report to contain certain information; requiring the report to be submitted annually beginning on a certain date; requiring the Department to establish the format of the report; requiring the Department to adopt standard naming conventions for certain chemicals and products; requiring that a person that withholds certain information from the report to notify the Department and provide a certain explanation; establishing that this Act does not relieve a person from certain reporting requirements under federal, State, or local laws; authorizing the Department to inspect certain records;

requiring certain records to be made available to the Department for inspection at a certain time; requiring the Department to provide notice of a certain inspection of records to a certain person; requiring the Department to serve as the repository for certain records; authorizing the Department to delegate certain data management functions; requiring the Department to coordinate certain data management with the Department of the Environment community right-to-know program; authorizing the Department to share data management resources with other State departments; requiring the Department to establish an online electronic reporting system; requiring the system to allow certain information to be reported; authorizing the Department to adopt certain regulations regarding electronic reporting; authorizing the Department to adopt regulations regarding the public availability of certain information; requiring the Department to adopt regulations to ensure that certain data will not result in the association of a certain person; requiring the Department to adopt regulations to protect the identity of certain persons; limiting access to certain reports to certain persons; prohibiting access to certain reports unless certain requirements are met; requiring the availability of certain administrative and judicial review under certain circumstances; creating a Fertilizer and Pesticide Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have a certain annual revenue target; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to establish a certain fee for individuals required to submit a certain report; requiring a certain fee to be based on certain information; requiring a certain fee to be adjusted annually; prohibiting certain fees from exceeding certain amounts; exempting government agencies from certain fees; authorizing the Department to create certain fee exemptions under certain circumstances; requiring a certain fee to be paid to the Fund by a certain date; requiring the Department to place a surcharge on certain fees for a certain period of time; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; defining certain terms; and generally relating to fertilizer and pesticide release reporting.

BY adding to

Article – Agriculture

Section 14–101 through 14–403 to be under the new title “Title 14. Fertilizers and Pesticides”

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 918 – Senators Lenett, Conway, McFadden, and Rosapepe**

AN ACT concerning

**Housing – Maryland Building Performance Standards – Minimum Features  
for Accessibility**

FOR the purpose of requiring the Department of Housing and Community Development to include in the Maryland Building Performance Standards certain minimum features for accessibility applicable to certain new single-family residential real property; clarifying the authority of a local jurisdiction to adopt local amendments to the Standards; requiring a local jurisdiction to adopt a certain procedure for a permit applicant to obtain a waiver from certain minimum features for accessibility under certain circumstances; requiring a local jurisdiction to submit to the Department a copy of a certain local waiver procedure within a certain time; requiring the Department to include in a certain database certain local waiver procedures; requiring the Department to report to the General Assembly on or before certain dates; requiring the Department to request a certain statement from a certain institute on or before a certain date; making certain provisions of this Act subject to a certain contingency; and generally relating to minimum features for accessibility in housing.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–503, 12–504, 12–505, and 12–506  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY adding to  
Article – Public Safety  
Section 12–503.1  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 919 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Crimes – Possession of Loaded Firearm – Enhanced Penalties**

FOR the purpose of prohibiting a person from wearing, carrying, or transporting a handgun loaded with ammunition on or about the person or in a vehicle under certain circumstances; prohibiting a person from possessing, owning, or carrying a firearm loaded with ammunition if the person has been convicted of certain crimes; prohibiting a person from possessing a regulated firearm loaded with ammunition under certain circumstances or if the person is under a certain age; establishing certain penalties, including mandatory minimum terms of

imprisonment, for violations of this Act; prohibiting a court from suspending any part of a sentence or ordering probation before judgment for certain crimes; providing that each violation of a certain crime is a separate crime; and generally relating to enhanced penalties for possession of a loaded firearm.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(a)(1) and (c) and 5–622  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 920 – Senators McFadden, Della, and Muse**

AN ACT concerning

**Maryland Youth Entrepreneur Connection Program**

FOR the purpose of establishing the Maryland Youth Entrepreneur Connection Program in the Division of Workforce Development of the Department of Labor, Licensing, and Regulation; requiring the Program to offer certain employment and training opportunities to certain disadvantaged youth; requiring funds for the Program to be used for certain services; requiring the Director of Workforce Development in the Department to adopt regulations to implement the Program; authorizing the Director to make grants to local workforce investment areas; establishing certain services to be provided by the Program; establishing certain eligibility requirements for participation; requiring the Governor to include in the annual budget bill for certain fiscal years a certain amount for the Program; defining certain terms; and generally relating to establishing the Maryland Youth Entrepreneur Connection Program.

BY adding to  
Article – Labor and Employment  
Section 11–603  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 921 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Greenbelt Consumer Cooperative Renovation**

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 Greenbelt Consumer Cooperative, 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 922 – Senators Simonaire, Astle, DeGrange, and Greenip**

AN ACT concerning

**Bay Restoration Fund – Septic Systems – Nitrogen Removal Projects**

FOR the purpose of prohibiting a certain local government from prohibiting a certain homeowner that receives certain grant funding for certain projects related to the removal of nitrogen from onsite sewage disposal systems from placing an addition or accessory structure on the homeowner’s dwelling unit; and generally relating to grant funding for projects related to the removal of nitrogen from onsite sewage disposal systems.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(i)(1) and (2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Environment  
Section 9–1605.2(i)(10)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 923 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Good Shepherd 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 House of the Good Shepherd, 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 924 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Knights of St. John  
Woodville School Building**

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 Knights of St. John Commandery No. 373, 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 925 – Senator Rosapepe**

AN ACT concerning

**Charter and Code Home Rule Counties – County Employees – Furloughs**

FOR the purpose of authorizing a county that has adopted charter or code home rule to provide for the furlough of county employees by ordinance; prohibiting a charter or code home rule county from providing for the furlough of county employees by resolution; and generally relating to the furlough of charter and code home rule county employees.

BY repealing and reenacting, with amendments,  
Article 25A – Chartered Counties of Maryland  
Section 5(Q)

Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article 25B – Home Rule for Code Counties  
Section 13  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 926 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Storyville Children’s Learning  
Center at the Woodlawn Library**

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 Rules.

**Senate Bill 927 – Senator Rosapepe**

AN ACT concerning

**Charter and Code Home Rule Counties – Furlough of County Employees –  
Public Safety Officers**

FOR the purpose of authorizing a county that has adopted charter or code home rule to provide for the furlough of county employees; prohibiting a charter or code home rule county from imposing a furlough on certain employees under certain conditions; and generally relating to the furlough of charter and code home rule county employees.

BY repealing and reenacting, with amendments,  
Article 25A – Chartered Counties of Maryland  
Section 5(Q)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article 25B – Home Rule for Code Counties  
Section 13  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 928 – Senators Conway and Dyson**

AN ACT concerning

**State Board of Dental Examiners – Dentists – Informed Consent – Materials  
Containing Mercury**

FOR the purpose of requiring dentists to obtain written informed consent from patients prior to performing any dental procedures or treatments that include the use of dental materials containing mercury; specifying the content of certain informed consent; requiring dentists to keep the original informed consent in a certain chart; requiring the State Board of Dental Examiners to adopt certain regulations; and generally relating to the obtaining of informed consent prior to performing any dental procedures or treatments that include dental materials containing mercury.

BY adding to  
Article – Health Occupations  
Section 4–506.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 929 – Senators Raskin, Frosh, Gladden, and Muse**

AN ACT concerning

**Real Property – Community Land Trusts**

FOR the purpose of exempting a certain lease of residential real property from the statutory right to redeem a lease, including a ground lease, by a tenant if a certain community land trust is the lessor and the lease grants the lessor certain preemptive rights to purchase the lessee's interest or the lease contains certain restrictions on the transfer of the property; exempting a certain lease of residential real property from the statutory right to convert an irredeemable ground rent if a community land trust is the lessor and the lease contains certain conditions; exempting a certain lease of residential real property from a

prohibition on creating a reversionary interest in the property under a ground lease under certain conditions if a community land trust is the lessor and the lease contains certain conditions; establishing that a certain ground lease or ground sublease of which a community land trust is the lessor may not be considered a lease or sublease subject to the payment of a periodic ground rent; establishing that in a certain lease or sublease of which a community land trust is the lessor a certain provision relating to the payment of a periodic ground rent is unenforceable; providing that the inclusion of such a provision in the lease or sublease does not affect the validity of other provisions; establishing that a certain right of indemnification in a certain lease may not be considered to be a provision that subjects the property to the payment of a periodic ground rent; providing that such an indemnification clause is fully enforceable under applicable law; providing that the right to file a lien for the nonpayment of a ground rent applies to the right to file a lien for the nonpayment of a ground lease holder indemnity; providing for the payment to the ground rent holder of the proceeds if the subject property of the community land trust is sold at a foreclosure sale; exempting a lease of residential real property from the requirements of a certain registry of ground leases if a community land trust is the lessor and the lease contains certain conditions; altering certain definitions; defining certain terms; making technical changes; and generally relating to community land trusts.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–110(a), (b), (c), (d), (e), and (f)(1) and (4), 8–110.1(a) and (b), 8–111.2, 8–402.3(a), (n), and (o), 8–701, and 8–702(b)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8–402.3(b) and (c) and 8–702(a)

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – Real Property

Section 8–111.3

Annotated Code of Maryland

(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 930 – 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 \$70,000, 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 931 – Senator Currie**

AN ACT concerning

**Community Development Administration – Local Government Infrastructure  
Financing Program – Capital Reserve Funds**

FOR the purpose of authorizing the Community Development Administration to establish certain capital reserve funds in connection with the financing of certain infrastructure projects; providing that money of a fund may be used only to pay the principal of, and premium and interest on, certain debt obligations of the Administration secured by the fund; providing that a capital reserve fund may consist of certain money; providing that if the balance in a capital reserve fund is below a certain amount, the Administration may not use the money in the fund for certain purposes and shall replenish the fund in a certain manner; requiring the Administration to request the Comptroller to advance certain funds to replenish the capital reserve fund under certain circumstances; prohibiting the Administration, except under certain circumstances, from issuing certain bonds, notes, or other obligations if issuing the bonds, notes, or other obligations would result in the capital reserve fund falling below a certain requirement; defining certain terms; making this Act contingent on the taking effect of another Act; and generally relating to the authority of the Community Development Administration to establish capital reserve funds and issue certain bonds, notes, and other obligations.

BY adding to

Article – Housing and Community Development  
Section 4–233.1  
Annotated Code of Maryland  
(2006 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 932 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Community Development Administration – Local Government Infrastructure Financing Program**

FOR the purpose of authorizing the creation of State Debt in the total principal amount up to \$2,000,000, the proceeds to be used as grants or loans to the Community Development Administration of the Department of Housing and Community Development to replenish certain capital reserve funds created under the Local Government Infrastructure Financing Program; providing for disbursement of the loan proceeds; stating the intent of the General Assembly that certain bonds only be issued under certain circumstances; stating the intent of the General Assembly that this bond authorization is excluded from the Capital Debt Affordability limit; stating the intent of the General Assembly that the Administration reimburse, within a certain number of years, the Annuity Bond Fund for the principal and interest costs for the debt authorized under this Act; authorizing the Comptroller to advance certain funds under certain circumstances; exempting this Act from a certain termination provision under the State Finance and Procurement Article; making this Act contingent on the taking effect of another Act; and generally providing for the issuance and sale of bonds evidencing the Local Government Infrastructure Financing Program Capital Reserve Fund Loan of 2009.

Read the first time and referred to the Committee on Rules.

**Senate Bill 933 – Senator Kelley**

AN ACT concerning

**Family Law – State Citizens Review Board for Children and Local Boards of Review – Duties**

FOR the purpose of altering the cases required to be reviewed by the State Citizens Review Board for Children and local boards of review for children in out-of-home care; requiring the State Board to tabulate certain results and submit them to the Department of Human Resources; altering the requirements for certain community forums; altering the frequency of certain case reviews by local boards; altering the findings and recommendations required to be included in certain reports; repealing a requirement that a local board explain a certain finding; repealing a provision authorizing certain case reviews to include certain questions; and generally relating to the State Citizens Review Board for Children and local boards of review.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–539.1 and 5–545

Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 934 – Senator Pugh**

AN ACT concerning

**State Government – Commemorative Day – Health Improvement and Disease Prevention Day**

FOR the purpose of requiring the Governor to proclaim annually a certain day of each year as Health Improvement and Disease Prevention Day; requiring the proclamation to urge citizens of the State to address certain health issues; and generally relating to Health Improvement and Disease Prevention Day.

BY adding to

Article – State Government  
Section 13–408  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 935 – Senator Robey**

AN ACT concerning

**Real Property – Mobile Home Parks – Plans for Dislocated Residents**

FOR the purpose of requiring a copy of a certain notice of termination to be sent to a certain local governing body if the use of land of a mobile home park is to be changed; applying statewide a certain provision that prohibits an application for a land use change of a mobile home park from being approved until certain conditions are met; applying statewide a certain requirement for the contents of a plan for alternative arrangements for mobile home park residents; and generally relating to plans for dislocated residents in mobile home parks.

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 8A–202(c)(3) and 8A–1201  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 936 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – District Heights 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 Mayor and City Commissioners of the City of District Heights 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 937 – Senator Dyson**

AN ACT concerning

**St. Mary’s County – Washington, Potomac and Chesapeake Railroad  
Company – Abandoned Right-of-Way – Protection**

FOR the purpose of prohibiting the State or a local government in the State from selling or disposing or otherwise allowing an encroachment of certain abandoned railroad corridor property in St. Mary’s County; specifying an exception; defining a term; and generally relating to certain abandoned railroad corridor property in St. Mary’s County.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 5–1010  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Natural Resources  
Section 5–1011  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–901  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 9 – Senator Pugh**

A Senate Joint Resolution concerning

**Reduction of Greenhouse Gas Emissions**

FOR the purpose of urging the United States Congress to act expeditiously to enact comprehensive legislation to reduce greenhouse gas emissions.

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #6**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 89 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Imposition of Civil  
Penalties – Authorization**

**SB0089/684935/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 89

(First Reading File Bill)

On page 1, in line 3, after “Penalties” insert “by Board of Trustees”; in line 4, after the second “the” insert “board of trustees of the”; in line 5, after “penalties” insert “on owners of certain property”; in line 12, after “of” insert “the board of trustees of”; and in line 24, after “THE” insert “BOARD OF TRUSTEES OF THE”.

On page 2, in line 1, after “PENALTY” insert “ON AN OWNER OF PROPERTY THAT IS SUBJECT TO AN EASEMENT GRANTED UNDER THIS SUBTITLE”; and in line 4, after the second “VIOLATION” insert “FOR PURPOSES”.

The preceding amendment was read only.

Senator Stoltzfus moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 132 – Senators Conway, Colburn, Dyson, Harrington, and Pinsky**

AN ACT concerning

**Department of General Services – Renovation of Historic Structures –  
Procurement Exemptions**

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. 154)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #10**

**Senate Joint Resolution 7 – The President, the Majority Leader, and the  
Minority Leader**

A Senate Joint Resolution concerning

**In Celebration of the 200th Anniversary of the Birth of Abraham Lincoln**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 155)

The Bill was then sent to the House of Delegates.

**RECESS**

At 8:31 P.M. on motion of Senator Kasemeyer, seconded, the Senate recessed until 8:32 P.M. on Monday, February 16, 2009.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Monday, February 16, 2009**  
**8:32 P.M. Session**

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At 8:40 P.M. the Senate resumed its session.

**Ceremony in Honor of George Washington's Birthday in the Old Senate Chamber**

The Honorable Thomas V. Mike Miller, Jr. President of the Maryland Senate Presiding

Prayer by Reverend William E. Butler, Wilson Memorial United Methodist and Living Spring Christian Fellowship, guest of Senator Peters.

(See Exhibit A of Appendix III)

**This Land Is Your Land**

**Soon and Very Soon**

Sung by National Labor College's D.C. Labor Chorus

**WASHINGTON'S BIRTHDAY REMARKS**

"The Parts and the Whole: George Washington and the American Body Politic"

Remarks by Senator Jamie Raskin before the Senate of Maryland

February 16, 2009

Distinguished Ladies and Gentlemen of the Senate, Honored Guests:

President Washington stood right here to resign his Commission as Commander-in-Chief of the Continental Army and visited our chamber frequently.

So I feel compelled to say at the outset that I never actually met George Washington, but Norman Stone tells me that he was a really good guy. (And a gentleman, too. According to Norman, Washington never left his hunting dogs in the back of his carriage without putting on the appropriate harnesses.)

Washington came here not only as General and later as President of the United States, but in between as *a lobbyist*. Dr. Papenfuse has determined that the father of our country walked the halls in 1784 seeking a subsidy for the Potomac Company to expand commercial navigation of the Potomac River, which means he basically came here like everybody else does—in search of a bond bill. In fact, I heard a rumor that George Washington took the entire Budget and Tax Committee out to Ruth’s Chris Steak House for dinner.

Mr. President, you have bestowed upon me a transcendent honor tonight but also a complex challenge. It’s not simple to capture the greatness of our first president without rendering him wooden and dull. He has become a larger-than-life, almost mythical, figure. There are now 15 mountains named after him, 26 cities, 32 counties in states from Alabama to Wisconsin, 241 townships, not to mention a state, the Nation’s Capital, countless high schools, middle schools and elementary schools, Washington College in Chestertown, Washington College of Law at American University, Washington and Lee University, Washington and Jefferson College, and don’t forget the Washington Monument and trillions of one-dollar bills and quarters, all which bear the imprint of his pleasing countenance and Mona Lisa-like smile (several billion of which dollars and quarters we hope will be making the trek to Annapolis a bit later this year).

Every school child knows that he is the father of our country and that he chopped down the cherry tree and could not tell a lie about it.

When I was a kid growing up across the river from Virginia, Washington seemed impossibly remote and stiff. If there was a Virginian for me, it was Jefferson. I was in love with the Sage of Monticello, the Renaissance Man and Enlightenment thinker, the Francophile man of the people who founded a university and championed strong democracy, civil liberties and the yeoman farmer. I was suspicious of Jefferson’s nemesis that Machiavellian New Yorker Alexander Hamilton, the monarchically minded finance wizard who advocated a strong central government to back up the banking interests of the big cities.

But, to me, President Washington, was just an enigma in the sky, an inscrutable towering figure, way too solemn for any kid to identify with.

So this assignment sent me on a journey in search of the true greatness of Washington.

The first thing I did was read past Washington Birthday addresses to see what prior speakers had seen — and they had all indeed found in him something great — and something closely resembling themselves. The Chairman of the Finance Committee — Senator Middleton, if I may use his name — found greatness in Washington’s passionate “love of the land.” He was “a farmer before he became a General. . . [and] after he retired from the presidency, and Thoughts about his farm were never far from his mind.” [Hey, that’s a lot like the Chairman himself!]

In his 2005 address, the President of the Senate, the quintessential Marylander, portrayed Washington as a General who “relied on Maryland throughout the war,” a president who was “as comfortable in Maryland as he was in Virginia,” a “natural lobbyist” in Maryland, a gentleman at home in Annapolis. By the time I finished his speech, I was wondering whether Washington had ever even been to Virginia.

Senator Brian Frosh — if I may use his name, saw Washington as a brilliant, guilt ridden liberal from a wealthy jurisdiction torn over his complicity with injustice and slavery; then-Senator Chris Van Hollen saw him as a local hero with an ambitious national vision; Senator Garagiola, if I may use his name, saw in him a scrupulously well-mannered centrist who prided himself on compromise and careful deal-making; Governor Glendening saw in him the technocratic visionary of a knowledge-based economy; and Senator Barbara Hoffman saw in him a great friend of the Jewish community of Baltimore.

So you can probably guess that I am about to tell you that Washington was a constitutional patriot who gave birth to a nation with his visionary blending of political science and moral philosophy. And indeed I came to just this conclusion simply by following Jefferson, who loved Washington deeply despite their differences.

Of Washington, Jefferson said: “Never did nature and fortune combine more perfectly to make a man great.”

And great he was. Over the sweep of his career, Washington was unanimously elected Commander-in-Chief of the Continental Army; became the first general on earth to win a modern revolutionary war and gallantly refused to accept a salary for his service; was unanimously elected president of the Constitutional Convention in Philadelphia; was unanimously elected first President of the United States; and was unanimously reelected president. He was a man of powerful physical presence and charisma; a prosperous farmer and surveyor; and an upright gentleman who wrote his own manual of good manners which included helpful advice like “don’t blow on your soup,” “don’t roll your eyes when others are speaking,” “don’t spit into the fire,” and most importantly for tonight’s purposes, “if you must yawn, cover your mouth and turn to the side.”

But Washington wasn’t born a Monument or a city. The first-born son of five, he grew up on the farm and inherited slaves while still a boy. Craving travel and the thrill of military adventure, he fought valiantly and often recklessly in the French and Indian Wars as a very young man. He immersed himself in Virginia politics and rose to power with the Revolution and the new nation, whose interests were foremost in his mind. When other Revolutionary soldiers were fighting for their states, Washington fought for the country that was in his heart. As a politician, he lived the searing controversies of his day, and if you don’t believe me, consider some things that were being said about him when he was president — you’ll never complain about your own bad press again:

\*\* Thomas Greenleaf wrote that he had cold “aristocratical blood” running in his veins and that he wasted his long youth “gambling, reveling, horseracing, and horse whipping.”

\*\* Tom Paine, who had been his friend during the Revolution, complained that Washington had abandoned his ideals. He called him “a treacherous hypocrite” and said: “The world will be puzzled to decide whether you are an apostate or an imposter, whether you have abandoned good principles or whether you ever had any” in the first place.

\*\* A newspaper critic wrote: “If ever a nation was debauched by a man, the American nation has been debauched by WASHINGTON. If ever a nation was deceived by a man, the American nation has been deceived by WASHINGTON. . .”

\*\* Another newspaperman writing in 1795 bluntly urged Washington to get out of politics. “Retire immediately,” he wrote, “let no flatterer persuade you to rest one hour longer at the helm of state. You are utterly incapable to steer the political ship into the harbour of safety.”

These indictments launched the American habit of “presidential disrespect,” as my father calls it, the cultural practice that reminds us that, under our Constitution, there are no kings here (even in our presidents) and no hereditary castes; we are all equal under law; and nobility is a quality of character and not birth. Moreover, we are granted the broadest freedom of political expression, dissent, blasphemy, satire, parody and even direct caustic criticism of the government and its leaders, which is the offense the Brits called seditious libel but that we treat as a birthright.

