Journal *of* Proceedings

of the

House of Delegates

of

Maryland

2010 Regular Session

Volume I

Compiled and edited by:

Sylvia Siegert
Journal Clerk
Chief Clerk's Office

...

Mary Monahan
Chief Clerk

———

Library and Information Services
and
Legislative Document Management
of the Department of Legislative Services
General Assembly of Maryland
prepared this document.

For further information concerning this document contact:

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

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

E-Mail: libr@mlis.state.md.us
Home Page: http://mlis.state.md.us

The Department of Legislative Services does not discriminate on the basis of age, ancestry, color, creed, marital status, national origin, race, religion, gender, sexual orientation, or disability in the admission or access to its programs, services, or activities. The Department's Information Officer has been designated to coordinate compliance with the nondiscrimination requirements contained in Section 35.107 of the Department of Justice Regulations. Requests for assistance should be directed to the Information Officer at the telephone numbers shown above.

Contents

Index of Days iv

Journal of Proceedings 1

Rules of the House of Delegates of Maryland 3607

Roll Calls ..... Appendix I

Exhibits ..... Appendix II

Index ..... Appendix III

2010 HOUSE JOURNAL
INDEX OF DAYS

Legislative Day	Page
January 13	1
January 14	65
January 15	70
January 18	83
January 19	105
January 20	107
January 21	134
January 22	154
January 25	180
January 26	212
January 27	217
January 28	259
January 29	283
February 1	339
February 2	378
February 3	398
February 4	466
February 5	506
February 9	550
February 10	596
February 11	653
February 12	655
February 15	741
February 16	775
February 17	786
February 18	883
February 19	1034
February 22	1048
February 23	1064
February 24	1084
February 25	1125
February 26	1145
March 1	1177
March 2	1194
March 3	1217
March 4	1242
March 5	1256
March 8	1271
March 9	1325
March 10	1356
March 11	1380
March 12	1400
March 15	1428
March 16	1450
March 17	1512
March 18	1559
March 19	1585
March 20	1635
March 21	1668
March 22	1747
March 23	1819
March 24	2069
March 25	2282
March 26	2347
March 27	2432
March 28	2516
March 29	2567
March 30	2599
March 31	2667
April 1	2748
April 2	2877
April 3	2995
April 4	3183
April 5	3286
April 6	3303
April 7	3386
April 8	3476
April 9	3594

Annapolis, Maryland
Wednesday, January 13, 2010
Twelve Noon

STATE OF MARYLAND, To Wit:

This being the day prescribed by Section 14 of Article III of the Constitution for the convening of the General Assembly of Maryland at 12:00 Noon.

Mary Monahan, Chief Clerk of the House of Delegates for the 2010 Session, called the House to order and led the pledge of Allegiance to the Flag.

Prayer was offered by Delegate LeRoy E. Myers, Jr. of Allegany and Washington counties.

EXCUSES:
Del. Braveboy – illness
Del. Carter – late – personal
Del. V. Clagett – medical – fractured ankle
Del. Davis – personal
Del. Weir – personal

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 8)

Members having recorded their presence, the Chief Clerk announced that a majority of all members being present, the House was ready, under the provisions of the Constitution, to proceed with business.

The Chief Clerk called for nominations for the office of Speaker Pro Tem of the House of Delegates for the Regular Session of the Maryland General Assembly.

Delegate Nathan–Pulliam of Baltimore County nominated Delegate Adrienne A. Jones of Baltimore County for the office of Speaker Pro Tem.

Delegate Bromwell of Baltimore County seconded the nomination.

Delegate Burns of Baltimore County moved that the nominations be closed.

Delegate Bohanan of St. Mary's County seconded the motion.

The Chief Clerk put the question: All in favor of Delegate Adrienne A. Jones for the Office of Speaker Pro Tem signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Chief Clerk requested that Delegate Barve of Montgomery County and Delegate Branch of Baltimore City escort the Speaker Pro Tem–elect to the Rostrum.

The Chief Clerk administered the oath of office to Delegate Adrienne A. Jones of Baltimore County.

THE HONORABLE ADRIENNE A. JONES, SPEAKER PRO TEM, NOW PRESIDING

The Speaker Pro Tem introduced the distinguished guests joining us today.

The Speaker Pro Tem called for nominations for the office of Speaker of the House of Delegates.

Delegate Barve of Montgomery County placed the name of Delegate Michael E. Busch of Anne Arundel County in nomination for the office of Speaker of the House.

Delegate Hecht of Frederick County seconded the nomination.

Delegate Feldman of Montgomery County moved the nominations be closed.

Delegate Kirk of Baltimore City seconded the motion.

The Speaker Pro Tem put the question: All in favor of Delegate Michael E. Busch for the Office of Speaker signify by saying Aye, opposed Nay, the Ayes have it.

The motion was adopted.

The Speaker Pro Tem requested that Delegate Love of Anne Arundel County and Delegate Griffith of Prince George's County escort the Speaker–elect to the Rostrum.