The abuse he suffered drove Washington up the wall in private, but he never lashed out at his critics or used government to stifle them. He rose above tawdry partisan combat to cultivate the quality that set him apart and now defines the gold standard for American political leadership: a serene power to find and tease out the good in *everyone* in politics and, specifically, to understand that conservatism and liberalism — the instinct for order and stability and the passion for progress and justice — are not opposites but necessary and complementary parts of the whole that is the American body politic.

Many people have noticed how President Obama created a “cabinet of rivals,” bringing in not only progressives and conservatives from his Party but also three (well, maybe now two) Republicans. Everyone gives credit to Lincoln for this model, and he definitely excelled at it, but Washington was the *first* to assemble a cabinet of rivals.

His Administration shined with John Adams as Vice-President and cabinet luminaries like Edmund Randolph and Timothy Pickering, but the two sparkling and clashing stars were the dazzling Secretary of State Thomas Jefferson and the equally brilliant Treasury Secretary, Alexander Hamilton.

While many people advised Washington to choose *between* the Hamiltonian and Jeffersonian visions for our country, Washington's genius was to bring them together. Even as the two pushed and pulled at every turn, ushering in a two-party system, Washington understood that America needed both a right wing and a left wing to fly. He showed that liberalism and conservatism flourish best when they work together. We have always had a party of memory and a party of hope, as Emerson would come to write — and we always will.

So, in his Farewell Address, Washington told America to rise above partisan rancor in favor of a patriotic commitment to the common good of all.

We should never allow the “artificial and extraordinary force” of “the will of a [single] party,” he said, to replace the “delegated will of the nation.” The “spirit of party,” he warned, can “distract” and “enfeeble” government, “agitate” the community, and “kindle” the animosity of one part against another.

Washington wasn't naïve. He recognized that partisan spirit is totally “inseparable from our nature,” as he put it, “having its root in the strongest passions of the human mind.”

But he wanted us to remember what a party is. The word comes from the French word “partie,” which means both a political party but also more simply a “part.” Each party is just one part of the political whole. We can benefit from a dynamic partisan competition as we benefit from competition in the marketplace, but parties should never tear asunder the basic bonds of social affection and union. Parties can be constructive; they channel passions, organize conflict, clarify the public agenda, and crystallize choices. But, taken too far, partisanship can lead to division, even civil war. No part and no special interest pleading its cause should ever pretend to be the whole.

Washington invited us to place our patriotic love of American liberty first. The “love of liberty,” he said, is “interwoven” with “every ligament of your hearts,” and the “unity of government which [protects your liberty and] constitutes you one people, is also now dear to you.” He insisted that we put aside partisan and sectional feeling so that our “union and brotherly affections may be perpetual” and so that “the free constitution, which is the work of your hands, may be sacredly maintained.”

Jefferson picked up on this theme in his first Inaugural Address: “We are all Republicans,” he said, “we are all Federalists.” At his first Inaugural, Lincoln struck the same chord: “We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection.” Then-Senator Obama caught America's attention in 2004 when he too challenged the habits of partisan division: “There are neither red states nor blue states,” he said, “but only the *United States of America.*” How Washingtonian a sentiment.

The sense of brotherhood and love that Washington evinced for Americans was only diminished slightly for the other people of the world. His Farewell Address

condemned “permanent. . . antipathies” against any nation and argued that “just and amicable feelings towards all should be cultivated.” He wanted to leave behind not only the religious wars and persecutions of Europe but also the constant intrigue and imperial jockeying of its nations, the “frequent collisions” and “obstinate, envenomed, and bloody contests.” Where Anglophiles like Hamilton wanted to enter the Napoleonic Wars on the side of England and Jefferson’s democrat-republicans wanted to side with the rebels, Washington wanted to steer clear of the whole thing. He warned against what Jefferson would come to call, in an echo of Washington, “entangling alliances.” Rather, Washington urged his countrymen and women to master the art of diplomacy and democratic solidarity: “Observe good faith and justice toward all nations; cultivate peace and harmony with all.” The way to influence the world, he said, is through fair commerce and trade and the sharing of our knowledge and ideas.

Washington’s life shows how a passionate patriotism for all and a love of the cause of humanity can become the catalyst for dramatic national progress even against entrenched injustice.

Slavery was our original sin, and Washington was born into it. It is true that he never directly rebelled against it and that he profited from slave labor until the end of his life. Most of the time, he avoided addressing the subject. As he put it: “I shall frankly declare to you that I do not like to think, much less talk of it.”

But over time, his views progressed. His later writings were infused with strong anti-slavery statements like: “I can only say that there is not a man living who wishes more sincerely than I do, to see a plan adopted for this abolition of slavery.” “I wish from my soul that the legislature of this state could see the policy of a gradual abolition of slavery.” And perhaps most clairvoyantly he said: “No man desires more heartily than I do [the end of slavery]. Not only do I pray for it on the score of human dignity, but I can clearly foresee that nothing but the rooting out of slavery can perpetuate the existence of our union.”

Then, astonishingly, in writing his last will and testament the summer before his death, Washington freed all of his personal slaves. He made explicit provisions for their future education, a radical proviso at a time when enforced ignorance was still law. For those slaves too young or too old to provide for themselves, he set up a “regular and permanent fund” to care for them. To be sure, he was only giving the slaves back a small portion of what had been stolen from them and he did not free Martha’s slaves as they did not belong to him, but the fact remains that Washington did not have to do any of this and he was the only Founder — the only one — who actually freed his slaves — not Jefferson, not Madison, not John Marshall, none other. Freeing his slaves, as Garry Wills put it, was “the last and greatest debt he owed to his honor.” And he paid it.

How proud and awed would Washington have been to see Barack Obama sworn in as America’s 44th president. What astonishing proof that our government belongs

not to one man or one party or one race or one gender but to all of the people of the nation. This land was indeed made for you and me.

Washington's views on war, as with slavery, evolved over his life. As a young man fighting for the King in the French and Indian War, many saw him as bellicose. He wrote to his brother Jack: "I heard bullets whistle and believe me there was something charming in the sound." He was very proud of his military uniform that he had custom made. But writing thirty years later about this formative experience, he showed a far more sober view of war: "The shocking scenes which presented themselves in this Night's March are not to be described—The dead—the dying—the groans, the lamentations and crys along the Road were enough to pierce a heart of adamant stone." He wrote to Governor Dinwiddie: "The supplicating tears of the women; and moving petitions of the men, melt me into such deadly sorrow. . ."

Washington's mad love for country and republican virtue led him, amazingly, to the conclusion that true political greatness consists of walking away from power at the right time as much as grabbing for it. When he entered this Chamber to resign his Commission as Commander-in-Chief of the Continental Army after 8 years of glorious service and to announce that he would return to his beloved estate at Mount Vernon and his dear wife Martha, whom the Washington Post described just last week as "foxy, not frumpy," the world was absolutely dumbfounded. For when had a commanding military hero ever returned from battle covered in glory and not seized the opportunity to take power? The example of the ruthless emperor Napoleon replacing King Louis was on everyone's mind; and there were American military officers planning a coup after the revolutionary war was over before Washington talked them down from it. Mischievous Aaron Burr was already dreaming of insurrection and a personal kingdom.

So when King George III was told that Washington, after his sensational victory, now planned to return to his simple farm life at Mount Vernon, the King could not believe his ears. He said: "If he does that, he will be the greatest man in the world." And so he did, and so he was. His fame spread the world over as the new Cincinnatus, the ancient Roman general who went home to his farm after winning a war and took up his plow precisely where he had left it before going to battle.

As passionate as he was for honor ("If it be a sin to covet honor," says Shakespeare's Henry V, "I am the most offending soul alive"), Washington knew in every bone of his body that power corrupts and absolute power corrupts absolutely. This is why he insisted that the army zealously respect the supremacy of civilian power. It is why he came here to resign when the war was over. It is why, in his Farewell Address, he warned of "overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty." It is why he championed the separation of powers and urged public officials "to confine themselves within their respective constitutional spheres" and to avoid "encroach[ing] upon one another."

It is why he saw things that, I now must admit, even the more cerebral Jefferson did not. When Jefferson protested to him about the division of the Congress into two chambers and questioned why a Senate was needed if there was going to be a House of Representatives, Washington listened patiently and then asked, "Why did you pour your tea from your cup into that saucer before drinking it?" And Jefferson said: "So that it would cool off." And Washington said: "Just so. That is the same reason we pour legislation into the Senate."

Washington's conviction that power in the Republic must be shared and rotated led him to leave the presidency after two successful terms in which he won every single electoral college vote. (This is something we will not see again until the rest of the states follow the wisdom of this body by passing the National Popular Vote Plan.) He was a shoo-in for a third term but he wanted to emphasize for the sake of posterity the difference between monarchy and democracy. Democracies have great leaders, but they take turns and are integrated into the rule of constitutional law and the democratic faith.

Great leaders here are great not because of superior heredity or divine appointment. They are great because they are able to move, and to be moved by, the needs, desires and values of the people. Washington's decision to step down made way for Adams and Jefferson, who had great projects of their own. It was a decision that built republican virtue into our bones and that we constitutionalized two centuries later in the 22nd Amendment.

But, notably, it was *not* a selfless decision. When Washington said, both in resigning his generalship and leaving the presidency, that he wanted to return to the joys of private life, of his marriage to Martha, of farming the land and exploring the wilderness, he was speaking with utter sincerity. As his friend Henry Lee put it, Washington "was second to none in the humble and endearing scenes of private life." And he was something of a night owl too; he enjoyed playing cards, billiards, and backgammon, dancing at balls, drinking in taverns late at night, attending horse races and theater, the fox hunt and the fishing trip. And why shouldn't he have? There is no conflict between virtue and celebration. As Sir Toby Belch says in *Twelfth Night*, "Doest thou think because thou art virtuous there shall be no more cakes or ale?" Washington was a public man who never lost his appreciation for any of the irreplaceable private and domestic pleasures.

This example of maintaining balance is significant for those of us who are public servants. For Washington recognized the anxieties of holding public office and wielding power, the slings and arrows of outrageous political fortune. "Uneasy lies the head that wears a crown," said Shakespeare's King Henry IV, whose story showed that having power is often the opposite of having freedom.

In a democracy, holding office also holds burdens and seductive dangers for the politician, like the temptations of personal profit and political revenge. But no danger is worse than confusing the pursuit of power with the pursuit of happiness itself. Many powerful people are miserable indeed, and many happy people would go

nowhere near public office. Washington reminds us that political leaders should enjoy the countless pleasures in life that exist beyond public office: love and friendship, song and dance, food and wine, children and animals, the comforts of home and the romance of travel, which Washington's friend Ben Franklin described as a magical way of lengthening your experience of life. If we define ourselves exclusively with respect to our public offices and let the demands of office become all-consuming, if we think we are nothing without our titles, and hang on to power for power's sake, we risk not only public wrongs but private misfortunes.

When Washington stood here to resign his commission, Thomas Jefferson sat out there where you are. So did Samuel Chase, the later-to-be impeached Chief Justice of the United States whose portrait looms ominously over us freshmen back in the goody-goody corner. Alexander Hamilton was probably there too. The people in the crowd — Congressmen, Cabinet members, state senators, mayors — were moved profoundly, many of them to tears, by what Jefferson called an “affecting scene.” This was one of several dramatic resignations and departures in Washington's astonishing life. None were so important as this moment when he peacefully transferred power from the military domain to the civil, but none was more shocking than his final departure — his death.

For Washington had been the indispensable figure of our founding — first in our war for independence, then during our constitutional period as the presiding lawgiver, and finally in launching the habits of our new government as our chief executive. “Take his character all together,” wrote Abigail Adams, “and we shall not look upon his like again.”

“First in war, first in peace, and first in the hearts of his countrymen,” Henry Lee said in his eulogy. And we may add today: first in teaching those of us in public life how to think about what we do, how to be partisan but to rise above party, how to treat one another with dignity and affection, how to take criticism with equanimity, how to relate to other nations with decency and justice, how to progress in our lifetimes beyond our own childish prejudices, how to be engaged to the fullest every day for the common good, and how — finally — to leave when our leaving is what patriotic duty requires.

### **America the Beautiful**

Sung by Stephanie Gioia Ely

### **ADJOURNMENT**

At 9:22 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 17, 2009.

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**Annapolis, Maryland**  
**Tuesday, February 17, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Father Bruce Jarboe, Holy Trinity Catholic Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 16, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 157)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Sister to Sister Foundation	Senator Pugh	186

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 158)

**INTRODUCTION OF BILLS**

**Senate Bill 938 – Senator Mooney**

AN ACT concerning

**Transparency in Lawsuits Protection Act**

FOR the purpose of requiring certain legislation creating a private right of action to contain express language providing for the right; prohibiting certain courts from implying a private right of action in the absence of express statutory language;

declaring the purpose of this Act; providing for the application of this Act; and generally relating to private rights of action.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–1201 through 5–1203 to be under the new subtitle “Subtitle 12.  
Transparency in Lawsuits Protection Act”

Annotated Code of Maryland

(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 939 – Senator Mooney**

AN ACT concerning

#### **Vehicle Laws – Individuals with Disabilities – Width of Parking Spaces**

FOR the purpose of providing, in certain parking lots, that the parking spaces designated for the use of individuals with disabilities may not be narrower than the parking spaces that are not designated for the use of individuals with disabilities; and generally relating to the width of parking spaces for individuals with disabilities.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1006

Annotated Code of Maryland

(2006 Replacement Volume and 2008 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 89 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

#### **Maryland Agricultural Land Preservation Foundation – Imposition of Civil Penalties – Authorization**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0089/684935/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 89  
(First Reading File Bill)

On page 1, in line 3, after “**Penalties**” insert “**by Board of Trustees**”; in line 4, after the second “the” insert “**board of trustees of the**”; in line 5, after “penalties” insert “**on owners of certain property**”; in line 12, after “of” insert “**the board of trustees of**”; and in line 24, after “**THE**” insert “**BOARD OF TRUSTEES OF THE**”.

On page 2, in line 1, after “**PENALTY**” insert “**ON AN OWNER OF PROPERTY THAT IS SUBJECT TO AN EASEMENT GRANTED UNDER THIS SUBTITLE**”; and in line 4, after the second “**VIOLATION**” insert “**FOR PURPOSES**”.

The preceding amendment was read only.

Senator Stoltzfus moved, duly seconded, to make the Bill and Amendments a Special Order for February 18, 2009.

The motion was adopted.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #5**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Termination of Parental Rights**

**SB0058/688170/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 58  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “unfit” insert “to remain in a parental relationship with the child”; and in the same line, after the second “that” insert “certain”.

AMENDMENT NO. 2

On page 1, in line 22, after “UNFIT” insert “TO REMAIN IN A PARENTAL RELATIONSHIP WITH THE CHILD”; and in line 23, after “EXIST” insert “THAT WOULD MAKE A CONTINUATION OF THE PARENTAL RELATIONSHIP DETRIMENTAL TO THE BEST INTERESTS OF THE CHILD”.

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 with amendments:

**Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Child Abuse and Neglect – Disclosure of Information**

**SB0059/138575/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 59  
(First Reading File Bill)

On page 1, in the sponsor line, after “Resources)” insert “and Senators Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone”.

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 with amendments:

**Senate Bill 104 – Senator Stone**

AN ACT concerning

**Baltimore County – Employees and Volunteers – Criminal History Records Check**

**SB0104/818779/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 104

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “County –” insert “Prospective”; in line 5, after the first “a” insert “certain”; and in lines 6, 10, and 12, in each instance, strike “or current”.

AMENDMENT NO. 2

On page 2, in line 6, strike “**OFFICER**” and substitute “**COUNTY ADMINISTRATIVE OFFICER, WHICH SHALL BE THE DIRECTOR OF HUMAN RESOURCES OR THE DIRECTOR’S DESIGNEE,**”.

AMENDMENT NO. 3

On page 2, in line 8, strike “**OR CURRENT**”; strike beginning with “**OR**” in line 14 down through “**CURRENT**” in line 15; and in lines 25 and 27, in each instance, strike “**OR CURRENT**”.

On page 3, in line 2, strike “OR CURRENT”.

The preceding 3 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 186 – Senators Pugh, Forehand, Gladden, Harrington, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Correctional Facilities – Released Inmates – Identification Cards**

Favorable report adopted.

FLOOR AMENDMENT

**SB0186/583321/1**

BY: Senator Harris

AMENDMENTS TO SENATE BILL 186

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “facility” insert “, with a certain exception”.

AMENDMENT NO. 2

On page 2, in line 10, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**”; and after line 17, insert:

**“(C) THE COMMISSIONER MAY NOT ISSUE AN IDENTIFICATION CARD TO AN INMATE WHO CANNOT PROVIDE DOCUMENTATION ACCEPTABLE TO THE COMMISSIONER THAT THE INMATE IS LAWFULLY PRESENT IN THE UNITED STATES IN ACCORDANCE WITH FEDERAL LAW.”**

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 Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 224 – Senator Edwards**

AN ACT concerning

**Garrett County – Code of Ordinances – Review of Salaries**

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 161 – Senator Middleton**

AN ACT concerning

**Injured Workers’ Insurance Fund – Board – Term Limits**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

**SB0161/157271/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 161

(First Reading File Bill)

On page 2, in line 15, strike “**MORE THAN**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 110 – Senator Stone**

AN ACT concerning

**Vehicle Laws – Transporting Pets in Trucks or Trailers**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report rejected by a roll call vote as follows:

Affirmative – 17      Negative – 30      (See Roll Call No. 159)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 160)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #11**

**Senate Bill 11 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County Tourism and Economic Development  
Promotion Act of 2009**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 1      (See Roll Call No. 161)

The Bill was then sent to the House of Delegates.

**Senate Bill 61 – Chair, Finance Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Port Administration – Jurisdiction, Powers, and Duties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 162)

The Bill was then sent to the House of Delegates.

**Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Alcoholic Beverage Tax – Assessment and Appeals – Tax Procedures and Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 163)

The Bill was then sent to the House of Delegates.

**Senate Bill 133 – Senators Forehand and Miller**

AN ACT concerning

~~**Task Force to Study Changes to the Automotive Warranty Enforcement Act**~~

**Consumer Protection – Automotive Warranty Enforcement Act – Warranty Period**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 164)

The Bill was then sent to the House of Delegates.

**Senate Bill 376 – Senator Middleton**

AN ACT concerning

**Charles County – Workers’ Compensation – Auxiliary Volunteer of Sheriff’s Office**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 165)

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. 166)

**ADJOURNMENT**

At 11:01 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 18, 2009.

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**Annapolis, Maryland  
Wednesday, February 18, 2009  
10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Pastor Jonathan Weaver, Greater Mt. Nebo AME Church, Bowie, Md., guest of Senator Douglas J. J. Peters.

(See Exhibit A of Appendix III)

The Journal of February 17, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 168)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Towson University "Tiger Pride Day"	The Baltimore County Senate Delegation	143

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 169)

**INTRODUCTION OF BILLS**

**Senate Bill 940 – Senator Kittleman**

AN ACT concerning

**Education – Commission on Civic Literacy – Membership**

FOR the purpose of adding a certain member to the membership of the Commission on Civic Literacy; and generally relating to the membership of the Commission on Civic Literacy.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 24–601(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 24–601(b)(27) and (28)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to  
Article – Education  
Section 24–601(b)(29)  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 941 – Senators Klausmeier, Dyson, Garagiola, Glassman, Middleton, Robey, Rosapepe, and Stone**

AN ACT concerning

**Procurement – Preference – Energy Star Products**

FOR the purpose of requiring the Secretary of General Services to purchase or approve for purchase only Energy Star products when procuring energy–using products under certain circumstances; defining a certain term; and generally relating to the procurement preference for Energy Star products.

BY adding to  
Article – State Finance and Procurement  
Section 14–409  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 942 – Senator DeGrange**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Anne Arundel County  
– Tipton Airport Control Tower**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to change the purpose of the Tipton Airport Control Tower grant to the Benson–Hammond House Renovation; changing the grantee to the Board of Directors of the Anne Arundel County Historical Society, Inc.; altering the authorized uses of the grant; altering the location of the project; altering the requirement that the grantee provide a certain matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005 to alter the purpose of a certain grant.

BY repealing and reenacting, with amendments,  
Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item ZA02(K)

Read the first time and referred to the Committee on Rules.

**Senate Bill 943 – Senator Stoltzfus**

AN ACT concerning

**Creation of a State Debt – Wicomico County – Parsonsburg Volunteer Fire  
Company Community 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 Parsonsburg Volunteer Fire Company, 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 944 – Senators Dyson, Colburn, and Middleton**

AN ACT concerning

**Calvert, Charles, and St. Mary’s Counties – Deer Hunting**

FOR the purpose of requiring the Department of Natural Resources to establish a program in certain counties to train sharpshooters for the purpose of controlling the deer population; requiring the Department to give certain applicants priority to participate in the program; requiring the Department to adopt certain regulations; authorizing a person to hunt deer with a certain shotgun in

certain counties during certain months; authorizing a person who holds a Deer Damage Permit in certain counties to hunt with a certain shotgun during deer season in certain locations, and to hunt deer on certain State lands under certain conditions; prohibiting the Department from requiring a person who holds a Deer Damage Permit in certain counties to renew the permit more frequently than at a certain interval; defining a certain term; and generally relating to the regulation by the Department of Natural Resources of deer hunting in Calvert, Charles, and St. Mary's counties.

BY adding to

Article – Natural Resources  
Section 10–408.2 and 10–415(d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 10–415(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 945 – Senators Exum, Currie, and McFadden**

AN ACT concerning

**Prince George's County – Palmer Park Boys and Girls Club Loan of 2001 and Maryland Consolidated Capital Bond Loans of 2007 and 2008**

FOR the purpose of amending the Prince George's County – Palmer Park Boys and Girls Club Loan of 2001 and the Maryland Consolidated Capital Bond Loans of 2007 and 2008 to remove a requirement that the Board of Directors of the Palmer Park Boys and Girls Club, Inc. provide a certain matching fund and requiring that the 2001 loan be encumbered by the Board of Public Works or expended for the purposes provided by a certain date.

BY repealing and reenacting, with amendments,

Chapter 680 of the Acts of the General Assembly of 2001, as amended by Chapter 32 of the Acts of the General Assembly of 2003, Chapter 30 of the Acts of the General Assembly of 2004, and Chapter 219 of the Acts of the General Assembly of 2008

Section 1

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA02 (BS)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item (ZA01) (CF)

Read the first time and referred to the Committee on Rules.

**Senate Bill 946 – Senators Pugh and McFadden**

AN ACT concerning

**Minority Business Enterprise Program – Report to Joint Committee on Fair Practices**

FOR the purpose of requiring each unit of the State to submit a certain report regarding the Minority Business Enterprise Program to the Joint Committee on Fair Practices within a certain number of days after the end of the fiscal year; and generally relating to the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–305  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 947 – Senators Harris and Raskin**

AN ACT concerning

**Elections – New Political Party – Petition Signatures**

FOR the purpose of altering the number of signatures required to be included in a petition to form a new political party; and generally relating to forming a new political party.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 4–102  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 948 – Senators Forehand, Garagiola, Kelley, King, Madaleno, and Rosapepe**

AN ACT concerning

**Economic Development – Maryland Stem Cell Research Act – Revisions**

FOR the purpose of altering the name of the Stem Cell Research Commission to be the Stem Cell and Biotechnologies Commission; requiring the Commission to establish certain procedures and guidelines regarding research supporting a qualified technology; altering the name of the Maryland Stem Cell Research Fund to be the Maryland Stem Cell and Biotechnologies Research Fund; altering the purpose of the Fund; altering the approved uses of money in the Fund; requiring that a certain percentage of awards per year be made to certain for-profit companies; requiring that priority be given to certain applicants when awarding funds to applicants in the nonprofit sector; altering the membership of the Maryland Stem Cell Research Commission; altering the composition of the membership of the peer review committee; requiring the peer review committee to consider certain factors when reviewing a proposal; repealing the provision of law prohibiting a member of the peer review committee from residing in the State; and altering the requirements for a certain report; altering the definition of certain terms; defining a certain term; and generally relating to the Maryland Stem Cell Research Act.

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–429, 10–431, 10–432, 10–434 through 10–436, and 10–442

Annotated Code of Maryland

(2008 Volume)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–430 and 10–437 through 10–441

Annotated Code of Maryland

(2008 Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 949 – Senators Kelley, Astle, and Middleton**

AN ACT concerning

**Maryland Automobile Insurance Fund – Eligibility for Insurance Coverage – Take-Out Program**

FOR the purpose of establishing a take-out program of insurance coverage for certain persons insured under the Maryland Automobile Insurance Fund; providing that certain provisions of law relating to the authority of the Fund to sell, issue, and deliver a certain policy of insurance, and relating to entitlement to certain

continuation of coverage from the Fund, are subject to certain provisions of this Act; requiring the Maryland Insurance Commissioner, instead of the Fund, to certify the eligibility of a person for insurance from the Fund; establishing certain qualifications that certain insurers must meet to be included on a certain take-out list; requiring a certain insurer to provide certain notice if it wishes to be included on the take-out list; requiring, under certain circumstances and within a certain period of time, the Commissioner to include a certain insurer on the take-out list and the Fund to include certain information in a certain notice to certain insureds; providing for the removal of a take-out insurer from the take-out list under certain circumstances and in a certain manner; providing that the provisions of this Act are not in effect under certain circumstances; requiring the Commissioner to provide certain notice under certain circumstances when certain provisions of this Act are in effect and when they are not in effect; providing that a person that has been insured continuously by the Fund for a certain number of years is not eligible for insurance from the Fund except under certain circumstances; requiring the Fund to provide certain notice to certain insureds that have been insured by the Fund for certain periods of time; authorizing a fund producer to place certain coverage with a take-out insurer under certain circumstances; prohibiting a fund producer from binding coverage with a take-out insurer except under certain circumstances; authorizing a take-out insurer to require a fund producer to enter into a certain agreement; authorizing a fund producer to place certain coverage with a take-out insurer without a certain appointment; prohibiting a take-out insurer from refusing to offer certain coverage unless certain conditions are met; prohibiting a take-out insurer from paying a fund producer a commission that is less than a certain amount; authorizing a take-out insurer to pay a fund producer a transfer fee in a certain amount; providing that a certain fund producer shall retain ownership of certain expiration and renewal rights and shall receive a certain commission in a certain amount at each renewal of certain coverage; requiring a take-out insurer that refuses to offer certain coverage, or that offers the coverage, to provide certain notice to the Fund and a certain fund producer; prohibiting the Fund from continuing coverage under certain circumstances for certain take-out candidates unless the Fund has received certain notice; requiring the Commissioner to conduct a certain examination of the Fund to determine certain compliance; exempting certain premiums from a certain premium tax for a certain period of time; defining certain terms; providing for the application of this Act; and generally relating to eligibility for insurance coverage under the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–502 and 20–508  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to

Article – Insurance  
Section 20–521  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 950 – Senators Brinkley and Mooney**

AN ACT concerning

**Frederick County – State’s Attorney – Annual Salary**

FOR the purpose of altering the annual salary of the State’s Attorney for Frederick County; providing that this Act does not apply to the salary or compensation of the incumbent State’s Attorney; and generally relating to the State’s Attorney for Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 15–411(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 15–411(b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume)

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 186 – Senators Pugh, Forehand, Gladden, Harrington, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Correctional Facilities – Released Inmates – Identification Cards**

STATUS OF BILL: QUESTION IS ON THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR HARRIS.

FLOOR AMENDMENT

**SB0186/583321/1**

BY: Senator Harris

AMENDMENTS TO SENATE BILL 186

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “facility” insert “, with a certain exception”.

AMENDMENT NO. 2

On page 2, in line 10, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**”; and after line 17, insert:

**“(C) THE COMMISSIONER MAY NOT ISSUE AN IDENTIFICATION CARD TO AN INMATE WHO CANNOT PROVIDE DOCUMENTATION ACCEPTABLE TO THE COMMISSIONER THAT THE INMATE IS LAWFULLY PRESENT IN THE UNITED STATES IN ACCORDANCE WITH FEDERAL LAW.”**

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for February 19, 2009.

The motion was rejected by a roll call vote as follows:

Affirmative – 19      Negative – 28      (See Roll Call No. 170)

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 21      Negative – 26      (See Roll Call No. 171)

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #7**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 118 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Athletic Commission – Sunset Extension and Program Evaluation**

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:

**Senate Bill 128 – Senators Conway, Della, Dyson, Greenip, Lenett, and Zirkin**

AN ACT concerning

**Business Occupations and Professions – Accountants – Continuing Education**

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 204 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Public Accountancy – Required Peer Reviews**

**SB0204/234034/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 204

(First Reading File Bill)

On pages 2 and 3, strike beginning with the second “A” in line 32 on page 2 down through the first “OR” in line 1 on page 3 and substitute “**ONE OR MORE DEFICIENCIES IN PERFORMING OR REPORTING IN CONFORMITY WITH**”.

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 EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #8**

**CONSENT CALENDAR #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 21 – Senator Colburn**

AN ACT concerning

**Dorchester County – School Buses – Length of Operation – 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:

**Senate Bill 25 – Anne Arundel County Senators**

AN ACT concerning

**City of Annapolis – Alcoholic Beverages – Administrative Proceedings and  
Fines**

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:

**Senate Bill 29 – Senator Colburn**

AN ACT concerning

**Talbot County – School Buses – Length of Operation**

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 37 – Senator Colburn**

AN ACT concerning

**Caroline County – Alcoholic Beverages – Multiple Event Licenses**

**SB0037/244636/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENTS TO SENATE BILL 37**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in the sponsor line, strike “Senator Colburn” and substitute “Senators Colburn and Pipkin”.

**AMENDMENT NO. 2**

On page 1, in line 2, before “Multiple” insert “Special”; and in lines 3, 5, 7, and 9, in each instance, before “multiple” insert “special”.

**AMENDMENT NO. 3**

On page 2, in lines 5, 6, 12, 16, and 20, and on page 3 in line 1, in each instance, before “**MULTIPLE**” insert “**SPECIAL**”.

**AMENDMENT NO. 4**

On page 2, in lines 7, 8, 9, and 11, strike “**\$125**”, “**\$250**”, “**\$375**”, and “**\$500**”, respectively, and substitute “**\$250**”, “**\$500**”, “**\$750**”, and “**\$1,000**”, respectively.

The preceding 4 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 with amendments:

**Senate Bill 106 – Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Act of 2009**

**SB0106/644733/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 106

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “, require” in line 9 down through “units” in line 10 and substitute “; requiring the Board to apply for certain criminal records and to submit certain information and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; requiring the Central Repository to forward certain information to an applicant and the Board; providing that certain information is confidential, may not be disseminated, and may be used only for a certain purpose”; in line 17, after “Board;” insert “adding Anne Arundel County to a list of jurisdictions in which a certain court may remand certain proceedings to the local licensing board”; in line 19, strike “a certain term” and substitute “certain terms; providing for the application of a certain provision of this Act”; and in line 26, after “(5)(iii),” insert “16–101(e)(4)”.

AMENDMENT NO. 2

On pages 7 and 8, strike beginning with “IN” in line 27 on page 7 down through “CHECK” in line 9 on page 8 and substitute:

**“1. THIS SUBPARAGRAPH APPLIES ONLY IN ANNE ARUNDEL COUNTY.”**

2. IN THIS SUBPARAGRAPH, “CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

3. THE BOARD OF LICENSE COMMISSIONERS SHALL OBTAIN CRIMINAL RECORDS OF EACH ALCOHOLIC BEVERAGES LICENSE APPLICANT FROM THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT AND THE CENTRAL REPOSITORY.

4. THE BOARD OF LICENSE COMMISSIONERS SHALL APPLY TO THE CENTRAL REPOSITORY FOR A CRIMINAL HISTORY RECORDS CHECK FOR EACH ALCOHOLIC BEVERAGES LICENSE APPLICANT AND, AS PART OF THE APPLICATION, SHALL SUBMIT TO THE CENTRAL REPOSITORY:

A. TWO COMPLETE SETS OF THE APPLICANT’S LEGIBLE FINGERPRINTS TAKEN ON FORMS APPROVED BY THE DIRECTOR OF THE CENTRAL REPOSITORY AND THE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION;

B. THE FEE AUTHORIZED UNDER § 10-221(B)(7) OF THE CRIMINAL PROCEDURE ARTICLE FOR ACCESS TO THE MARYLAND CRIMINAL HISTORY RECORDS; AND

C. THE MANDATORY PROCESSING FEE REQUIRED BY THE FEDERAL BUREAU OF INVESTIGATION FOR A NATIONAL CRIMINAL HISTORY RECORDS CHECK.

5. THE CENTRAL REPOSITORY SHALL FORWARD TO THE APPLICANT AND THE BOARD OF LICENSE COMMISSIONERS THE APPLICANT’S CRIMINAL HISTORY RECORD INFORMATION.

6. INFORMATION OBTAINED FROM THE CENTRAL REPOSITORY UNDER THIS SUBPARAGRAPH:

**A. IS CONFIDENTIAL AND MAY NOT BE REDISSEMINATED; AND**

**B. MAY BE USED ONLY FOR THE LICENSING PURPOSE AUTHORIZED UNDER THIS SECTION”.**

**AMENDMENT NO. 3**

On page 10, after line 22, insert:

“16–101.

(e) (4) (i) If the court reverses the action of the local licensing board it shall file with the papers a written statement of the reasons. The court may modify, as well as affirm or reverse, the action of the local licensing board. Costs shall be awarded as in other civil cases.

(ii) In addition to the other powers of the court provided in this article, the court may remand the proceedings to the local licensing board in the following jurisdictions:

**1. ANNE ARUNDEL COUNTY;**

**[1.]2. Baltimore City;**

**[2.]3. Carroll County;**

**[3.]4. Charles County;**

**[4.]5. Frederick County;**

**[5.]6. Harford County;**

**[6.]7. Howard County;**

**[7.]8. Montgomery County;**

**[8.]9. Prince George’s County; and**

[9.]10. St. Mary's County.".

AMENDMENT NO. 4

On page 10, after line 30, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That Article 2B, § 16–101(e)(4)(ii)1, as enacted by Section 1 of this Act, shall be construed to apply retroactively and shall be applied to and interpreted to affect all matters on judicial review in the Circuit Court for Anne Arundel County on or after August 1, 2008.";

and in line 31, strike "2." and substitute "3.".

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**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 Finance:

**Senate Bill 897 – Senators Rosapepe and Pipkin**

**EMERGENCY BILL**

AN ACT concerning

**Public Service Commission – Acquisition of Power to Influence Electric Company, Gas and Electric Company, or Gas Company Policy or Action – Authorization**

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 898 – Senator Zirkin**

AN ACT concerning

**Sales and Use Tax – Exemptions – Veterans' Organizations**

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 899 – Senator Haines**

AN ACT concerning

**Vehicle Laws – Driver Improvement Programs – Deduction of Accumulated Points**

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 900 – Senator McFadden**

AN ACT concerning

**Inmates – In Banc Review of Sentences – Parole Eligibility**

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 901 – Senator McFadden (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City Land Bank Authority – Recodification**

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 902 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Aleph Bet Jewish Day 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 Education, Health, and Environmental Affairs:

**Senate Bill 903 – Senators Muse and Exum**

**EMERGENCY BILL**

AN ACT concerning

**Education – High School Assessment – Graduation Requirement  
– 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 904 – Senators Muse, Exum, Gladden, Harrington, Jones, Kelley, Peters, and Pugh**

AN ACT concerning

**Police and Court Records – Nonviolent Crimes – Expungement**

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 905 – Senator Muse**

AN ACT concerning

**Orphans' Court – Minors – Guardianship of Person**

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 907 – Senators Muse, Exum, Garagiola, Harrington, and Peters**

AN ACT concerning

**Disability History and Awareness Month – Educational 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 Judicial Proceedings:

**Senate Bill 908 – Senators Muse, Conway, Exum, Gladden, Harrington, Jones, Kelley, Peters, and Zirkin**

AN ACT concerning

**Task Force on Prisoner Reentry**

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 909 – The President (By Request – Administration) and Senators Kelley, Raskin, Currie, Forehand, Gladden, Harrington, King, Klausmeier, Lenett, Madaleno, McFadden, Muse, Peters, Pinsky, Rosapepe, and Stone**

AN ACT concerning

**Workplace Fraud Act of 2009**

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 910 – Senator Conway**

AN ACT concerning

**Health Occupations – Morticians and Funeral Directors – Crematory License**

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 911 – Senators King, Currie, Kasemeyer, and Middleton**

AN ACT concerning

**Horse Racing – Purse Dedication Account – Allocation of Funds**

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 912 – Senators Conway, Pugh, Astle, Currie, Della, Dyson, Exum, Forehand, Frosh, Garagiola, Gladden, Harrington, Jones, Klausmeier, Lenett, Madaleno, McFadden, Middleton, Muse, Peters, and Rosapepe**

AN ACT concerning

**Labor and Employment – Misclassification of Employees as Independent Contractors**

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 913 – Senator Zirkin**

AN ACT concerning

**Drunk Driving – Administrative Per Se Offense – Alcohol Concentration – Ignition Interlock System 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 914 – Harford County Senators**

AN ACT concerning

**Harford County – Tax Credit – First-Time Homebuyers**

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 915 – Senators Forehand, Madaleno, and Muse**

AN ACT concerning

**Washington Metropolitan Area Transit Authority – Finance and Governance**

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 916 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Ignition Interlock System Program – Participation After Request for a Hearing**

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 921 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Greenbelt Consumer Cooperative 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 923 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Good Shepherd 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 926 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Storyville Children’s Learning Center at the Woodlawn Library**

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 930 – 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.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 89 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Imposition of Civil Penalties – Authorization**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0089/684935/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 89

(First Reading File Bill)

On page 1, in line 3, after “Penalties” insert “by Board of Trustees”; in line 4, after the second “the” insert “board of trustees of the”; in line 5, after “penalties” insert “on owners of certain property”; in line 12, after “of” insert “the board of trustees of”; and in line 24, after “THE” insert “**BOARD OF TRUSTEES OF THE**”.

On page 2, in line 1, after “PENALTY” insert “**ON AN OWNER OF PROPERTY THAT IS SUBJECT TO AN EASEMENT GRANTED UNDER THIS SUBTITLE**”; and in line 4, after the second “VIOLATION” insert “**FOR PURPOSES**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0089/673229/1**

BY: Senator Stoltzfus

AMENDMENTS TO SENATE BILL 89

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “requirements;” insert “requiring the Foundation to provide an alleged violator a reasonable time to correct the alleged violation;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “AND” and substitute a comma; and in the same line, after “MEETING” insert “**, AND A REASONABLE TIME TO CORRECT THE ALLEGED VIOLATION**”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for February 19, 2009.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 172)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #12

**Senate Bill 132 – Senators Conway, Colburn, Dyson, Harrington, and Pinsky**

AN ACT concerning

#### **Department of General Services – Renovation of Historic Structures – Procurement Exemptions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 173)

The Bill was then sent to the House of Delegates.

Report from the Boy Scouts presented by Senator Janet Greenip

### QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 174)

### ADJOURNMENT

At 11:10 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 19, 2009.

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**Annapolis, Maryland  
Thursday, February 19, 2009  
10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer by Father John Kingsbury, Pastor of St. Mary's Parish, Annapolis, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of February 18, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 176)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
The Maryland Chapter of Delta Sigma Theta Sorority, Inc.	Senator Catherine E. Pugh	326

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 177)

**INTRODUCTION OF BILLS**

**Senate Bill 951 – Senator Lenett**

AN ACT concerning

**Health Occupations – License to Practice Psychology – Doctoral Degree in  
Psychology**

FOR the purpose of clarifying certain qualifications of applicants for a license to practice psychology; altering the definition of a certain term; and generally relating to the definition of “doctoral degree in psychology” and applicants for a license to practice psychology in the State.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 18–101(c) and 18–302  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 952 – Senator Middleton**

AN ACT concerning

#### **Maryland Medical Assistance Program – Substance Abuse Services**

FOR the purpose of requiring that individuals receiving certain Maryland Medical Assistance Program benefits receive certain substance abuse benefits; requiring the Governor to provide certain funding in certain fiscal years to provide certain substance abuse benefits; authorizing the Governor to transfer by budget amendment in a certain fiscal year certain funding for a certain substance abuse benefit and to increase certain fees; providing that it is the intent of the General Assembly that the Governor is not required to make a certain transfer of funds under certain circumstances; and generally relating to the Maryland Medical Assistance Program and substance abuse services.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–103(a)(2)(ix)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–103(a)(3)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 15–103(a)(4)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 953 – Senators Brochin, Madaleno, Raskin, and Stone**

AN ACT concerning

**Recycling – Apartment Buildings and Complexes**

FOR the purpose of requiring the owners of certain apartment buildings and complexes to provide for recycling at the building or complex; requiring that the recycling required under this Act be done in accordance with certain recycling plans; providing for a civil penalty for a violation of this Act; providing for a delayed effective date; and generally relating to recycling at apartment buildings and complexes.

BY adding to

Article – Environment

Section 9–1711

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 954 – Senator Klausmeier**

AN ACT concerning

**Electric, Gas, or Gas and Electric Companies – Separation from Other Businesses**

FOR the purpose of requiring the Public Service Commission to require functional, operational, structural, and legal separation between an electric company's regulated businesses, a certain parent company, and certain other nonregulated businesses and affiliates by a certain date; providing for the construction of a certain requirement; requiring the Commission to require functional, operational, structural, and legal separation between a gas company's regulated businesses, or a gas and electric company's regulated businesses, a certain parent company, and certain other nonregulated businesses or affiliates; providing for the construction of a certain requirement; and generally relating to the separation between an electric company, gas company, or gas and electric company's regulated businesses, any parent company, and certain other nonregulated businesses and affiliates.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies

Section 7–505(b)(10) and 7–604

Annotated Code of Maryland

(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 955 – Senator Klausmeier**

AN ACT concerning

**Public Utility Companies – Energy Efficiency, Conservation, and Demand Response Programs – Selection of HVAC Service Providers**

FOR the purpose of requiring an electric company under certain circumstances to include procedures for the competitive selection of heating, ventilation, air conditioning, or refrigeration service providers in a certain plan to achieve certain electricity savings and demand reduction targets; prohibiting an affiliate of an electric company from providing heating, ventilation, air conditioning, or refrigeration services in connection with a certain program or service unless the Public Service Commission verifies that the electric company's regulated service customers are not subsidizing the operations of the affiliate; requiring each electric company to submit to the Commission a certain updated plan or a certain statement on or before a certain date; defining certain terms; and generally relating to electric companies.

BY repealing and reenacting, with amendments,  
Article – Public Utility Companies  
Section 7–211(a), (h), and (i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utility Companies  
Section 7–211(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 956 – Senator Conway**

AN ACT concerning

**Health Occupations Boards – Revisions**

FOR the purpose of requiring certain health occupations boards to provide certain notification to certain licensees or certificate holders of board vacancies; requiring certain health occupations boards to collect certain racial and ethnic information; requiring that, to the extent practicable, certain members of

certain health occupations boards reasonably reflect certain geographic, racial, ethnic, cultural, and gender diversity; requiring the Secretary of Health and Mental Hygiene to confirm the appointment of certain executive directors; requiring that, to the extent practicable, certain health occupations boards limit the scope of subpoenas; requiring certain health occupations boards to establish certain subcommittees to be responsible for certain investigations, determine whether certain charges should be brought, and participate in certain preadjudication case resolution conferences; prohibiting certain health occupations boards from bringing certain charges after a certain period of time; requiring certain health occupations boards that use peer review to provide certain licensees and certificate holders an opportunity to review and respond to certain preliminary reports; requiring certain health occupations boards to determine a certain means of communication between a peer reviewer and a licensee or certificate holder; prohibiting certain members and counsel from being included in certain meetings; authorizing certain health occupations boards to establish certain programs to provide certain training, mentoring, or other remediation for certain licensees or certificate holders who commit a certain number of standard of care violations; requiring certain health occupations boards to adopt certain sanctioning guidelines; requiring certain health occupations boards to post certain final orders for disciplinary action on certain websites; requiring certain health occupations boards to remove certain postings on certain websites under certain circumstances; establishing that certain records may not be used in certain legal proceedings under certain circumstances; requiring the Secretary to establish certain goals for the timeliness of complaint resolution; requiring the Secretary to monitor certain compliance with certain guidelines and make certain recommendations on or before a certain date; requiring the Office of the Attorney General to establish certain guidelines concerning certain functions of certain advisors and advocates; requiring the Office of the Attorney General and certain health occupations boards to post certain guidelines or a link to certain guidelines on certain websites; authorizing the Office of the Attorney General to establish a certain pool of advocates and assign the advocates to certain boards in a certain manner; authorizing certain health occupations boards to create certain positions under certain circumstances; providing that the creation of certain positions may not be construed to require certain State General Fund support; requiring certain health occupations boards to collaborate with the Department of Health and Mental Hygiene and the Department of Budget and Management to develop and adopt certain regulations; requiring the Department of Health and Mental Hygiene to submit a certain report to the Department of Budget and Management and the Department of Legislative Services; defining certain terms; and generally relating to revisions for the health occupations boards.

BY adding to

Article – Health Occupations

Section 1–214 through 1–218; 1–601 through 1–610 to be under the new subtitle “Subtitle 6. General Clarification of the Disciplinary Process”; 1–701 through 1–703 to be under the new subtitle “Subtitle 7. Role of Assistant

Attorneys General”; and 1–801 and 1–802 to be under the new subtitle  
“Subtitle 8. Authority to Create Staff Positions”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

### **THE COMMITTEE ON RULES REPORT #1**

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 382 – 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.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 440 – 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 recommended the following Joint Resolution be re–referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Joint Resolution 1 – Senator Jacobs**

A Senate Joint Resolution concerning

**Maryland Ratification of the 17th Amendment to the United States  
Constitution**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

**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 #3**

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 #3  
February 19, 2009

**District Court, Baltimore City (District 1)**

1. Videtta A. Brown, Esquire District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 7, 2008

**Information Technology, Department of**

2. Elliot Schlanger District 11  
4 Chellis Court  
Owings Mills, MD 21117

Secretary of Department of Information Technology; appointed to serve at the pleasure of the Governor

### **State, Secretary of**

3. John P. McDonough District 24  
4403 Woodgate Way  
Bowie, MD 20720

Secretary of State; appointed to serve a term concurrent with the Governor to expire on January 19, 2011

### **Affordable Housing Trust, Board of Trustees**

4. Bert J. Hash, Jr. District 9  
11705 Farside Road  
Ellicott City, MD 21042

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve remainder of a term of four years from October 1, 2006

5. Linda L. Rose District 33  
1312 Holliben Road  
Severna Park, MD 21146

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve remainder of a term of four years from October 1, 2007

### **Apprenticeship and Training Council**

6. George Maloney District 33  
7 Beach Road  
Severna Park, MD 21146

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2008

### **Assistive Technology Guaranteed Loan Program Board of Directors**

7. Margaret L. Michelle Maxberry District 20  
8101 Eastern Avenue, #413  
Silver Spring, MD 20910

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Chiropractic Examiners, State Board of**

8. MaryAnne Frizzera-Hucek District 42  
10 Gregoria Court  
Baltimore, MD 21212

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2008

**Clean Energy Center, Board of Directors for Maryland**

9. Jeffrey W. Eckel District 33  
481 Old Orchard Circle  
Millersville, MD 21108

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2012

**Community Health Resources Commission, Maryland**

10. Maria Harris Tildon District 41  
5616 Cross Country Blvd.  
Baltimore, MD 21209

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term to expire May 3, 2009

**Controlled Hazardous Substance Advisory Council**

11. Hilton Louis Harrod District 29  
P.O. Box 515  
Lusby, MD 20657

Member of the Controlled Hazardous Substance Advisory Council; reappointed to serve a term of six years from July 1, 2008

12. Michael J. Wolf District 19  
5510 Armsfield Court  
Rockville, MD 20853

Member of the Controlled Hazardous Substance Advisory Council; appointed to serve remainder of a term of six years from July 1, 2006

**Emergency Number Systems Board**

13. Bryan C. Ebling District 37

403 Sunrise Avenue, P.O. Box 44  
Ridgely, MD 21660

Member of the Emergency Number Systems Board; reappointed to serve remainder of a term of four years from July 1, 2008

14. Susan Elaine Greentree District 30  
257 Overleaf Drive  
Arnold, MD 21012

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2005

15. John Edward Markey District 4  
7113 Flint Court  
Middleton, MD 21769

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2008

16. Kenneth M. Miller District 30  
1414 Harmony Lane  
Annapolis, MD 21409

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2008

17. Anthony Myers District 42  
603 Sadler Road  
Towson, MD 21286

Member of the Emergency Number Systems Board; reappointed to serve remainder of a term of four years from July 1, 2008

### **Environmental Service, Maryland**

18. William B.C. Addison, Jr. District 27  
P.O. Box 141  
Upper Marlboro, MD 20773

Member of the Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2008

### **Foresters, State Board of**

19. Terrance Ward Clark District 33  
1501 Farlow Avenue

Crofton, MD 21114-1515

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2007

### **Health Care Commission, Maryland**

20. Randall P. Worthington, Sr. District 34  
217 Prescott Court  
Havre de Grace, MD 21078

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 10, 2007

### **Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

21. James A. Johnson District 38  
7861 Stevens Road  
Eden, MD 21822

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2008

### **Heritage Areas Authority, Maryland**

22. David G. Burke District 30  
20 Harwood Drive  
Harwood, MD 20776

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

23. Robert David Campbell District 20  
9510 Garwood Street  
Silver Spring, MD 20901

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

24. Phyllis W. Robinson District 47  
3705 42nd Avenue  
Town of Cottage City, MD 20722

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

**Historical Trust Board of Trustees**

25. O. James Lighthizer, Esquire District 33  
1547 Eton Way  
Crofton, MD 21114

Member of the Maryland Historical Trust Board of Trustees; reappointed to serve a term of four years from July 1, 2008

**Master Electricians, State Board of**

26. Dennis Robert Thomas District 33  
3280 Green Ash Road  
Davidsonville, MD 21035

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2008

**People's Insurance Counsel, Office of the Attorney General**

27. Peter Killough, Esquire District 20  
811 Islington Street  
Silver Spring, MD 20910

Member of the People's Insurance Counsel; appointed to serve at the pleasure of the Attorney General

**Professional Standards and Teacher Education Board**

28. Shirley Brandman District 16  
6715 Landon Lane  
Bethesda, MD 20817

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2006

**Real Estate Appraisers and Home Inspectors, State Commission of**

29. George Fair District 7  
6627 Cherry Hill Road  
Baldwin, MD 21013

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2008

**Residential Boarding Education Programs, Board of Trustees of**

30. Kevin Liles District 99  
Warner Music Group, 75 Rockefeller Plaza, 32nd Floor  
New York, NY 10019

Member of the Board of Trustees of Residential Boarding Education Programs; appointed to serve remainder of a term to expire June 30, 2010

31. Lynn Morrison Venetoulis District 11  
24 Woodward Lane  
Lutherville, MD 21903

Member of the Board of Trustees of Residential Boarding Education Programs; appointed to serve a term to expire June 20, 2012

**School for the Deaf, Board of Trustees of the Maryland**

32. Roslyn M. Hannibal-Booker District 7  
291 Attenborough Drive, 102  
Rosedale, MD 21237

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve remainder of a term of six years from October 1, 2004

**Social Work Examiners, State Board of**

33. Geoffrey Greif, D.S.W. District 42  
1917 Old Court Road  
Baltimore, MD 21204

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2008

**Tourism Development Board, Maryland**

34. Paul Bales District 26  
13000 Sandwick Circle  
Fort Washington, MD 20744

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2006

35. Samuel J. Parker, Jr. District 22  
5601 57th Avenue  
Riverdale, MD 20737

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2007

### **Women, Maryland Commission for**

36. Susan Genn District 14  
8521 Churchill Downs Road  
Gaithersburg, MD 20882

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2008

37. Agnes Diane Williams District 23  
902 Jennings Mills Drive  
Bowie, MD 20721

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2005

### **Youth Camp Safety, Advisory Council on**

38. Amber P. Waller District 47  
1515 Ray Road, #204  
Hyattsville, MD 20782

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2008

## **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### **Dental Examiners, State Board of**

- S-1. Sidney B. Seidman District 30  
2171 Chesapeake Harbour Drive-East  
Annapolis, MD 21403

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2008

### **Heritage Areas Authority, Maryland**

- S-2. Wayne E. Clark District 27  
3649 5th Street  
North Beach, MD 20714

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2008

### **Tourism Development Board, Maryland**

S-3. Michael E. Haynie District 10  
5915 Central Avenue  
Baltimore, MD 21207

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2008

### **Women, Maryland Commission for**

S-4. Ossie G. Clay District 12  
4964 Moonfall Way  
Columbia, MD 21044

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2005

Senator Kelley moved, duly seconded, to make the Bill a Special Order for February 20, 2009.

The motion was adopted.

## **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 89 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Imposition of Civil  
Penalties – Authorization**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS  
(2) OFFERED FROM THE FLOOR BY SENATOR STOLTZFUS.

FLOOR AMENDMENT

**SB0089/673229/1**

BY: Senator Stoltzfus

AMENDMENTS TO SENATE BILL 89

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “requirements;” insert “requiring the Foundation to provide an alleged violator a reasonable time to correct the alleged violation;”.

AMENDMENT NO. 2

On page 2, in line 8, strike “AND” and substitute a comma; and in the same line, after “MEETING” insert “, AND A REASONABLE TIME TO CORRECT THE ALLEGED VIOLATION”.

The preceding 2 amendments were read and adopted.

FLOOR AMENDMENT

**SB0089/163626/1**

BY: Senator Pipkin

AMENDMENTS TO SENATE BILL 89

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, after “regulations;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, after line 22, 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 violation occurring before the effective date of this Act.”;

and in line 23, strike “2.” and substitute “3.”.

The preceding 2 amendments were 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. 178)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #13

**Senate Bill 58 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

#### **Family Law – Termination of Parental Rights**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 179)

The Bill was then sent to the House of Delegates.

**Senate Bill 59 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Raskin, Simonaire, and Stone**

AN ACT concerning

#### **Child Abuse and Neglect – Disclosure of Information**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 180)

The Bill was then sent to the House of Delegates.

**Senate Bill 104 – Senator Stone**

AN ACT concerning

**Baltimore County – Prospective Employees and Volunteers – Criminal  
History Records Check**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 181)

The Bill was then sent to the House of Delegates.

**Senate Bill 161 – Senator Middleton**

AN ACT concerning

**Injured Workers’ Insurance Fund – Board – Term Limits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44      Negative – 0      (See Roll Call No. 182)

The Bill was then sent to the House of Delegates.

**Senate Bill 224 – Senator Edwards**

AN ACT concerning

**Garrett County – Code of Ordinances – Review of Salaries**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45      Negative – 0      (See Roll Call No. 183)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 184)

**ADJOURNMENT**

At 10:36 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 20, 2009.

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**Annapolis, Maryland**  
**Friday, February 20, 2009**  
**11:00 A.M. Session**

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The Senate met at 11:05 A.M.

Prayer by Mark C. Mooney, St. Paul's United Methodist Church, Smithburg, Md., guest of Senator Donald Munson.

(See Exhibit A of Appendix III)

The Journal of February 19, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 186)

**MESSAGE FROM THE EXECUTIVE**

The Secretary of State appeared and delivered a Message from the Executive.

February 20, 2009

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,  
Governor

GUBERNATORIAL APPOINTMENTS TO STATEWIDE BOARDS  
REQUIRING CONFIRMATION  
2009 SESSION OF THE MARYLAND GENERAL ASSEMBLY

AIRPORT ZONING APPEALS, BOARD OF	
David S. Roe 6433 Orchard Road Linthicum, Maryland 21090 Anne Arundel/32	Reappointment Anne Arundel County Term of 4 years from July 1, 2009
Ronald W. Lane 503 South 45th Street Baltimore, Maryland 21224 Baltimore County/06	Reappointment Baltimore County Term of 4 years from July 1, 2009
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
John M. Chenoweth 6111 Flemish Blue Court Eldersburg, Maryland 21784 Howard/09	Reappointment Mechanical Engineer Term of 4 years from July 1, 2009
Christopher M. Trimper 10252 Bent Creek Road Ocean City, Maryland 21842 Worcester/38	Appointment Amusement Park Owner Remainder of a term of 4 years from July 1, 2005 and a term of 4 years from July 1, 2009
Dawn O. Holland 13512 Greencastle Ridge Terrace, #203 Burtonsville, Maryland 20866 Montgomery/14	Appointment Consumer Term of 4 years from July 1, 2008
APPALACHIAN STATES LOW-LEVEL RADIOACTIVE WASTE COMMISSION	
Shari T. Wilson 707 South President Street, Unit 1127 Baltimore, Maryland 21202 Baltimore City/46	Reappointment Member Term of 2 years from May 7, 2009
Robert M. Summers, Ph.D. 7315 Yorktown Drive Towson, Maryland 21204 Baltimore County/42	Reappointment Alternate Member Term of 2 years from May 7, 2009
John M. Colmers 3422 Guilford Terrace Baltimore, Maryland 21218 Baltimore City/43	Reappointment Member Term of 2 years from May 7, 2009

Clifford Seth Mitchell, M.D. 5705 Woodcrest Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Alternate Member Term of 2 years from May 7, 2009
APPRENTICESHIP AND TRAINING COUNCIL	
Rosie L.D. Pointer 7501 Epping Avenue Fort Washington, Maryland 20744 Prince George's/26	Reappointment Employee Organization Term of 4 years from July 1, 2009
Michael J. McNelly 6337 North Brook Drive Dunkirk, Maryland 20754 Anne Arundel/33	Reappointment Employee Organization Term of 4 years from July 1, 2009
Michelle L. Butt 11464 Old Frederick Road Marriottsville, Maryland 21104 Howard/09	Reappointment Employer Representative Term of 4 years from July 1, 2007
William C. Taylor 6218 Dimrill Court Fort Washington, Maryland 20744 Prince George's/26	Reappointment General Public/Chair Term of 4 years from July 1, 2009
ARCHITECTS, STATE BOARD OF	
Stephen L. Parker 12110 Glen Mill Road Potomac, Maryland 20854 Montgomery/15	Reappointment/Designate Chair Architect Term of 5 years from July 1, 2009
ARCHITECTURAL REVIEW, STATE BOARD OF	
Susan Gail Hains 6921 Winterberry Lane Bethesda, Maryland 20817 Montgomery/16	Appointment Architect Term of 4 years from July 1, 2006
ARTS COUNCIL, MARYLAND STATE	
Terence Patrick Winch 10113 Greeley Avenue Silver Spring, Maryland 20902 Montgomery/18	Appointment Member Term of 3 years from July 1, 2009
Abigail S. Hoffman, Esquire 1005 Fallscroft Way Lutherville, Maryland 21093 Baltimore County/11	Reappointment Member Term of 3 years from July 1, 2009
Jon Jiang Liu, Ph.D. 4401 Winding Oak Drive Olney, Maryland 20832 Montgomery/19	Reappointment Member Term of 3 years from July 1, 2009

AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH–LANGUAGE PATHOLOGISTS, STATE	
Rebecca Conley–Hartman 6315 Eastern Star Way Clarksville, Maryland 21029 Howard/13	Reappointment Consumer – Hearing Impaired Term of 4 years from July 1, 2009
AUTOMOBILE INSURANCE FUND, BOARD OF TRUSTEES	
Kenneth M. Puente 11506 Greenspring Avenue Lutherville, Maryland 21093 Baltimore County/11	Appointment Member Serve at the pleasure of the Governor
AVIATION COMMISSION, MARYLAND	
Michele Ryan 910 Boom Way Annapolis, Maryland 21401 Anne Arundel/33	Appointment Member Remainder of a term of 3 years from October 1, 2006 and a term of 3 years from October 1, 2009
Gerry L. Brewster 14520 Cuba Road Cockeysville, Maryland 21030 Baltimore County/5	Appointment Member Term of 3 years from October 1, 2009
Gregory V. Billups 12822 Meadowbrook Lane Waldorf, Maryland 20601 Charles/28	Appointment Member Term of 3 years from October 1, 2009
BOILER RULES, BOARD OF	
Kevin J. Mulvey 8236 Silver Run Court Pasadena, Maryland 21122 Anne Arundel/31	Reappointment Insurance Company Term of 4 years from January 1, 2009
Thomas E. Pickett 8812 Gladeside Drive Clinton, Maryland 20735 Prince George's/27	Reappointment Stationary Engineer Term of 4 years from January 1, 2009
William M. Rohrer 12025 Steven Avenue Smithsburg, Maryland 21783 Washington/02	Reappointment Consumer Term of 4 years from January 1, 2009
BUSINESS AND ECONOMIC DEVELOPMENT, SECRETARY OF	
Christian Johansson 10 East Lee Street Unit 2009 Baltimore, Maryland 21202 Baltimore City/46	Appointment Secretary Serve at the pleasure of the Governor

CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY	
Kara Rogers Thomas, Ph.D. 52 Linden Street Frostburg, Maryland 21532 Allegany/01	Appointment Member Remainder of a term of 4 years from June 1, 2005 and a term of 4 years from June 1, 2009
CHESAPEAKE AND ATLANTIC COASTAL BAYS, CRITICAL AREA COMMISSION FOR THE	
Hon. Cathleen M. Vitale 324 Arundel Beach Road Severna Park, Maryland 21146 Anne Arundel/33	Reappointment Appointed/Elected Official – Anne Arundel County Term of 4 years from July 1, 2008
Hon. Jay A. Jacobs 21223 Chesapeake Avenue P.O. Box 109 Rock Hall, Maryland 21661 Kent/36	Appointment Appointed/Elected Official – Kent/Queen Anne's County Term of 4 years from July 1, 2008
Worrall Reed "Nick" Carter, III 14272 Drapers Mill Road Greensboro, Maryland 21639 Caroline/36	Appointment Appointed/Elected Official – Caroline County Term of 4 years from July 1, 2006
Hon. Donald Sydnor 718 Rosemount Avenue Cambridge, Maryland 21613 Dorchester/37	Appointment Appointed/Elected Official – Dorchester County Term of 4 years from July 1, 2008
Hon. Judith M. Cox P.O. Box 460 Rising Sun, Maryland 21911 Cecil/34	Reappointment Interest – Cecil/Harford Counties Term of 4 years from July 1, 2006
Caroline D. Gabel 113 Hoffman Lane Chestertown, Maryland 21620 Queen Anne's/36	Reappointment Interest – Kent/Queen Anne's Counties Term of 4 years from July 1, 2008
Stephen Michael Mielke 9644 Leeds Landing Circle Easton, Maryland 21601 Talbot/37	Reappointment Interest – Dorchester/Talbot Counties Term of 4 years from July 1, 2008
C. Edward Prager 9911 Martin Court Berlin, Maryland 21811 Worcester/38	Reappointment At Large Term of 4 years from July 1, 2007
CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF	
Jonathan C. Nou, D.C. 5532 Mystic Court Columbia, Maryland 21044 Howard/12	Appointment Chiropractor Term of 4 years from July 1, 2009

CORRECTIONAL STANDARDS, COMMISSION ON	
Delores Alexander 9905 Shoshone Way Randallstown, Maryland 21133 Baltimore County/10	Reappointment Citizen – Unrelated Field Term of 3 years from July 1, 2007
Walter B. Ridley 8301 Arden Lane Fort Washington, Maryland 20744 Prince George's/26	Reappointment Citizen – Unrelated Field Term of 3 years from July 1, 2007
Milton M. Crump, Jr. 10200 Lynn–Ric Drive Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Local Correction Term of 3 years from July 1, 2008
Robert L. Green 10905 Honeyfield Road Williamsport, Maryland 21795 Washington/2	Reappointment Local Correction Term of 3 years from July 1, 2009
Jeffrey Washington 10503 Vista Grande Drive Mitchellville, Maryland 20721 Prince George's/24	Reappointment National Accreditation Organization Term of 3 years from July 1, 2009
Hon. Sheree L. Sample–Hughes 28926 Jacqueline Drive Salisbury, Maryland 21801 Wicomico/37	Reappointment Local Elected Official Term of 3 years from July 1, 2009
CORRECTIONAL TRAINING COMMISSION	
LaMonte Edwin Cooke 24837 Langford Road Chestertown, Maryland 21620 Kent/36	Reappointment Correctional Official Term of 4 years from July 1, 2009
Robin R. Harting 31 Goodrich Road Annapolis, Maryland 21401 Anne Arundel/30	Appointment Correctional Official Remainder of a term of 4 years from July 1, 2007
Randall S. Wylie 11 Jennifer Lynne Drive Brunswick, Maryland 21758 Frederick/3	Appointment Correctional Official Remainder of a term of 4 years from July 1, 2008
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL FOR THE	
Jennifer R. Whitcomb 9275 Tournament Drive Delmar, Maryland 21875 Wicomico/38	Appointment Private Agency Remainder of a term of 3 years from October 1, 2007
DENTAL EXAMINERS, STATE BOARD OF	

William Ernest Raulin 3173 Castleleigh Road Silver Spring, Maryland 20904 Montgomery/14	Reappointment Consumer Term of 4 years from June 1, 2009
DIETETIC PRACTICE, STATE BOARD OF	
Daisy Miller, Ph.D. 6112 44th Avenue Riverdale, Maryland 20737 Prince George's/22	Reappointment Nutritionist Only Term of 4 years from July 1, 2009
Sharon E. Bunch 2105 Woodbourne Avenue Baltimore, Maryland 21214 Baltimore City/43	Reappointment Consumer Term of 4 years from July 1, 2009
DISTRICT COURT OF MARYLAND – DISTRICT 1 – BALTIMORE CITY	
Hon. Gregory Sampson 703 Dryden Drive Baltimore, Maryland 21229 Baltimore City/41	Appointment District Court Judge Term of 10 years from February 5, 2009
Hon. Timothy D. Murphy 1601 Beason Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment District Court Judge Term of 10 years from January 20, 2009
DISTRICT COURT OF MARYLAND – DISTRICT 9 – HARFORD	
Hon. John L. Dunnigan 213 Dallam Avenue Bel Air, Maryland 21014 Harford/35	Reappointment District Court Judge Term of 10 years from April 12, 2009
ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Elias A. Zerhouni, M.D. 2113 Janer Drive Pasadena, Maryland 21122 Anne Arundel/31	Appointment Chair Remainder of a term of 3 years from July 1, 2008
EDUCATION, STATE BOARD OF	
Sylvester J. Gates, Jr. 11527 Lottsford Terrace Mitchellville, Maryland 20721 Prince George's/25	Appointment Member Term of 4 years from July 1, 2009
Madhu Sidhu 105 Cedar Street Chestertown, Maryland 21620 Kent/36	Appointment Member Term of 4 years from July 1, 2009

Donna Hill Staton 13827 Lakeside Drive Clarksville, Maryland 21029 Howard/13	Appointment Member Remainder of a term of 4 years from July 1, 2006
Guffrie M. Smith, Jr. 100 David Gray Road P.O. Box 43 St. Leonard, Maryland 20685 Calvert/29	Appointment Member Term of 4 years from July 1, 2009
<b>ELECTRICIANS, STATE BOARD OF MASTER</b>	
Frank M. Mancini 24296 E. Cherry Lane Goldsboro, Maryland 21636 Caroline/36	Reappointment Electrician – Eastern Shore Term of 3 years from July 1, 2009
James E. Stacho 7517 Oakmont Drive Frederick, Maryland 21702 Frederick/03	Appointment Consumer – Unrepresented County Remainder of a term of 3 years from July 1, 2007
<b>EMERGENCY NUMBER SYSTEMS BOARD</b>	
Brian Josef 2 Magic Mountain Court Bethesda, Maryland 20852 Montgomery/16	Appointment Wireless Telephone Industry Remainder of a term of 4 years from July 1, 2008
William M. Pallozzi 4309 College Avenue Ellicott City, Maryland 21043 Howard/9	Appointment Maryland State Police Term of 4 years from July 1, 2009
Susan Elaine Greentree 257 Overleaf Drive Arnold, Maryland 21012 Anne Arundel/30	Reappointment Public Safety Communications Officials, Intl. Term of 4 years from July 1, 2009
David H. Balthis 5100 Durham Road West Columbia, Maryland 21044 Howard/12	Reappointment Career Fire Service Term of 4 years from July 1, 2009
Andrew M. Johnston 6735 Springhill Drive Frederick, Maryland 21702 Frederick/3	Reappointment County with less than 200,000 Term of 4 years from July 1, 2009
William Howard Walton 106 Swab Creek Road Fort Washington, Maryland 20744 Prince George's/26	Reappointment Public Term of 4 years from July 1, 2007
<b>ENGINEERS, STATE BOARD OF STATIONARY</b>	

Gregory A. Restivo 8228 Styers Court Laurel, Maryland 20723 Howard/13	Reappointment Stationary Engineer Term of 3 years from July 1, 2009
Andrew A. Howard 1200 Oregonum Court Belcamp, Maryland 21017 Harford/34	Reappointment Stationary Engineer Term of 3 years from July 1, 2009
ENVIRONMENTAL SANITARIAN REGISTRATION, STATE BOARD OF	
Robert W. Sheesley 8354 Chestnut Farm Lane Ellicott City, Maryland 21043 Howard/09	Reappointment Sanitarian/Private Industry Term of 5 years from July 1, 2009
Gail Lynn Kelley 8217 Detour Road Denton, Maryland 21629 Caroline/36	Reappointment Sanitarian/At Large Term of 5 years from July 1, 2009
HANDGUN ROSTER BOARD	
Jonathan Gray Newell 15218 Westbridge Court Henderson, Maryland 21640 Caroline/36	Appointment Maryland State's Attorneys Association Term of 4 years from December 8, 2008
HEALTH CARE COMMISSION, MARYLAND	
Roscoe M. Moore, Jr., D.V.M. 14315 Arctic Avenue Rockville, Maryland 20853 Montgomery/19	Reappointment No Industry Connection Term of 4 years from October 1, 2008
Robert L. Lyles, Jr., M.D. 923 Childs Point Road Annapolis, Maryland 21401 Anne Arundel/30	Appointment Physician Term of 4 years from October 1, 2008
John E. Fleig, Jr. 1120 Jewell Road Dunkirk, Maryland 20754 Calvert/27	Appointment Payor Term of 4 years from October 1, 2008
Kenny W. Kan 12823 Macbeth Farm Lane Clarksville, Maryland 21029 Howard/13	Appointment Payor Term of 4 years from October 1, 2008
HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY	
Kendall D. Hunter 8220 Coach Street Potomac, Maryland 20854 Montgomery/16	Reappointment Nonprofit HMO Term to expire June 30, 2010

Maria Harris Tildon 5616 Cross Country Boulevard Baltimore, Maryland 21209 Baltimore City/41	Reappointment Nonprofit Health Service Plan Term to expire June 30, 2011
Douglas H. Wilson, Ph.D. 28131 Pathfinder Court Salisbury, Maryland 21801 Wicomico/37	Reappointment Maryland Hospital Term to expire June 30, 2012
John Adams Hurson, Esquire 3221 Farmington Drive Chevy Chase, Maryland 20815 Montgomery/18	Reappointment Expertise/Chair Term to expire June 30, 2013
John L. Young, M.D. 10410 Willowbrook Drive Potomac, Maryland 20854 Montgomery/15	Reappointment Expertise Term to expire June 30, 2010
Judith Lea Boyer-Patrick, M.D. 12118 Mount Albert Road Ellicott City, Maryland 21042 Howard/09	Reappointment Outpatient Mental Health Term to expire June 30, 2011
Paula Brooks McClellan 4533 Doncaster Drive Ellicott City, Maryland 21043 Howard/09	Reappointment Community Health Resource Term to expire June 30, 2012
Margaret A. Murray 739 Governor Bridge Road Davidsonville, Maryland 21035 Anne Arundel/33	Reappointment Community Health Resource Term to expire June 30, 2012
Karla Ruhe Roskos 8608 Wandering Fox Trail #201 Odenton, Maryland 21113 Anne Arundel/21	Reappointment Community Health Resource Term to expire June 30, 2013
<b>HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND</b>	
Howard A. Buchanan 1014 Dent Lane Cumberland, Maryland 21502 Allegany/01	Reappointment Member Term of 4 years from July 1, 2009
Martin Peter Azola 1097 West Lake Avenue Baltimore, Maryland 21210 Baltimore County/42	Reappointment Member Term of 4 years from July 1, 2009
John Lewis Seidel, Ph.D. 200 Washington Street Chestertown, Maryland 21620 Kent/36	Reappointment Submerged Archaeology Term of 4 years from July 1, 2009

Monica Wharton Szollos 4905 Lee Farm Court Ellicott City, Maryland 21043 Howard/12	Appointment Member Remainder of a term of 4 years from July 1, 2008
HOUSING TRUST BOARD OF TRUSTEES, MARYLAND AFFORDABLE	
Alice G. Pinderhughes, Esq. 3521 Hilton Road Baltimore, Maryland 21215 Baltimore City/40	Reappointment General Public Term of 4 years from October 1, 2008
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Erin Stauder 303 Oak Forest Avenue Catonsville, Maryland 21228 Baltimore County/12	Appointment Personnel Preparation Remainder of a term of 3 years from July 1, 2007
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Karen Zopf 716 Hickory Lot Road Towson, Maryland 21286 Baltimore County/42	Reappointment Interior Designer Term of 3 years from July 1, 2009
LAND RECLAMATION COMMITTEE	
Timothy B. Schwinabart 664 Pine Tree Point Road Swanton, Maryland 21561 Garrett/01	Reappointment Mining Industry Term of 3 years from July 1, 2008
James C. Ashby 1236 E. State Street Oakland, Maryland 21550 Garrett/01	Appointment Mining Industry Remainder of a term of 3 years from July 1, 2008
LANDSCAPE ARCHITECTS, BOARD OF EXAMINERS OF	
Charles B. Adams 14834 Falls Road P.O. Box 93 Butler, Maryland 21023 Baltimore County/05	Appointment Landscape Architect Term of 3 years from July 1, 2009
LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL	
Joan G. Dunne 8516 Valley Road West Lutherville, Maryland 21093 Baltimore County/11	Reappointment Consumer Term of 5 years from July 1, 2009
Thomas M. Orisich 1 Collingwood Garth Phoenix, Maryland 21131 Baltimore County/05	Reappointment Land Surveyor Term of 5 years from July 1, 2009
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND	

Hon. Robert B. Kershaw 1314 Bolton Street Baltimore, Maryland 21217 Baltimore City/40	Reappointment Attorney Term of 3 years from July 1, 2009
F. Vernon Boozer 1106 Lower Glencoe Road Sparks, Maryland 21152 Baltimore County/05	Reappointment Attorney Term of 3 years from July 1, 2009
Derrick L. Richardson 5268 Marlboro Pike, #404 Capitol Heights, Maryland 20743 Prince George's/24	Reappointment Nonlawyer Term of 3 years from July 1, 2009
NURSING HOME ADMINISTRATORS, STATE BOARD OF EXAMINERS OF	
ChanSu Chong 7635-B Stony Creek Lane Ellicott City, Maryland 21043 Howard/12	Reappointment Consumer Term of 4 years from April 22, 2009
Belinda B. Strayhorn 110 Bunker Hill Lane Odenton, Maryland 21113 Anne Arundel/32	Appointment Consumer Remainder of a term of 4 years from April 22, 2008
OCCUPATIONAL THERAPY PRACTICE, STATE BOARD OF	
Jocelind Julien 5142 Homecoming Lane Columbia, Maryland 21044 Howard/12	Reappointment Consumer Term of 4 years from July 1, 2009
OPEN MEETINGS LAW COMPLIANCE BOARD, STATE	
Elizabeth Logan Nilson, Esq. 226 Northway Baltimore, Maryland 21218 Baltimore City/43	Reappointment Chair Term of 3 years from July 1, 2009
PAROLE COMMISSION, MARYLAND	
Thomas E. Riggin 8000 Nolcrest Road Glen Burnie, Maryland 21061 Anne Arundel/32	Appointment Member Term of 6 years from January 1, 2009
PLUMBING, STATE BOARD OF	
Charles E. Lenderking 2998 Beth Eden Church Road Pocomoke, Maryland 21851 Worcester/38	Reappointment Plumber – Eastern Shore Term of 3 years from May 1, 2009

Allen B. Clinedinst, III 1912 Ridgewood Court Hampstead, Maryland 21074 Carroll/05	Appointment Consumer – Unrepresented County Term of 3 years from May 1, 2009
Robert J. McIntyre 28101 Mt. Vernon Road Princess Anne, Maryland 21853 Somerset/38	Appointment Consumer – Unrepresented County Remainder of a term of 3 years from May 1, 2006 and a term of 3 years from May 1, 2009
PORT COMMISSION, MARYLAND	
William B. Dockser, Esq. 8906 Clewerwall Drive Bethesda, Maryland 20817 Montgomery/15	Reappointment Member Term of 3 years from July 1, 2009
Charles H. White, Jr. 1200 Britania Lane Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Member Term of 3 years from July 1, 2009
POTOMAC RIVER FISHERIES COMMISSION	
William Leonard Rice, Sr. 13650 Piccowaxen Creek Road Newburg, Maryland 20664 Charles/28	Reappointment Maryland Representative Term of 4 years from January 1, 2009
Robert H. Bowes 17785 Clarke Road Tall Timbers, Maryland 20690 St. Mary's/29	Reappointment Maryland Representative Term of 4 years from January 1, 2009
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Joseph Michael Herbert 4417 Linden Avenue Halethorpe, Maryland 21227 Baltimore County/12	Reappointment Management Term of 3 years from July 1, 2009
Patricia Cook–Ferguson 4709 Dark Star Way Owings Mills, Maryland 21117 Baltimore County/11	Reappointment Labor Term of 3 years from July 1, 2009
Maryann S. Cohea, Esq. 5372 Red Lake Court Columbia, Maryland 21045 Howard/13	Reappointment Public Term of 3 years from July 1, 2008
PROFESSIONAL ENGINEERS, STATE BOARD OF	
Pastor Farinas 5550 Muncaster Mill Road Rockville, Maryland 20855 Montgomery/19	Reappointment Electrical Engineer Term of 5 years from July 1, 2009

RACING COMMISSION, STATE	
David Hayden 16123 Dark Hollow Road P.O. Box 68 Upperco, Maryland 21155 Baltimore County/05	Appointment Harness Racing Term of 4 years from July 1, 2006
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
David J. Hodnett, Esq. 8027 Woodgate Court, Apt. D Windsor Mill, Maryland 21244 Baltimore County/10	Appointment Financial Institution Term of 3 years from January 1, 2008
John E. Jordan, Jr. 7221 Leonardtown Road Hughesville, Maryland 20637 Charles/28	Reappointment Home Inspector Term of 3 years from January 1, 2009
Trevor Lee 2111 Edgewater Parkway Silver Spring, Maryland 20903 Montgomery/20	Reappointment Consumer Term of 3 years from January 1, 2009
Christopher M. Pirtle 1020 Heartfields Drive Silver Spring, Maryland 20904 Montgomery/20	Appointment Consumer Term of 3 years from January 1, 2009
REAL ESTATE COMMISSION, STATE	
Nancy Rothwell Simperts 584 Kirk Road Elkton, Maryland 21921 Cecil/36	Reappointment Realtor – Eastern Shore Term of 4 years from June 1, 2009
J. Nicholas D'Ambrosia 6334 Grant Chapman Drive La Plata, Maryland 20646 Charles/28	Reappointment Realtor – Southern Maryland Term of 4 years from June 1, 2009
Marla S. Johnson 2762 Lynn Street Frederick, Maryland 21704 Frederick/3	Appointment Realtor – Western Maryland Remainder of a term of 4 years from June 1, 2006
Robin L. Pirtle 1020 Heartfields Drive Silver Spring, Maryland 20904 Montgomery/20	Appointment Consumer Remainder of a term of 4 years from June 1, 2008
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF	

Alfredo Quinones–Hinojosa, M.D. 1513 Stone Ridge Way Apt. 121 Bel Air, Maryland 21015 Harford/35	Appointment Member Term to expire June 30, 2012
SOCIAL WORK EXAMINERS, STATE BOARD OF	
Yvonne Bryant 10309 Parkwood Drive Kensington, Maryland 20895 Montgomery/18	Reappointment Licensed Clinical Social Worker – Clinical Term of 4 years from July 1, 2009
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Michael J. Fell 57 Samuel Chase Drive Port Deposit, Maryland 21904 Cecil/34	Appointment Statewide Teachers' Organization with Majority Representation Term of 3 years from July 1, 2009
Ayana English–Brown 9501 Meadow Lark Avenue Upper Marlboro, Maryland 20772 Prince George's/27	Appointment Statewide Teachers' Organization with Majority Representation Term of 3 years from July 1, 2009
Lorraine E. Cornish–Harrison 1812 Hillenwood Road Baltimore, Maryland 21239 Baltimore City/43	Reappointment Statewide Teachers' Organization with Non–Majority Representation Term of 3 years from July 1, 2009
Marcia B. Cushall, Ed.D. 21 Dogwood Circle Frostburg, Maryland 21532 Allegany/01	Reappointment Maryland Teacher Education and College of Teacher Education Associations Term of 3 years from July 1, 2009
Margaret C. Trader, Ph.D. 20712 Lebeck Drive Hagerstown, Maryland 21742 Washington/02	Reappointment Maryland Teacher Education and College of Teacher Education Associations Term of 3 years from July 1, 2009
Ronald S. Goldblatt, Esquire 115 Kingswood Road Annapolis, Maryland 21401 Anne Arundel/33	Reappointment Association of Independent Schools Term of 3 years from July 1, 2009
Shirley Brandman 6715 Landon Lane Bethesda, Maryland 20817 Montgomery/16	Reappointment Maryland Association of Boards of Education Term of 3 years from July 1, 2009
TOURISM DEVELOPMENT BOARD, MARYLAND	
Kathleen Ann Cloyd Sher 1306 Wine Spring Lane Baltimore, Maryland 21204 Baltimore County/42	Reappointment Attractions Term of 3 years from July 1, 2009

Linda M. Norman 9417 Lyonswood Drive Owings Mills, Maryland 21117 Baltimore County/11	Appointment Lodging Remainder of a term of 3 years from July 1, 2007
Paul J. Bales 13000 Sandwick Circle Fort Washington, Maryland 20744 Prince George's/26	Reappointment Food Service Term of 3 years from July 1, 2009
Andrew L. Vick 12 South Mechanic Street Cumberland, Maryland 21502 Allegany/1	Reappointment Attractions Term of 3 years from July 1, 2009
UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS	
Gary L. Attman 3712 Michelle Way Pikesville, Maryland 21208 Baltimore County/11	Appointment Member Remainder of a term of 5 years from July 1, 2008
Linda Gooden 12506 Sycamore View Drive Potomac, Maryland 20854 Montgomery/15	Appointment Member Term of 5 years from July 1, 2009
John L. Young, M.D. 10410 Willowbrook Drive Potomac, Maryland 20854 Montgomery/15	Appointment Member Term of 5 years from July 1, 2009
Sarah Elfreth 8000 York Road, Unit #955 Towson, Maryland 21252 Baltimore County/42	Appointment Student Term of 1 year from July 1, 2009
VETERANS HOME COMMISSION	
Lt. Col. Jeanette Hammond (Ret.) 1919 Artillery Lane Odenton, Maryland 21113 Anne Arundel/32	Appointment Member Term of 5 years from July 1, 2009
Kathryn Smith Gleeson 19415 Caravan Drive Germantown, Maryland 20874 Montgomery/15	Reappointment Member Term of 5 years from July 1, 2009
Maj. Alfred N. Simmons (Ret.) 3314 Lawnview Avenue Baltimore, Maryland 21213 Baltimore City/45	Reappointment Member Term of 5 years from July 1, 2009
WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF	

Rene Javier 7915 Hillendale Road Parkville, Maryland 21234 Baltimore County/42	Reappointment County Government Term of 4 years from July 1, 2009
WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S	
Gerard M. Walsh 30 Bellevue Avenue Cambridge, Maryland 21613 Dorchester/37	Appointment Business Remainder of a term of 3 years from October 1, 2007
WOMEN, MARYLAND COMMISSION FOR	
Agnes Diane Williams 902 Jennings Mill Drive Bowie, Maryland 20721 Prince George's/25	Reappointment Governor's Appointment Term of 4 years from July 1, 2009
Melissa A. Techentin 1601 Dundalk Avenue Baltimore, Maryland 21222 Baltimore City/46	Reappointment Governor's Appointment Term of 4 years from July 1, 2009
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Cheryl DePinto, M.D. 8704 Hidden Pool Court Laurel, Maryland 20723 Howard/13	Reappointment DHMH Term of 3 years from July 1, 2008
Gregory C. Joseph 3380 Turkey Point Road North East, Maryland 21901 Cecil/36	Reappointment Camp Owner/Manager – American Camping Association Accredited Term of 3 years from July 1, 2009
Julia R. Strong 26618 E. Bonfield Road Oxford, Maryland 21654 Talbot/37	Reappointment Local Health Department Term of 3 years from July 1, 2009
Denise E. Frebertshauser 4583 Owensville Sudley Road Harwood, Maryland 20776 Anne Arundel/30	Reappointment National Camping Organization Term of 3 years from July 1, 2009
ANNE ARUNDEL COMMUNITY COLLEGE BOARD OF TRUSTEES	
Kimberly McCoy Burns 201 Homewood Road Linthicum, Maryland 21090 Anne Arundel/32	Appointment Member Term of 6 years from July 1, 2009
Jason R. Hill 738 Honeysuckle Trail Crownsville, Maryland 21032 Anne Arundel/33	Appointment Student Term of 1 year from July 1, 2009

<b>BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR</b>	
H. Scott Gehring, Ed.D. 14 Thurkill Court Cockeysville, Maryland 21030 Baltimore County/7	Reappointment At Large Term of 5 years from July 1, 2009
Dorothy E. Foos 6403 Lewis Road Baldwin, Maryland 21013 Baltimore County/7	Reappointment 3rd Councilmanic District Term of 5 years from July 1, 2009
<b>CARROLL COUNTY ORPHANS COURT</b>	
Phillip R. Miller 2209 E. Deep Run Road Manchester, Maryland 21102 Carroll/05	Appointment Judge of the Orphans Court Remainder of a term of 4 years from the General Election of November, 2006
<b>CECIL COLLEGE BOARD OF TRUSTEES</b>	
Harry Lenderman, Ed.D. 807 Elk Mills Road P.O. Box 107 Elk Mills, Maryland 21920 Cecil/34	Reappointment Member Term of 6 years from July 1, 2009
<b>FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Debra Borden 6727 Meadowlawn Circle New Market, Maryland 21774 Frederick/04	Appointment Member Term of 5 years from July 1, 2009
Doris J. White 6004 Lundgren Drive Frederick, Maryland 21701 Frederick/3	Reappointment Member Term of 5 years from July 1, 2009
<b>GARRETT COLLEGE BOARD OF TRUSTEES</b>	
Vianne Bell 2159 Mayhew Inn Road Oakland, Maryland 21550 Garrett/1	Reappointment Member Term of 6 years from July 1, 2009
Jason B. Rush 39 Deer Pass Lane McHenry, Maryland 21541 Garrett/1	Appointment Member Term of 6 years from July 1, 2008
<b>HAGERSTOWN COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Patricia K. Cushwa 221 E. Potomac Street P.O. Box 406 Williamsport, Maryland 21795 Washington/2	Reappointment Member Term of 6 years from July 1, 2009

MONTGOMERY COUNTY BOARD OF ELECTIONS	
Mary Howe Kiraly 9221 Aldershot Drive Bethesda, Maryland 20817 Montgomery/15	Appointment Member – Majority Party Remainder of a term of 4 years from June 4, 2007
PRINCE GEORGE’S COMMUNITY COLLEGE BOARD OF TRUSTEES	
Lori F. Morris 8337 Quill Point Drive Bowie, Maryland 20720 Prince George’s/23	Reappointment Member Term of 5 years from July 1, 2009
ST. MARY’S COUNTY ALCOHOL BEVERAGE BOARD	
Linda Palchinsky 45866 Beechwood Place Lexington Park, Maryland 20653 St. Mary’s/29	Appointment 4th Commissioner District Remainder of a term of 4 years from January 1, 2006
WOR–WIC COMMUNITY COLLEGE BOARD OF TRUSTEES	
Velda E. Henry 225 Branch Street Berlin, Maryland 21811 Worcester/38	Reappointment Member Term of 6 years from July 1, 2009

The Message from the Executive, being of an Executive nature, was referred to the Committee on Executive Nominations.

Introduction of Matt Stover from the Baltimore Ravens.

African American History Month recognition of Alice Brailey Torriente.

Introduction of Congressman Chris Van Hollen.

### INTRODUCTION OF BILLS

#### Senate Bill 957 – Senator Rosapepe

AN ACT concerning

#### Creation of a State Debt – Prince George’s County – LARS Facility Renovation

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 Laurel Advocacy and Referral 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 958 – Senator Rosapepe**

EMERGENCY BILL

AN ACT concerning

**Construction Permits – Expiration Dates**

FOR the purpose of requiring the running of the period of approval for certain permits issued by the State to be tolled for a certain period; requiring the running of the period of approval for certain permits issued by a county or municipality to be tolled for a certain period; making certain conforming changes; defining certain terms; declaring the intent of the General Assembly; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the expiration of construction and development permits.

BY repealing and reenacting, with amendments,

Article – State Government

Section 11–103(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Government

Section 11–201 and 11–202 to be under the new subtitle “Subtitle 2. Permit Extensions”

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 23–101 and 23–102 to be under the new title “Title 23. Construction and Development Permits”

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 959 – Senator Middleton**

AN ACT concerning

**Injured Workers' Insurance Fund – Regulation and Status**

FOR the purpose of requiring the Injured Workers' Insurance Fund to be an authorized insurer under certain provisions of the Insurance Article; requiring the Maryland Insurance Commissioner to issue and renew certain certificates of authority to the Fund in accordance with certain provisions of law; providing that the Fund is subject to certain provisions of law to the same extent as certain insurers and must be regulated in a certain manner; providing that certain provisions of law control in the event of a certain conflict; requiring the Fund to operate as an authorized domestic insurer; specifying the role and mission of the Fund; altering the requirement that the Fund keep certain reserves and surplus; repealing certain obsolete provisions of law; requiring the Commissioner, as part of a certain examination, to determine whether certain rate making practices produce actuarially sound rates; altering the requirement that the Board for the Fund adopt a certain schedule of premium rates in a certain manner; providing that certain provisions of law do not apply to certain employees of the Fund hired on or before a certain date; and generally relating to the regulation and status of the Injured Workers' Insurance Fund.

BY renumbering

Article – Labor and Employment  
Section 10–105 and 10–106, respectively  
to be Section 10–107 and 10–108, respectively  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Labor and Employment  
Section 10–101  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 10–104, 10–121, 10–122, 10–125, and 10–130  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Labor and Employment  
Section 10–105 and 10–106  
Annotated Code of Maryland

(2008 Replacement Volume)

BY repealing

Article – Labor and Employment

Section 10–123

Annotated Code of Maryland

(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 960 – Senator McFadden**

AN ACT concerning

**State Retirement and Pension System – Deceased Retiree’s Retirement  
Application – Medical Board Review**

FOR the purpose of requiring a medical board for the State Retirement and Pension System to investigate certain applications by certain surviving spouses of certain retirees; authorizing certain surviving spouses of certain retirees to submit certain applications to the Board of Trustees of the State Retirement and Pension System for review by the medical board of the mental capacity of certain retirees at a certain period of time; requiring certain surviving spouses of certain retirees to submit certain applications to the Board of Trustees within a certain period of time; requiring the medical board to review certain applications to make certain determinations regarding the mental capacity of certain retirees at a certain period of time; requiring the medical board to make a certain certification to the Board of Trustees; requiring the Board of Trustees to make certain payments to certain surviving spouses of certain retirees if the medical board makes certain determinations; prohibiting certain surviving spouses of certain retirees from appealing certain decisions of the medical board; requiring the Board of Trustees to adopt certain regulations; providing for the application of this Act; and generally relating to the review of a deceased retiree’s retirement application by the medical board for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–126

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 21–407

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 961 – 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 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 962 – Senator Pinsky**

AN ACT concerning

**Town of University Park Employees – Participation in the Employees’ Pension System**

FOR the purpose of requiring certain employees of the Town of University Park to participate in the Employees’ Pension System of the State of Maryland as of a certain date; providing for certain employees of the Town of University Park to receive service credit for certain prior service; providing that certain employees of the Town of University Park who become members of the Employees’ Pension System after a certain date may not receive certain service credit; and generally relating to employees of the Town of University Park participating in the Employees’ Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–201(a), 23–204(b), and 31–111  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 31–111.5  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 963 – Senators Klausmeier, Currie, Garagiola, and King**

AN ACT concerning

**Health – Maryland Commission on Autism**

FOR the purpose of establishing the Maryland Commission on Autism; providing for the membership of the Commission; requiring the membership of the Commission to consist of broad representation of the State's citizens; designating the chair of the Commission; establishing a quorum requirement; requiring the Commission to meet a certain number of times per year; requiring the Commission to meet a certain number of times before a certain date; authorizing the Commission to hold meetings in a certain manner; prohibiting a member of the Commission from receiving compensation; authorizing a member of the Commission to receive certain reimbursement; requiring a certain person to designate certain staff for the Commission; requiring the Commission to make certain recommendations; requiring the Commission to make a certain evaluation; requiring the Commission to carry out certain tasks in preparing a certain plan; authorizing the Commission to undertake certain responsibilities; requiring the Commission to report to the General Assembly on or before certain dates; defining a certain term; providing for the termination of this Act; and generally relating to autism awareness.

BY adding to

Article – Health – General  
Section 13–2801 through 13–2806 to be under the new subtitle “Subtitle 28.  
Maryland Commission on Autism”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 10 – Senator Stone**

A Senate Joint Resolution concerning

**State Spending of Federal Economic Recovery Funds**

FOR the purpose of urging the State of Maryland to spend any economic recovery plan funds granted by the federal government to the State on products made in the United States or services performed in the United States.

Read the first time and referred to the Committee on Rules.

## MESSAGE FROM THE HOUSE OF DELEGATES

### FIRST READING OF HOUSE BILLS

#### House Bill 9 – Delegates Waldstreicher and McComas

AN ACT concerning

#### **Criminal Law – Possession of Child Pornography – Penalties**

FOR the purpose of altering the definition of “sexual conduct” for purposes of certain child pornography provisions to include displaying the genitals of an individual for purposes of sexual arousal or gratification; increasing the penalties for possessing a film, videotape, photograph, or other visual representation depicting a minor engaged in certain activity or in a certain state; making the possession of child pornography a felony under certain circumstances; providing that the jurisdiction of the District Court is concurrent with that of the circuit court in a criminal case in which a person is charged with a second or subsequent offense of possession of child pornography; and generally relating to child pornography.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–201(f) and 11–208  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 4–301 and 4–302(a) and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

#### House Bill 59 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

**State Board of Well Drillers – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Well Drillers 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; requiring the Board to submit a certain report on or before a certain date; and generally relating to the State Board of Well Drillers.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 13–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(68)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**House Bill 62 – The Speaker (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Veterinary Medical Examiners 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; requiring the Board to submit a certain

report on or before a certain date; and generally relating to the State Board of Veterinary Medical Examiners.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–316  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(66)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **House Bill 224 – Allegany County Delegation**

AN ACT concerning

#### **Vehicle Laws – Motor Vehicle and Bicycle Racing Events – Sunset Repeal**

FOR the purpose of repealing a certain termination provision relating to motor vehicle and bicycle racing events; and generally relating to motor vehicle and bicycle racing events.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–1211  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 211 of the Acts of the General Assembly of 2007  
Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 258 – Delegates Simmons, Waldstreicher, Dumais, Kramer, and Lee**

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor  
– Penalties**

FOR the purpose of prohibiting a person from committing a certain crime of violence while knowingly in the presence of a minor under a certain age who witnesses the crime in a residence; establishing certain penalties for a violation of this Act; establishing that a sentence under this Act is separate from and consecutive to a sentence for a crime based on the act establishing a violation of this Act; providing that a person who violates this Act is guilty of the abuse of a child under 18 years for certain purposes; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 9–106(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–601.1  
Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (c)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 267 – Delegate King**

AN ACT concerning

**Family Law – Child Abduction by Relative**

FOR the purpose of altering the elements of certain crimes involving the abducting, detaining, or harboring of a certain child by a relative to require a certain intent; altering certain penalties for certain crimes involving the abducting,

detaining, or harboring of a certain child by a relative under certain circumstances; and generally relating to child abduction.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 9–304, 9–305, and 9–307  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 282 – St. Mary’s County Delegation**

AN ACT concerning

**St. Mary’s County – Adult Public Guardianship Review Board – Membership**

FOR the purpose of requiring one of two physician members of the Adult Public Guardianship Review Board of St. Mary’s County to be a psychiatrist or psychologist from a local health department that employs psychiatrists or psychologists; and generally relating to the Adult Public Guardianship Review Board of St. Mary’s County.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 14–402(a)(2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #9**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 46 – Senator Conway**

AN ACT concerning

**Business Regulation – Returnable Containers – Purchases of Plastic Milk  
Crates**

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 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Public Information Act – Maryland Port Administration – Confidentiality of  
Security-Related Documents and Records**

**SB0075/884439/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 75

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland Port Administration –”; in line 6, after “Act;” insert “specifying the intent of this Act regarding certain inspections by certain exclusive representatives of records of the Maryland Port Administration or the Maryland Aviation Administration; requiring the exclusive representative, before inspecting certain records under this Act, to enter into a certain nondisclosure agreement;”.

AMENDMENT NO. 2

On page 2, after line 34, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act is not intended to limit inspection by the exclusive representative, as defined in § 3–101(e) of the State Personnel and Pensions Article, of records of the Maryland Port Administration or the Maryland Aviation Administration whose inspection is authorized under § 10–618(j)(1)(ii) of the State Government Article, as enacted by Section 1 of this Act, that would otherwise be available to the exclusive representative pursuant to the Health and Safety Article Provisions of the 2008 Memorandum of Understanding or any identical article of a successor memorandum between the State and the exclusive representatives and that are authorized to be inspected under federal law. Before the inspection of a public record under this Act in accordance with this section, the

exclusive representative shall enter into a nondisclosure agreement for any documents inspected to ensure the confidentiality of the information provided.”;

and in line 35, strike “2.” and substitute “3.”.

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 117 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Well Drillers – Sunset Extension and Program Evaluation**

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 242 – Senators Pugh, Garagiola, Harrington, King, Lenett, Muse, and Raskin**

AN ACT concerning

**Pharmacy Permit Holders – Signs for Reporting Incorrectly Filled Prescriptions**

**SB0242/614035/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 242

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, and Klausmeier”; in line 2, strike “Pharmacy Permit Holders – Signs for Reporting” and substitute “Dispensation of Prescription Medication – Provision of Information Relating to”; in line 4, after “of” insert “specifying that certain dentists, physicians, and podiatrists are not prohibited from preparing and dispensing certain prescriptions when the dentists, physicians, and podiatrists post certain signs or include certain information with certain prescriptions;”; strike beginning with “post” in line 4 down through “include” in line 5 and substitute “provide”; in line 6, after “regulations” insert “by posting certain signs or including certain information with certain prescriptions”; strike beginning with “requiring” in line 6 down through “consumers;” in line 8 and substitute “requiring the State Board of Pharmacy to waive certain requirements of this Act for certain pharmacies; requiring certain pharmacies to comply with certain provisions of this Act;”; strike beginning with “pharmacy” in line 8 down through “signs” in line 9 and substitute “the provision of information relating to the process for resolving incorrectly filled prescriptions”; in line 12, after “Section” insert “12–102(c)(2)(i) and”; in the same line, after “(19)” insert “and (f)(9)”; and in line 17, after “12–403(b)(20)” insert “and (c)(3)”.

#### AMENDMENT NO. 2

On page 1, after line 22, insert:

“12–102.

(c) This title does not prohibit:

(2) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

(i) The dentist, physician, or podiatrist:

1. Has applied to the board of licensure in this State which licensed the dentist, physician, or podiatrist;

2. Has demonstrated to the satisfaction of that board that the dispensing of prescription drugs or devices by the dentist, physician, or podiatrist is in the public interest; [and]

3. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; AND

**4. POSTS A SIGN CONSPICUOUSLY POSITIONED AND READABLE REGARDING THE PROCESS FOR RESOLVING INCORRECTLY FILLED PRESCRIPTIONS OR INCLUDES WRITTEN INFORMATION REGARDING THE PROCESS WITH EACH PRESCRIPTION DISPENSED.”.**

**AMENDMENT NO. 3**

On page 2, strike beginning with “POST” in line 14 down through “INCLUDES” in line 15 and substitute “**PROVIDE**”; strike beginning with the semicolon in line 17 down through “IS” in line 18 and substitute “**BY:**”

**(I) POSTING A SIGN THAT IS”;**

and in line 20, after “CONSUMERS” insert “**;**OR

**(II) INCLUDING WRITTEN INFORMATION REGARDING THE PROCESS WITH EACH PRESCRIPTION DISPENSED”.**

**AMENDMENT NO. 4**

On page 2, after line 20, insert:

**“(c) (3) THE BOARD SHALL WAIVE THE REQUIREMENTS OF SUBSECTION (B)(20) OF THIS SECTION FOR A PHARMACY OWNED AND OPERATED BY A HOSPITAL, NURSING FACILITY, OR CLINIC TO WHICH THE PUBLIC DOES NOT HAVE ACCESS TO PURCHASE PHARMACEUTICALS ON A RETAIL BASIS.**

**(f) A nonresident pharmacy shall:**

**(9) Comply with the requirements of subsection (b)(17) AND (20) of this section.”.**

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #10**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 116 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation**

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 140 – Senators Muse and Klausmeier**

AN ACT concerning

**Task Force to Study How to Improve Financial Literacy in the State – Membership, Staffing, and Extension**

**SB0140/814831/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 140  
(First Reading File Bill)

On page 2, after line 27, insert:

**“(II) ONE REPRESENTATIVE FROM THE MARYLAND PARENTS AND TEACHERS ASSOCIATION (PTA);”**;

in lines 28 and 30, strike “(ii)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively; and after line 31, insert:

**“(V) ONE REPRESENTATIVE FROM A NONPROFIT CREDIT COUNSELING SERVICE;”**.

On page 3, in lines 1, 3, 4, 6, and 8, strike “(IV)”, “(V)”, “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(VI)”, “(VII)”, “(VIII)”, “(IX)”, and “(X)”, respectively.

On page 5, after line 23, insert:

**“(II) ONE REPRESENTATIVE FROM THE MARYLAND PARENTS AND TEACHERS ASSOCIATION (PTA);”**;

in lines 24 and 26, strike “(ii)” and “(III)”, respectively, and substitute “(III)” and “(IV)”, respectively; after line 27, insert:

**“(V) ONE REPRESENTATIVE FROM A NONPROFIT CREDIT COUNSELING SERVICE;”**;

and in lines 28 and 30, strike “(IV)” and “(V)”, respectively, and substitute “(VI)” and “(VII)”, respectively.

On page 6, in lines 1, 3, and 5, strike “(VI)”, “(VII)”, and “(VIII)”, respectively, and substitute “(VIII)”, “(IX)”, and “(X)”, respectively.

The preceding amendment was 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 with amendments:

**Senate Bill 183 – Senators Pinsky, Rosapepe, Brochin, Conway, Dyson, Forehand, Frosh, Harrington, Kramer, Lenett, Madaleno, Peters, and Raskin**

AN ACT concerning

**College Textbook Competition and Affordability Act of 2009**

**SB0183/664235/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 183

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Raskin” and substitute “Raskin, and Klausmeier”; in line 4, strike “certain textbook adoption processes,”; in line 11, after “requiring” insert “, subject to a certain exception,”; in line 19, after “time;” insert “prohibiting certain institutions from encouraging or promoting the creation or sale of certain types of textbooks;”; strike beginning with “requiring” in line 22 down through “date;” in line 27; in line 28, after “regarding” insert “certain efforts to lower the cost of certain textbooks,”; and in the same line, after “Act” insert “, and certain recommendations”.

AMENDMENT NO. 2

On page 2, in line 26, after “SALE” insert “AND IS LICENSED BY THE COMPTROLLER UNDER TITLE 11, SUBTITLE 7 OF THE TAX – GENERAL ARTICLE”; and strike beginning with the first comma in line 32 down through “INTEGRATED” in line 33 and substitute “OR CUSTOM”.

AMENDMENT NO. 3

On page 3, in line 8, after the second “MATERIAL,” insert “OR”; strike beginning with “, OR” in line 9 down through “EDITIONS” in line 10; after line 10, insert:

“(III) “CUSTOM TEXTBOOK” DOES NOT INCLUDE PURELY AESTHETIC CHANGES TO A COLLEGE TEXTBOOK WHEN COMPARED WITH A PRIOR EDITION OF A COLLEGE TEXTBOOK SUCH AS COMMEMORATIVE EDITIONS.”;

strike in their entirety lines 11 through 20, inclusive; in line 21, strike “(7)” and substitute “(6)”; in line 22, strike “A”; in the same line, strike “TEXTBOOK” and substitute “COURSE MATERIAL”; in line 23, after “EACH” insert “TEXTBOOK”; strike beginning with “PRINTING” in line 23 down through “TEXTBOOK” in line 24 and substitute “OTHER COURSE MATERIAL, INCLUDING BUNDLES”; after line 24, insert:

“(7) “PRICE” MEANS THE PRICE AT WHICH THE PUBLISHER WOULD MAKE THE COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL

AVAILABLE TO A BOOKSTORE, OR THE PRICE AT WHICH THE PUBLISHER WOULD MAKE THE COLLEGE TEXTBOOK OR SUPPLEMENTAL MATERIAL AVAILABLE TO THE PUBLIC, OR BOTH.”;

and after line 33, insert:

“(10) “TEXTBOOK” INCLUDES CUSTOM TEXTBOOKS TO THE MAXIMUM EXTENT PRACTICABLE.”.

#### AMENDMENT NO. 4

On page 4, strike beginning with “WHOLESALE” in line 5 down through “ANY,” in line 6 and substitute “THE PRICE”; strike beginning with “WHOLESALE” in line 7 down through “ANY,” in line 8 and substitute “PRICE”; strike in their entirety lines 16 through 21, inclusive; and in lines 22 and 25, strike “(3)” and “(4)”, respectively, and substitute “(2)” and “(3)”, respectively.

On page 5, in line 32, strike “WHO” and substitute “THAT”.

On page 6, strike beginning with “AT” in line 5 down through “THE” in line 6 and substitute “OF THE”; strike beginning with “AVAILABLE” in line 6 down through “PUBLIC” in line 9; and in line 28, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A”.

#### AMENDMENT NO. 5

On page 7, strike beginning with “WHOLESALE” in line 1 down through “ANY,” in line 2 and substitute “PRICE INFORMATION”; and after line 8, insert:

“(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A CAMPUS BOOKSTORE MAY SELL COLLEGE TEXTBOOKS AND SUPPLEMENTAL MATERIAL IN A DIFFERENT MANNER THAN AS SELECTED AND ORDERED BY FACULTY MEMBERS FOR THE PURPOSE OF PROVIDING USED COLLEGE TEXTBOOKS, PRIOR EDITIONS, OR OTHER LOWER-COST OPTIONS TO STUDENTS.

“(II) IF A CAMPUS BOOKSTORE SELLS COLLEGE TEXTBOOKS OR SUPPLEMENTAL MATERIAL AS AUTHORIZED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE CAMPUS BOOKSTORE SHALL CLEARLY MARK THE

FACULTY MEMBER'S ACTUAL SELECTION IN CONTRAST WITH THE CAMPUS BOOKSTORE'S ALTERNATIVE PRODUCT SUGGESTION.

AMENDMENT NO. 6

On page 8, in lines 14 and 18, in each instance, strike "A" and substitute "THE PARTICULAR"; after line 20, insert:

"(H) A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT ENCOURAGE OR PROMOTE THE CREATION OR SALE OF COLLEGE TEXTBOOKS THAT CONSIST OF PURELY AESTHETIC CHANGES TO A PRIOR EDITION OF A COLLEGE TEXTBOOK SUCH AS A COMMEMORATIVE EDITION.";

and in lines 21 and 31, strike "(H)" and "(I)", respectively, and substitute "(I)" and "(J)", respectively.

AMENDMENT NO. 7

On pages 8 and 9, strike in their entirety the lines beginning with line 35 on page 8 through line 12 on page 9, inclusive.

On page 9, in lines 13 and 18, strike "3." and "4.", respectively, and substitute "2." and "3.", respectively; in line 16, after "regarding" insert "efforts to lower the cost of textbooks for their students."; in line 17, strike "15-112(c)(4)" and substitute "15-112(c)(3)"; in the same line, after "Act" insert ", and recommendations for statewide policy initiatives that will further ameliorate the high cost of undergraduate and graduate education as impacted by textbook prices"; in line 27, strike the second "and"; and in line 34, after "content" insert "; and

(3) the accessibility of the digital marketplace and any and all electronic textbooks and supplemental material to blind and print-disabled students and faculty members".

On page 10, in line 3, strike "5." and substitute "4."; in line 29, strike "and"; and in line 31, after "purchasing" insert "; and

(7) ensuring that any and all electronic textbooks and supplemental material shall be accessible to blind and print-disabled students and faculty members".

On page 11, in line 8, strike “6.” and substitute “5.”.

The preceding 7 amendments were read only.

Senator Middleton moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 212 – Senator Frosh**

AN ACT concerning

**Environment – Green Building Council**

**SB0212/294339/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 212

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Frosh” and substitute “Senators Frosh, Conway, Dyson, Harrington, Colburn, Lenett, and Rosapepe”.

The preceding amendment was read only.

Senator Stoltzfus moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

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  
Chair

Senate Executive Nominations Committee  
Report #3  
February 19, 2009

**District Court, Baltimore City (District 1)**

1. Videtta A. Brown, Esquire District 43

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 7, 2008

**Information Technology, Department of**

2. Elliot Schlanger District 11  
4 Chellis Court  
Owings Mills, MD 21117

Secretary of Department of Information Technology; appointed to serve at the pleasure of the Governor

**State, Secretary of**

3. John P. McDonough District 24  
4403 Woodgate Way  
Bowie, MD 20720

Secretary of State; appointed to serve a term concurrent with the Governor to expire on January 19, 2011

**Affordable Housing Trust, Board of Trustees**

4. Bert J. Hash, Jr. District 9  
11705 Farside Road  
Ellicott City, MD 21042

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve remainder of a term of four years from October 1, 2006

5. Linda L. Rose District 33  
1312 Holliben Road  
Severna Park, MD 21146

Member of the Maryland Affordable Housing Trust Board of Trustees; appointed to serve remainder of a term of four years from October 1, 2007

**Apprenticeship and Training Council**

6. George Maloney District 33  
7 Beach Road  
Severna Park, MD 21146

Member of the Apprenticeship and Training Council; appointed to serve a term of four years from July 1, 2008

**Assistive Technology Guaranteed Loan Program Board of Directors**

7. Margaret L. Michelle Maxberry District 20  
8101 Eastern Avenue, #413  
Silver Spring, MD 20910

Member of the Assistive Technology Guaranteed Loan Program Board of Directors; appointed to serve remainder of a term of four years from October 1, 2007

**Chiropractic Examiners, State Board of**

8. MaryAnne Frizzera-Hucek District 42  
10 Gregoria Court  
Baltimore, MD 21212

Member of the State Board of Chiropractic Examiners; reappointed to serve a term of four years from July 1, 2008

**Clean Energy Center, Board of Directors for Maryland**

9. Jeffrey W. Eckel District 33  
481 Old Orchard Circle  
Millersville, MD 21108

Member of the Maryland Clean Energy Center Board of Directors; appointed to serve a term to expire September 30, 2012

**Community Health Resources Commission, Maryland**

10. Maria Harris Tildon District 41  
5616 Cross Country Blvd.  
Baltimore, MD 21209

Member of the Maryland Community Health Resources Commission; appointed to serve remainder of a term to expire May 3, 2009

**Controlled Hazardous Substance Advisory Council**

11. Hilton Louis Harrod District 29  
P.O. Box 515  
Lusby, MD 20657

Member of the Controlled Hazardous Substance Advisory Council; reappointed to serve a term of six years from July 1, 2008

12. Michael J. Wolf District 19  
5510 Armsfield Court  
Rockville, MD 20853

Member of the Controlled Hazardous Substance Advisory Council; appointed to serve remainder of a term of six years from July 1, 2006

**Emergency Number Systems Board**

13. Bryan C. Ebling District 37  
403 Sunrise Avenue, P.O. Box 44  
Ridgely, MD 21660

Member of the Emergency Number Systems Board; reappointed to serve remainder of a term of four years from July 1, 2008

14. Susan Elaine Greentree District 30  
257 Overleaf Drive  
Arnold, MD 21012

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2005

15. John Edward Markey District 4  
7113 Flint Court  
Middleton, MD 21769

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2008

16. Kenneth M. Miller District 30  
1414 Harmony Lane  
Annapolis, MD 21409

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2008

17. Anthony Myers District 42  
603 Sadler Road  
Towson, MD 21286

Member of the Emergency Number Systems Board; reappointed to serve remainder of a term of four years from July 1, 2008

### **Environmental Service, Maryland**

18. William B.C. Addison, Jr. District 27  
P.O. Box 141  
Upper Marlboro, MD 20773

Member of the Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2008

### **Foresters, State Board of**

19. Terrance Ward Clark District 33  
1501 Farlow Avenue  
Crofton, MD 21114-1515

Member of the State Board of Foresters; reappointed to serve a term of five years from July 1, 2007

**Health Care Commission, Maryland**

20. Randall P. Worthington, Sr. District 34  
217 Prescott Court  
Havre de Grace, MD 21078

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 10, 2007

**Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

21. James A. Johnson District 38  
7861 Stevens Road  
Eden, MD 21822

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; reappointed to serve a term of three years from January 1, 2008

**Heritage Areas Authority, Maryland**

22. David G. Burke District 30  
20 Harwood Drive  
Harwood, MD 20776

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

23. Robert David Campbell District 20  
9510 Garwood Street  
Silver Spring, MD 20901

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

24. Phyllis W. Robinson District 47  
3705 42nd Avenue  
Town of Cottage City, MD 20722

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2008

**Historical Trust Board of Trustees**

25. O. James Lighthizer, Esquire District 33  
1547 Eton Way  
Crofton, MD 21114

Member of the Maryland Historical Trust Board of Trustees; reappointed to serve a term of four years from July 1, 2008

**Master Electricians, State Board of**

26. Dennis Robert Thomas District 33  
3280 Green Ash Road  
Davidsonville, MD 21035

Member of the State Board of Master Electricians; appointed to serve a term of three years from July 1, 2008

**People's Insurance Counsel, Office of the Attorney General**

27. Peter Killough, Esquire District 20  
811 Islington Street  
Silver Spring, MD 20910

Member of the People's Insurance Counsel; appointed to serve at the pleasure of the Attorney General

**Professional Standards and Teacher Education Board**

28. Shirley Brandman District 16  
6715 Landon Lane  
Bethesda, MD 20817

Member of the Professional Standards and Teacher Education Board; appointed to serve remainder of a term of three years from July 1, 2006

**Real Estate Appraisers and Home Inspectors, State Commission of**

29. George Fair District 7  
6627 Cherry Hill Road  
Baldwin, MD 21013

Member of the State Commission of Real Estate Appraisers and Home Inspectors; appointed to serve remainder of a term of three years from January 1, 2008

**Residential Boarding Education Programs, Board of Trustees of**

30. Kevin Liles District 99  
Warner Music Group, 75 Rockefeller Plaza, 32nd Floor  
New York, NY 10019

Member of the Board of Trustees of Residential Boarding Education Programs; appointed to serve remainder of a term to expire June 30, 2010

31. Lynn Morrison Venetoulis District 11  
24 Woodward Lane  
Lutherville, MD 21903

Member of the Board of Trustees of Residential Boarding Education Programs; appointed to serve a term to expire June 20, 2012

**School for the Deaf, Board of Trustees of the Maryland**

32. Roslyn M. Hannibal-Booker District 7  
291 Attenborough Drive, 102  
Rosedale, MD 21237

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve remainder of a term of six years from October 1, 2004

**Social Work Examiners, State Board of**

33. Geoffrey Greif, D.S.W. District 42  
1917 Old Court Road  
Baltimore, MD 21204

Member of the State Board of Social Work Examiners; appointed to serve remainder of a term of four years from July 1, 2008

**Tourism Development Board, Maryland**

34. Paul Bales District 26  
13000 Sandwick Circle  
Fort Washington, MD 20744

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2006

35. Samuel J. Parker, Jr. District 22  
5601 57th Avenue  
Riverdale, MD 20737

Member of the Maryland Tourism Development Board; appointed to serve remainder of a term of three years from July 1, 2007

#### **Women, Maryland Commission for**

36. Susan Genn District 14  
8521 Churchill Downs Road  
Gaithersburg, MD 20882

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2008

37. Agnes Diane Williams District 23  
902 Jennings Mills Drive  
Bowie, MD 20721

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2005

#### **Youth Camp Safety, Advisory Council on**

38. Amber P. Waller District 47  
1515 Ray Road, #204  
Hyattsville, MD 20782

Member of the Advisory Council on Youth Camp Safety; appointed to serve a term of three years from July 1, 2008

### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

#### **Dental Examiners, State Board of**

- S-1. Sidney B. Seidman District 30  
2171 Chesapeake Harbour Drive-East  
Annapolis, MD 21403

Member of the State Board of Dental Examiners; reappointed to serve a term of four years from June 1, 2008

**Heritage Areas Authority, Maryland**

S-2. Wayne E. Clark  
3649 5th Street  
North Beach, MD 20714

District 27

Member of the Maryland Heritage Areas Authority; reappointed to serve a term of four years from October 1, 2008

**Tourism Development Board, Maryland**

S-3. Michael E. Haynie  
5915 Central Avenue  
Baltimore, MD 21207

District 10

Member of the Maryland Tourism Development Board; reappointed to serve a term of three years from July 1, 2008

**Women, Maryland Commission for**

S-4. Ossie G. Clay  
4964 Moonfall Way  
Columbia, MD 21044

District 12

Member of the Maryland Commission for Women; appointed to serve remainder of a term of four years from July 1, 2005

**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 – 47      Negative – 0      (See Roll Call No. 187)

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 188)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #14**

**Senate Bill 118 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Athletic Commission – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 189)

The Bill was then sent to the House of Delegates.

**Senate Bill 128 – Senators Conway, Della, Dyson, Greenip, Lenett, and Zirkin**

AN ACT concerning

**Business Occupations and Professions – Accountants – Continuing Education**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 190)

The Bill was then sent to the House of Delegates.

**Senate Bill 186 – Senators Pugh, Forehand, Gladden, Harrington, Lenett, Madaleno, McFadden, Muse, Peters, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Correctional Facilities – Released Inmates – Identification Cards**

Read the third time and passed by yeas and nays as follows:

Affirmative – 32      Negative – 15      (See Roll Call No. 191)

The Bill was then sent to the House of Delegates.

**Senate Bill 204 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Public Accountancy – Required Peer Reviews**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 192)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #15  
CONSENT CALENDAR #1**

<u>BILL NO.</u>	<u>SPONSOR</u>	<u>CONTENT</u>	<u>COMMITTEE</u>
SB 21	Sen. Colburn	Dorchester County – School Buses – Length of Operation – Sunset Repeal	EHE
SB 25	Anne Arundel Co. Senators	City of Annapolis – Alcoholic Beverages – Administrative Proceedings and Fines	EHE
SB 29	Sen. Colburn	Talbot County – School Buses – Length of Operation	EHE
SB 37	Sen. Colburn	Caroline County – Alcoholic Beverages – Multiple Event Licenses	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 1 were read the third time and passed by yeas and nays as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 193)

The Bills were then sent to the House of Delegates.

**Senate Bill 106 – Anne Arundel County Senators**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages Act of 2009**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43      Negative – 4      (See Roll Call No. 194)

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. 195)

**ADJOURNMENT**

At 11:49 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 23, 2009.

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**Annapolis, Maryland**  
**Monday, February 23, 2009**  
**8:00 P.M. Session**

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The Senate met at 8:09 P.M.

Prayer by Reverend Roger Carlson, Pastor United Methodist Church, Annapolis, Md., guest of Senator Forehand.

(See Exhibit A of Appendix III)

The Journal of February 20, 2009 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 198)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Douglas T. Duvall	Senators Kittleman, Kasemeyer and Robey	367

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 199)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Maryland Student Legislature	The President and All Members	408

Read and adopted by a roll call vote as follows:

Affirmative – 47      Negative – 0      (See Roll Call No. 200)

## INTRODUCTION OF BILLS

**Senate Bill 964 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County Board of Education – Election of Members – Referendum**

FOR the purpose of requiring that the members of the Caroline County Board of Education be elected; establishing a procedure for the election of members of the county board; specifying that the members be elected by certain districts; specifying member qualifications; establishing a certain term of office for the members; specifying the initial terms of the members and staggering their terms; providing a procedure for filling a vacancy on the county board; requiring the county board to conduct certain interviews and publish certain notices when filling a vacancy; providing for the removal of members under certain circumstances; providing for the election of the president and vice president of the county board; providing for the compensation and expenses of the members of the county board; requiring the county board to meet at certain intervals; providing that the terms of certain appointed members of the county board shall expire on a certain date; making a stylistic change; submitting this Act to a referendum of the legally qualified voters of Caroline County; and generally relating to the Caroline County Board of Education and the election of its members.

BY repealing and reenacting, with amendments,

Article – Education  
Section 3–114(a)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY adding to

Article – Education  
Section 3–3A–01 through 3–3A–06 to be under the new subtitle “Subtitle 3A.  
Caroline County”  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 965 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – School Buses – Length of Operation**

FOR the purpose of altering the length of time a school bus may be operated in Caroline County; 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 length of time a school bus may be operated in Caroline County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–804  
Annotated Code of Maryland  
(2008 Replacement Volume)  
(As enacted by Chapters 637 and 638 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 966 – Senator Colburn**

AN ACT concerning

#### **Talbot County – Alcoholic Beverages – Winery License**

FOR the purpose of authorizing the Board of License Commissioners of Talbot County to issue a Class W winery license to certain holders of a Class 4 manufacturer's license; specifying the privileges conferred by the Class W winery license, including the ability to sell wine and other products for consumption on or off the premises and to maintain furnishings to enable patrons to consume wine and food; specifying that a Class W winery license is a 7–day license exempt from certain quotas; providing a license fee; specifying the hours of sale for a Class W winery license; making a certain stylistic change; providing that a holder of a certain license may exchange that license for a Class W winery license under certain circumstances; and generally relating to alcoholic beverages in Talbot County.

BY adding to  
Article 2B – Alcoholic Beverages  
Section 4–301 to be under the new subtitle “Subtitle 3. Class W Winery Licenses”; and 11–521  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 967 – Senator Colburn**

AN ACT concerning

**Environment – Bay Restoration Fund – Authorized Uses**

FOR the purpose of authorizing certain fee revenue collected for the Bay Restoration Fund to be used to pay the cost of connecting properties served by onsite sewage disposal systems to certain existing municipal wastewater facilities under certain circumstances; establishing certain requirements for certain funding of certain costs; and generally relating to authorized uses of the Bay Restoration Fund.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a) and (h)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(h)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 968 – Senators Colburn, Pipkin, and Stoltzfus**

AN ACT concerning

**Family Medicine Rural Health Commission**

FOR the purpose of creating the Family Medicine Rural Health Commission; providing for the composition and staffing of the Commission; providing that a member of the Commission may not receive compensation but may be reimbursed for certain expenses; specifying the duties of the Commission; authorizing the Commission to seek, accept, and expend certain funds and seek, accept, and use certain services; specifying the terms of the initial members of the Commission; requiring the Commission to report to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the creation of the Family Medicine Rural Health Commission.

BY adding to

Article – Education

Section 24–701 to be under the new subtitle “Subtitle 7. Family Medicine Rural Health Commission”

Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 969 – Senator Colburn**

AN ACT concerning

**Income Tax Subtraction Modification – Charitable Donations – Partial Interests in Property**

FOR the purpose of allowing an individual or corporation a subtraction modification under the Maryland income tax equal to the fair market value of an in-kind donation of certain rental space to certain nonprofit organizations if the donation is not allowed a deduction under the federal income tax; providing for the application of this Act; and generally relating to a subtraction under the Maryland income tax for certain donations of rental space.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a) and 10–308(a)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY adding to

Article – Tax – General

Section 10–208(q)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–308(b)

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 970 – Senator Colburn**

AN ACT concerning

**Election Law – Delay in Replacement of Voting System**

FOR the purpose of altering the date for the replacement of the State's direct-recording electronic (DRE) touchscreen voting system with a certain voter-verified paper record voting system; requiring the State to continue to use the touchscreen voting system for certain elections until the later of the date when the State concludes payment for the touchscreen voting system or a certain other date; altering certain provisions relating to the certification of voting systems; providing for the application of certain provisions; repealing provisions of uncodified law relating to the application of a certain prior Act; and generally relating to the replacement of the State's direct-recording electronic (DRE) touchscreen voting system.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9-102

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

BY repealing

Chapter 547 of the Acts of the General Assembly of 2007

Section 2

BY repealing

Chapter 548 of the Acts of the General Assembly of 2007

Section 2

Read the first time and referred to the Committee on Rules.

### **Senate Bill 971 – Senator Colburn**

AN ACT concerning

#### **Criminal Law – Manslaughter by Vehicle or Vessel – Fatigued Driving**

FOR the purpose of establishing that a person who causes the death of another by driving, operating, or controlling a vehicle or vessel while knowingly fatigued is guilty of driving, operating, or controlling a vehicle or vessel in a grossly negligent manner and the felony of manslaughter by vehicle or vessel; establishing penalties for a violation of this Act; providing for the construction of this Act; defining a certain term; and generally relating to driving, operating, or controlling a vehicle or vessel.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2-209

Annotated Code of Maryland

(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 972 – Senator Rosapepe**

AN ACT concerning

**Environment – On-Site Sewage Disposal Systems – Requirements**

FOR the purpose of requiring persons who are engaged in the business of inspecting on-site sewage disposal systems under certain circumstances to make certain certifications to the Department of the Environment; requiring persons who are engaged in the business of inspecting on-site sewage disposal systems under certain circumstances to make certain information available to persons contracting for the inspection service; requiring persons who are engaged in the business of inspecting on-site sewage disposal systems under certain circumstances to register with a certain county prior to conducting certain inspections; requiring the Department to make available a certain list of persons on the Department's website; authorizing the Department to establish a certain fee under certain circumstances; requiring a county, on or before a certain date, to adopt a certain on-site sewage disposal management plan and include the plan in the county's water and sewer plan; requiring the Department to adopt certain regulations relating to nitrogen removal requirements, inspection requirements, and repair and replacement requirements for on-site sewage disposal systems; requiring the Department to define a certain term under certain circumstances; authorizing the Department to adopt certain regulations; requiring the Department to assist certain owners in paying for certain costs; requiring a county to provide certain notice to certain owners of on-site sewage disposal systems; authorizing a county to establish a certain fee under certain circumstances; requiring certain owners to have an on-site sewage disposal system inspected, repaired, or replaced under certain circumstances; exempting certain owners from certain repair or replacement requirements under certain circumstances; establishing certain civil penalties for certain violations; requiring the Comptroller to deposit a certain percentage of certain funds for reimbursement of certain costs; defining certain terms; and generally relating to on-site sewage disposal systems.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9-217.1, 9-505(a)(18)(iii) and (19), and 9-1605.2(g) and (h)(2)

Annotated Code of Maryland

(2007 Replacement Volume and 2008 Supplement)

BY adding to

Article – Environment

Section 9-505(a)(20); and 9-11A-01 through 9-11A-05 to be under the new subtitle "Subtitle 11A. On-Site Sewage Disposal Systems"

Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(h)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 973 – Senator Munson**

AN ACT concerning

**Student Financial Assistance – Eligible Institutions of Higher Education**

FOR the purpose of authorizing certain scholarships, grants, or loans to be used at certain institutions of higher education in the State; defining certain terms; and generally relating to authorized uses of student financial assistance at institutions of higher education in the State.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 10–101 and 18–103  
Annotated Code of Maryland  
(2008 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 974 – Senators Raskin and Rosapepe**

AN ACT concerning

**Local Government Tort Claims Act – Notice of Claim**

FOR the purpose of clarifying certain provisions of law governing the notice of a claim required to be given to a defendant local government under the Local Government Tort Claims Act; repealing redundant language; making stylistic changes; and generally relating to notice of a claim under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–304  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 975 – Senator Harrington**

AN ACT concerning

**Public Safety – Regulation of Demolition – Demolition Contractors**

FOR the purpose of requiring a demolition contractor to obtain a demolition permit from a certain local designated authority before beginning demolition in the State; requiring a demolition contractor to provide certain information, certain evidence, and, under certain circumstances, a certain plan to the local designated authority in order to obtain a demolition permit; requiring a demolition contractor to comply with certain other requirements of law for demolition permits; requiring a demolition contractor, before demolition begins, to participate in a certain consultation, provide the local designated authority with certain notice, provide certain written notice to certain owners and occupants, provide certain public notice by means of a certain sign, and have the building treated with rodenticide in a certain manner under certain circumstances; prohibiting the use of explosives for demolition by implosion except under certain circumstances; requiring the local designated authority to provide a demolition contractor with certain information in a certain manner about safe demolition or renovation of buildings that contain lead paint or pigment; requiring demolition to begin, and to be completed, within a certain number of days after obtaining a demolition permit; requiring demolition to be performed only during certain hours except under certain circumstances; requiring the removal of debris within a certain time period; requiring the demolition site to be secured in a certain manner; requiring demolition to be performed in a certain manner; requiring a demolition contractor to comply with certain laws and regulations regarding water management, asbestos, oil tanks, and other environmental remediation standards; requiring a certain person to provide certain notice of potential exposure to lead-based paint in a certain manner under certain circumstances; authorizing the local designated authority to suspend or revoke a demolition permit under certain circumstances; requiring a demolition contractor to obtain a new demolition permit in a certain manner under certain circumstances; establishing a certain fine for performing demolition in violation of this Act; providing that this Act does not affect the authority of a local designated authority to enforce certain laws under certain circumstances; defining certain terms; and generally relating to the regulation of demolition and demolition contractors.

BY adding to

Article – Public Safety

Section 12–1201 through 12–1212 to be under the new subtitle “Subtitle 12.  
Regulation of Demolition and Demolition Contractors”

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 976 – Senator Jones**

AN ACT concerning

**Baltimore City – 44th Legislative District Alcoholic Beverages – Beer, Wine,  
and Liquor Tasting License**

FOR the purpose of establishing a Class BWLT beer, wine, and liquor tasting license in a certain part of the 44th legislative district of Baltimore City; establishing fees for Class BWLT licenses; authorizing a Class BWLT license holder to allow the consumption of certain alcoholic beverages for tasting or sampling; requiring a Class A license holder to apply for a Class BWLT license in a certain manner; requiring a Class BWLT license holder to dispose of any unconsumed alcoholic beverages remaining in a container that was opened for tasting or sampling; and generally relating to alcoholic beverages licenses in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–403.2

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 977 – Senators Mooney and Colburn**

AN ACT concerning

**State Lottery – Unanticipated Revenues – Public School Systems**

FOR the purpose of requiring the Comptroller to distribute certain unanticipated lottery revenues to all the public school systems in the State; specifying that the money distributed under this Act is intended to provide additional revenue for public school systems and may not supplant any other appropriation to public school systems; defining certain terms; and generally relating to the distribution of lottery proceeds to public school systems in the State.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120

Annotated Code of Maryland

(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 978 – Senator Mooney**

AN ACT concerning

**Procurement – Minority Business Enterprises – Goal-Setting**

FOR the purpose of requiring a unit to consider certain information before it sets the minority business enterprise participation goal in a procurement contract; making a technical correction; and generally relating to minority business enterprise participation goals.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–302(a) and 14–303(b)(8)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 979 – Senator Mooney**

AN ACT concerning

**Wind Energy – Tax Incentives**

FOR the purpose of exempting from the sales and use tax the sale of certain wind energy equipment; exempting from the State and local property tax certain wind energy property; defining certain terms; and generally relating to wind energy tax incentives.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–230  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–242  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 980 – Senator Dyson**

AN ACT concerning

**State Government – State Song for Children – “The Land Mary-land”**

FOR the purpose of designating “The Land Mary-land” as the State song for children.

BY adding to

Article – State Government  
Section 13–307.1  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 981 – Senator Garagiola**

AN ACT concerning

**Public Service Companies – Net Energy Metering**

FOR the purpose of altering a certain definition of eligible customer-generator; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,

Article – Public Utility Companies  
Section 7–306(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utility Companies  
Section 7–306(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 982 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Concord Historic Site**

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 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 Rules.

**Senate Bill 983 – Senator Conway**

AN ACT concerning

**Baltimore City – 43rd Legislative District – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License**

FOR the purpose of establishing a Class BWLT beer, wine, and liquor tasting license in a certain part of the 43rd Legislative District of Baltimore City; establishing fees for Class BWLT licenses; authorizing a Class BWLT license holder to allow the consumption of certain alcoholic beverages for tasting or sampling; requiring a Class A license holder to apply for a Class BWLT license in a certain manner; requiring a Class BWLT license holder to dispose of any unconsumed alcoholic beverages remaining in a container that was opened for tasting or sampling; and generally relating to alcoholic beverages licenses in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–403.2

Annotated Code of Maryland

(2005 Replacement Volume and 2008 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 20 – ~~Delegate Sophocleus~~ Delegates Sophocleus, Barkley, Beidle, Benson, Bromwell, Carr, G. Clagett, Conway, Costa, Donoghue, Elliott, George, Hammen, Hecht, Howard, Hubbard, Jameson, Kach, Kipke, Krebs, Kullen, Love, McDonough, Montgomery, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Rice, Riley, Robinson, Shewell, Tarrant, V. Turner, Weldon, and Wood**

AN ACT concerning

**Intellectual Disability (Rosa's Law)**

FOR the purpose of changing references to mental retardation to an intellectual disability; changing references to a mentally retarded individual to an individual with an intellectual disability; renaming State residential centers for the mentally retarded to be State residential centers for individuals with an intellectual disability; renaming an intermediate care facility for the mentally retarded (ICF-MR) to be an intermediate care facility for individuals with an intellectual disability (ICF-ID); altering certain definitions; defining certain terms; deleting certain obsolete references; making certain stylistic changes; requiring the publisher of the Annotated Code to make certain corrective changes; providing that certain documents may not be used until the use of certain other documents; providing for the intent of this Act; and generally relating to changing references to mental retardation to an intellectual disability.

BY repealing and reenacting, with amendments,

Article – Education  
Section 8-401(a)(2) and 13-303(l)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts  
Section 13-101(l)  
Annotated Code of Maryland  
(2001 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 5-101(f) and 14-103  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 7-101(c)(1), (k), and (p), 7-204(a) and (c), 7-501, 7-502, 7-503(e)(1), 7-505, 7-507(f), (g), and (j), 7-508, 7-512(a), 7-515, 7-516, 7-517, 7-803, 7-909(d), 10-101(f), 10-514(d), 10-620(e), 15-805(b), 16-101(b), 16-201(a), 16-402, 16-404, 16-405, 16-407, and 19-201(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General  
Section 7-101(k)

Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Health – General  
Section 7–101(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 3–420(d)  
Annotated Code of Maryland  
(2008 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 10–309(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 11–117 and 22–412.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 51 – The Speaker (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

**Human Relations**

FOR the purpose of adding a new title to the State Government Article of the Annotated Code of Maryland, to be designated and known as “Title 20. Human Relations”; revising, restating, and recodifying certain laws relating to the Commission on Human Relations, including laws concerning the members and staff of the Commission and the powers and duties of the Commission; revising, restating, and recodifying certain laws relating to discrimination in places of public accommodation, commercial leasing, employment, and housing; revising, restating, and recodifying certain laws relating to discrimination by certain licensed or regulated persons and by governmental units, officers, and employees; revising, restating, and recodifying certain laws relating to aiding, abetting, or attempting certain discriminatory acts and obstructing compliance

with certain laws or orders; revising, restating, and recodifying certain laws relating to enforcement of certain discrimination laws; revising, restating, and recodifying certain laws relating to criminal penalties for violations of certain laws; revising, restating, and recodifying certain laws relating to civil actions for violations of certain county discrimination laws; 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; and generally relating to the laws of the State concerning human relations.

BY repealing

Article 49B – Human Relations Commission  
Section 1 through 43 and the various subtitles  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

BY adding to

Article – State Government  
Section 20–101 through 20–1203, inclusive, and the various subtitles to be  
under the new title “Title 20. Human Relations”  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 52 – The Speaker (By Request – Department of Legislative Services – Code Revision)**

AN ACT concerning

**Human Relations – Cross–References and Corrections**

FOR the purpose of correcting certain cross–references to Article 49B (Human Relations Commission) in the Annotated Code of Maryland; correcting a certain error in provisions of law relating to remedies available in a certain civil action; making certain technical and stylistic changes; and generally relating to the revision of Article 49B of the Code and cross–references and corrections to it.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions  
Section 17–526(a) and (d)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 15–202  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–435  
Annotated Code of Maryland  
(2008 Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–355  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–202(h)  
Annotated Code of Maryland  
(2003 Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 19–107(a) and (d)(1) and 19–108(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–205(b) and 10–617(b)(1)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 20–1013(d)  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_\_ (H.B. 51) of the Acts of the General Assembly of  
2009)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–1013(e)  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_\_ (H.B. 51) of the Acts of the General Assembly of  
2009)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 67 – Delegates Feldman and Bronrott**

AN ACT concerning

**Vehicle Laws – Rules of the Road – Use of Signals When Changing Lanes**

FOR the purpose of prohibiting a person from moving a vehicle right or left on a roadway in order to change lanes unless the person gives an appropriate signal in a certain manner; making certain stylistic changes; and generally relating to the use of vehicle signals when changing lanes.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–604  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–605  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 70 – ~~Delegate Morhaim~~ Delegates Morhaim, Hammen, Pendergrass, Benson, Bromwell, Donoghue, Elliott, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Riley, Tarrant, V. Turner, and Weldon**

AN ACT concerning

**Department of Health and Mental Hygiene – Commissions, Programs, and Reports – Revision**

FOR the purpose of repealing provisions establishing the Community Services Advisory Commission; repealing the reporting requirement for the Department of Health and Mental Hygiene regarding the Substance Abuse Treatment Outcomes Partnership Fund; repealing the reporting requirement for certain facilities regarding the status of mentally ill individuals admitted to the facilities; repealing the reporting requirement for certain facilities regarding the release of mentally ill individuals from the facilities; repealing the reporting requirement for the Developmental Disabilities Administration regarding the implementation of community residential mental health programs for children

and adolescents; repealing the reporting requirement for the State Advisory Council on Arthritis and Related Diseases; altering the reporting requirement for the Oral Health Safety Net Program; altering the reporting requirement for the Department regarding money held in trust from certain managed care organizations; repealing the reporting requirement for the Maryland Medical Advisory Committee; repealing the reporting requirement for the Department regarding the status of a certain waiver application; repealing a certain provision regarding eligibility for home- and community-based services for impaired individuals under Medicaid; repealing the reporting requirement for the Department regarding the status of an application for certain federal matching funds; repealing the reporting requirement for the Department regarding the status of an application for a certain federal grant; repealing the community choice program; codifying certain provisions relating to the review and reporting of certain fee-for-service rates; repealing the reporting requirement of the Department regarding the Oral Health Program; repealing the requirement for a certain panel regarding off-label drug use; repealing the reporting requirement for the Department regarding the off-label drug use panel's recommendations; altering certain reporting requirements for the Department regarding fee-for-service rates; repealing certain reporting requirements for the Department regarding fee-for-service rates; repealing the reporting requirement of the Department regarding the results of certain hospital death record reviews; repealing a certain reporting requirement of the Department regarding dental services under the Maryland Medical Assistance Program; repealing the reporting requirement for the Department regarding the status of certain Family Investment Program recipients; repealing provisions establishing the Osteoporosis Prevention and Education Task Force; repealing the provisions establishing the State Advisory Council on Medical Privacy and Confidentiality; making technical corrections; and generally relating to the revision of commissions, programs, and reports of the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4-307(k)(1)(vi), 8-6C-03, 10-923(d), 10-925(c), 13-509, 13-2504, 15-102.4, 15-103(b)(27)(iv), 15-132(j), 15-133, and 24-1105(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing

Article – Health – General

Section 7-204, 10-711, 10-810, 15-130(f), 15-132(i) and (k), 15-141, and 18-803

Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY adding to

Article – Health – General

Section 15–103.5  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–804  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

BY repealing  
Chapter 280 of the Acts of the General Assembly of 2005  
Section 11

BY repealing  
Chapter 702 of the Acts of the General Assembly of 2001, as amended by  
Chapter 464 of the Acts of the General Assembly of 2002  
Section 1

BY repealing  
Chapter 1 of the Acts of the General Assembly of 1998  
Section 2

BY repealing  
Chapter 2 of the Acts of the General Assembly of 1998  
Section 2

BY repealing  
Chapter 113 of the Acts of the General Assembly of 1998  
Section 6

BY repealing  
Chapter 593 of the Acts of the General Assembly of 1997  
Section 16

BY repealing  
Article – Health – General  
Section 4–3A–01 through 4–3A–05 and the subtitle “Subtitle 3A. State Advisory  
Council on Medical Privacy and Confidentiality”; and 13–1901 through  
13–1906 and the subtitle “Subtitle 19. Osteoporosis Prevention and  
Education Task Force”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY renumbering  
Article – Health – General

Section 7–205 through 7–207, 10–712 through 10–714, and 10–811 through 10–813, respectively  
 to be Section 7–204 through 7–206, 10–711 through 10–713, and 10–810 through 10–812, respectively  
 Annotated Code of Maryland  
 (2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 76 – Delegates Nathan–Pulliam, Benson, Burns, Costa, Hubbard, Kipke, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnik, Reznik, Riley, Tarrant, V. Turner, and Weldon**

AN ACT concerning

**Hepatitis C Virus – Public Awareness and Outreach – ~~Repeal of Sunset~~  
Sunset Extension**

FOR the purpose of ~~repealing~~ extending the termination date for a provision of law that requires the Department of Health and Mental Hygiene to conduct certain outreach and public awareness campaigns regarding the hepatitis C virus.

BY repealing and reenacting, with amendments,  
 Chapter 457 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.

**House Bill 93 – Delegate Costa**

AN ACT concerning

**Mortality and Quality Review Committee – ~~Sunset Repeal~~ Extension and Membership**

FOR the purpose of ~~repealing~~ altering the membership of the Mortality and Quality Review Committee; extending the termination date for a provision of law relating to certain reports regarding incidents of injury and certain recommendations and findings by the Mortality and Quality Review Committee; and generally relating to the Mortality and Quality Review Committee and reportable incidents of injury.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–804(a)(8)  
Annotated Code of Maryland

(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 268 of the Acts of the General Assembly of 2006  
Section 3

Read the first time and referred to the Committee on Finance.

**House Bill 109 – ~~Delegate Wood~~ Delegates Wood, Montgomery, and Riley**

AN ACT concerning

**Health – Issuance of Birth Certificates – Surviving Spouse**

FOR the purpose of ~~requiring the Secretary of Health and Mental Hygiene to provide certain individuals with certain certificates on request;~~ altering a provision of law to allow ~~certain birth certificates~~ a certified or abridged copy of a birth certificate to be issued on request of a surviving spouse; and generally relating to the issuance of birth, ~~death, and marriage~~ certificates.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4-217(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4-217~~(a)~~ and (b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 127 – Delegates ~~Pena-Melnyk, Benson, Costa, Howard, Hubbard, Kullen, Levi, Nathan-Pulliam, Reznik, Riley, Tarrant, V. Turner, Waldstreicher, and Weldon~~**

AN ACT concerning

**Death Certificate – Correction – Notice of Right to Appeal Denial**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to include with a copy of ~~a certain death certificate~~ certificates a certain notice advising a person in interest of the right to appeal a denial of a request to correct findings and conclusions as to the cause and manner of death recorded on a death certificate; requiring the Department to take a certain action at a certain time;

and generally relating to death certificates and notice of the right to appeal a denial of a request for correction.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4–217(e) and 5–310(d)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY adding to  
Article – Health – General  
Section 4–217(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–217(f)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–611(e)(3)  
Annotated Code of Maryland  
(2004 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 160 – Chair, Economic Matters Committee (By Request –  
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Fraudulent Acts – Insurance Producers and Adjusters**

FOR the purpose of altering the circumstances under which it is a fraudulent insurance act for a person to act as or represent to the public that the person is an insurance producer or a public adjuster in the State; and generally relating to fraudulent insurance acts.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–405  
Annotated Code of Maryland  
(2006 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 161 – Chair, Economic Matters Committee (By Request –  
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Company Action Level Events – Property and Casualty Insurers**

FOR the purpose of specifying when a certain company action level event occurs for property and casualty insurers; and generally relating to financial regulation of insurers.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 4–305(a)  
Annotated Code of Maryland  
(2003 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance.

**House Bill 245 – Delegate Feldman**

AN ACT concerning

**Real Estate Investment Trusts – Declaration of Trust and Bylaws**

FOR the purpose of repealing a certain provision requiring that the annual meeting of shareholders provided for in a real estate investment trust's declaration of trust be held after the delivery of the annual report; repealing a certain cross-reference in a provision authorizing provisions of a real estate investment trust's bylaws to be made dependent on facts ascertainable outside the bylaws; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 8–202  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 378 – Delegate Feldman**

AN ACT concerning

### **Corporations – Corporate Documents, Fractional Shares, and Redemption of Stock**

FOR the purpose of repealing a certain requirement that the original or a certified copy of the bylaws of a corporation, including amendments to them, be kept at the corporation's principal office; authorizing a corporation to eliminate fractional shares of stock by rounding up, but not down, to a full share of stock; increasing the amount of the aggregate net asset value of shares that a corporation may redeem from a stockholder under certain circumstances; authorizing a certain statement of affairs of a corporation to be placed on file, in a certain form, at the corporation's principal office or at any other office or agency specified in the bylaws of the corporation; requiring a written request for certain persons to inspect and copy certain documents of a corporation; requiring a corporation, within a certain time period after a certain request for a certain document is presented to an officer or the resident agent of the corporation, to have the requested document available on file at the corporation's principal office; making certain clarifying and conforming changes; and generally relating to corporate documents, fractional shares, and redemption of stock.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 2–110, 2–214(a), 2–310.1, 2–313, and 2–512  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 2–510  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **House Bill 498 – Delegate Feldman**

AN ACT concerning

#### **Professional Service Corporations – Corporate Names – Approval by Professional Organizations**

FOR the purpose of establishing an exception to the requirement that a licensing unit consult with and obtain the approval of a certain professional organization before issuing a certificate of authorization for use of a corporate name; providing that the Board of Physicians is not required to consult with or obtain the approval of the professional organization in the State to which a majority of

physicians belong; making a certain conforming change; and generally relating to certificates of authorization for use of a corporate name.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 5–107  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–108  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 183 – Senators Pinsky, Rosapepe, Brochin, Conway, Dyson, Forehand, Frosh, Harrington, Kramer, Lenett, Madaleno, Peters, and Raskin**

AN ACT concerning

#### **College Textbook Competition and Affordability Act of 2009**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for February 25, 2009.

The motion was adopted.

**Senate Bill 212 – Senator Frosh**

AN ACT concerning

#### **Environment – Green Building Council**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

Senator Stoltzfus moved, duly seconded, to make the Bill a Special Order for February 24, 2009.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #11**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 278 – Senator Pinsky and the President (By Request – Administration) and Senators Conway, Currie, Forehand, Frosh, Garagiola, Gladden, Harrington, Kelley, King, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, and Stone**

AN ACT concerning

**Greenhouse Gas Emissions Reduction Act of 2009**

**SB0278/144630/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 278

(First Reading File Bill)

On page 8, in line 16, after “IMPACT” insert “RURAL OR”.

The preceding amendment was read only.

Senator Pinsky moved, duly seconded, that the Bill and Amendment 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. 201)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #16**

**Senate Bill 89 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Imposition of Civil  
Penalties by Board of Trustees – Authorization**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44      Negative – 3      (See Roll Call No. 202)

The Bill was then sent to the House of Delegates.

**Senate Bill 382 – 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 – 47      Negative – 0      (See Roll Call No. 203)

The Bill was then sent to the House of Delegates.

**Senate Bill 440 – 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 – 47      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 47 Members present.

(See Roll Call No. 205)

### **ADJOURNMENT**

At 8:37 P.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 24, 2009.

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**Annapolis, Maryland**  
**Tuesday, February 24, 2009**  
**10:00 A.M. Session**

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The Senate met at 10:07 A.M.

Prayer by Rabbi David Finkelstein, Shoresh – Camp for Jewish Children, Frederick, Maryland, guest of Senator Mooney.

(See Exhibit A of Appendix III)

The Journal of February 23, 2009 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. 207)

**INTRODUCTION OF RESOLUTIONS**

(See Exhibit B of Appendix III)

<b>Recipient</b>	<b>Sponsor</b>	<b>Resolution No.</b>
Howard H. Murphy	Senator Mooney	368

Read and adopted by a roll call vote as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 208)

**LAI D OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 278 – Senator Pinsky and the President (By Request – Administration) and Senators Conway, Currie, Forehand, Frosh, Garagiola, Gladden, Harrington, Kelley, King, Lenett, Madaleno, Middleton, Muse, Peters, Pugh, Raskin, Robey, Rosapepe, and Stone**

AN ACT concerning

**Greenhouse Gas Emissions Reduction Act of 2009**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0278/144630/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 278

(First Reading File Bill)

On page 8, in line 16, after “**IMPACT**” insert “**RURAL OR**”.

The preceding amendment was read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendment a Special Order for February 26, 2009.

The motion was adopted.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #6**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 151 – Senators Mooney, Haines, Jacobs, Kittleman, Munson, Simonaire, and Stone**

AN ACT concerning

**Hate Crimes – Prohibitions and Protected Classes – Homeless Persons and Groups**

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 152 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Personal Representatives and Fiduciaries – Powers**

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 153 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Jurisdiction of Orphans’ Court – Determination of Title  
to Personal 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 154 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Admission of Copy of Executed Will**

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 189 – Senator Simonaire**

AN ACT concerning

**Vehicle Laws – School Buses and Former School Buses – Seat Belts**

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 230 – Senators Kasemeyer and Frosh**

EMERGENCY BILL

AN ACT concerning

**Maryland Uniform Prudent Management of Institutional Funds Act**

**SB0230/398777/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 230

(First Reading File Bill)

On page 8, in line 17, strike “AN” and substitute “SUBJECT TO THE INTENT OF A DONOR EXPRESSED IN A GIFT INSTRUMENT, AN”.

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.

**THE COMMITTEE ON FINANCE REPORT #10**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 439 – Senator Middleton**

AN ACT concerning

**Health Insurance – Prompt Pay – Modifications and Clarifications**

**SB0439/987071/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 439

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Modifications and”; strike beginning with “requiring” in line 3 down through “claim;” in line 5; strike beginning with the comma in line 5 down through “requirements,” in line 6; and in line 10, strike “modifications and”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 35 through 37, inclusive.

On page 3, in line 18, in each instance, strike the bracket; strike beginning with “NOTWITHSTANDING” in line 18 down through “IF” in line 19; and in line 25, after “INITIAL” insert “CLEAN”.

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 513 – Senators Forehand and Muse**

AN ACT concerning

**Washington Metropolitan Area Transit Commission – Appointment of  
District of Columbia Member**

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 636 – Senator Middleton**

AN ACT concerning

**Health Insurance – Required Report and Repeal of Obsolete Provisions**

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 854 – Senator Garagiola**

AN ACT concerning

**Health Insurance – Definition of Coverage Decisions – Pharmacy Inquiries**

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 212 – Senator Frosh**

AN ACT concerning

**Environment – Green Building Council**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0212/294339/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO SENATE BILL 212**

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Frosh” and substitute “Senators Frosh, Conway, Dyson, Harrington, Colburn, Lenett, and Rosapepe”.

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. 209)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #17

**Senate Bill 46 – Senator Conway**

AN ACT concerning

#### **Business Regulation – Returnable Containers – Purchases of Plastic Milk Crates**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 210)

The Bill was then sent to the House of Delegates.

**Senate Bill 75 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Transportation)**

AN ACT concerning

#### **Public Information Act – ~~Maryland Port Administration~~ – Confidentiality of Security-Related Documents and Records**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 211)

The Bill was then sent to the House of Delegates.

**Senate Bill 116 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Veterinary Medical Examiners – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 212)

The Bill was then sent to the House of Delegates.

**Senate Bill 117 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Well Drillers – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 213)

The Bill was then sent to the House of Delegates.

**Senate Bill 140 – Senators Muse and Klausmeier**

AN ACT concerning

**Task Force to Study How to Improve Financial Literacy in the State  
– Membership, Staffing, and Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46      Negative – 0      (See Roll Call No. 214)

The Bill was then sent to the House of Delegates.

**Senate Bill 242 – Senators Pugh, Garagiola, Harrington, King, Lenett, Muse,  
~~and Raskin~~ Raskin, and Klausmeier**

AN ACT concerning

**Pharmacy Permit Holders – Signs for Reporting Dispensation of Prescription Medication – Provision of Information Relating to Incorrectly Filled Prescriptions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 42      Negative – 4      (See Roll Call No. 215)

The Bill was then sent to the House of Delegates.

**MESSAGE FROM THE HOUSE OF DELEGATES**

**YEAS AND NAYS**

**SENATE BILLS PASSED IN THE HOUSE**

<u>NUMBER</u>	<u>SPONSOR</u>	<u>CONTENT</u>
SB 307 (Emergency Bill)	The President	Judicial Compensation Commission

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**MESSAGE FROM THE HOUSE OF DELEGATES**

**FIRST READING OF HOUSE BILLS**

**House Bill 45 – Delegate Kullen**

AN ACT concerning

**~~Crimes~~ – Tattooing, Branding, and Body Piercing – Parental Consent**

FOR the purpose of prohibiting the tattooing, branding, or body piercing of a minor without the prior written informed consent of the minor's parent or legal guardian; requiring the consent of a parent or legal guardian to be executed in a certain manner; providing that an individual who violates this Act is ~~guilty of a misdemeanor and is~~ subject to certain ~~finer~~ civil penalties under certain circumstances; providing for the construction of certain provisions of this Act; and generally relating to the tattooing, branding, or body piercing of a minor.

BY adding to

Article – Criminal Law  
Section 10–112.1

Annotated Code of Maryland  
(2002 Volume and 2008 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**House Bill 119 – ~~Delegate Hubbard~~ Delegates Hubbard and Montgomery**

EMERGENCY BILL

AN ACT concerning

**Children's Products Containing Lead – Modifications**

FOR the purpose of altering the requirements for the testing entity that is to be used by a manufacturer of a children's product; altering certain definitions; defining a certain term; altering the electronic devices, products, and materials to which this Act does not apply; clarifying the manufacturers and importers that are required to perform certain testing; clarifying the children's products to be tested to determine whether they are lead-containing products; providing that a certain certificate is not required for the sale of certain products; making this Act an emergency measure; and generally relating to children's products containing lead.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–1301, 6–1302, and 6–1304  
Annotated Code of Maryland  
(2007 Replacement Volume and 2008 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 216)

**ADJOURNMENT**

At 11:13 A.M. on motion of Senator Kasemeyer, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 25, 2009.