The Speaker Pro Tem Jones administered the oath of office to Delegate Busch, Speaker–elect of the House.

SPEAKER OF THE HOUSE MICHAEL E. BUSCH, NOW PRESIDING

The Speaker addressed the House.

Remarks by Governor Martin O'Malley

Remarks by Lt. Governor Anthony G. Brown

Remarks by U.S. Senator Mikulski

Remarks by U.S. Senator Cardin

ORDER

JANUARY 13, 2010

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE FOLLOWING DESK OFFICERS ARE HEREBY APPOINTED TO SERVE THE HOUSE OF DELEGATES DURING THIS REGULAR LEGISLATIVE SESSION OF 2010:

ASSISTANT CHIEF CLERK	COLLEEN CASSIDY
ASSISTANT JOURNAL CLERK	ANITA S. BAVIS
PROCEEDINGS CLERK	CINDI OLSZEWSKI
READING CLERK	C. RHOADES WHITEHILL

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 13, 2010

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE CHIEF CLERK OF THE HOUSE IS MARY MONAHAN, PURSUANT TO THE PROVISIONS OF SECTIONS 103 AND 105 OF THE RULES OF THE MARYLAND HOUSE OF DELEGATES.

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE JOURNAL CLERK OF THE HOUSE IS SYLVIA SIEGERT, PURSUANT TO THE PROVISIONS OF SECTIONS 104 AND 105 OF THE RULES OF THE MARYLAND HOUSE OF DELEGATES.

Read and adopted.

ORDER

JANUARY 13, 2010

RESOLVED, THAT THE COMMITTEES APPOINTED BY THE SPEAKER DURING THE REGULAR SESSION OF 2009 ARE HEREBY CONTINUED TO SERVE DURING THIS REGULAR SESSION OF 2010, AND BE IT FURTHER ORDERED THAT THE SPEAKER IS HEREBY AUTHORIZED AND EMPOWERED TO FILL ANY VACANCIES THAT MAY EXIST IN SAID COMMITTEES BY REASON OF DEATH, RESIGNATION OR ANY OTHER MANNER.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 13, 2010

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE MONIES APPROPRIATED FOR THE EXPENSES OF THIS REGULAR SESSION OF 2010 AS SET FORTH IN THE APPROPRIATIONS BILL, BE PAID UPON JOINT ORDER OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 13, 2010

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE SPEAKER OF THE HOUSE SHALL APPOINT THE EMPLOYEES NECESSARY FOR THE PROPER TRANSACTION OF THE BUSINESS OF THE REGULAR SESSION OF 2010, AS PROVIDED FOR IN THE BUDGET. THIS ORDER TO REMAIN IN EFFECT UNTIL CHANGED OR MODIFIED BY THE HOUSE OF DELEGATES OF MARYLAND.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 13, 2010

BY THE SPEAKER OF THE HOUSE:

RESOLVED, THAT THE HONORABLE KUMAR P. BARVE OF MONTGOMERY COUNTY BE APPOINTED AS MAJORITY FLOOR LEADER;

THAT THE HONORABLE DAN K. MORHAIM OF BALTIMORE COUNTY BE APPOINTED DEPUTY MAJORITY LEADER;

THAT THE HONORABLE JAMES W. HUBBARD OF PRINCE GEORGE'S COUNTY BE APPOINTED AS ASSISTANT MAJORITY FLOOR LEADER;

THAT THE HONORABLE TALMADGE BRANCH OF BALTIMORE CITY BE APPOINTED AS MAJORITY WHIP;

THAT THE HONORABLE CAROLYN J. B. HOWARD OF PRINCE GEORGE'S COUNTY BE APPOINTED DEPUTY SPEAKER PRO TEM;

AND THAT THE HONORABLE KATHLEEN M. DUMAIS OF MONTGOMERY COUNTY BE APPOINTED PARLIAMENTARIAN.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 13, 2010

RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED CHIEF DEPUTY MAJORITY WHIPS:

The Hon. Sue Kullen
The Hon. Justin D. Ross

RESOLVED, THAT THE FOLLOWING MEMBERS BE APPOINTED DEPUTY MAJORITY WHIPS:

The Hon.William A. Bronrott
The Hon. Keith E. Haynes
The Hon. C. Sue Hecht
The Hon. Marvin E. Holmes, Jr.
The Hon. Sally Jameson
The Hon. Anne R. Kaiser
The Hon. Susan C. Lee
The Hon. Shirley Nathan–Pulliam
The Hon. Doyle L. Niemann
The Hon. Victor R. Ramirez
The Hon. Michael L. Vaughn

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

APPOINTMENTS

JANUARY 13, 2010

RESOLVED, THAT THE CHAIRMEN AND VICE–CHAIRMEN OF THE STANDING COMMITTEES WITHIN THE HOUSE OF DELEGATES BE:

APPROPRIATIONS:

CHAIRMAN	HON. NORMAN H. CONWAY OF THE EASTERN SHORE
VICE–CHMN.	HON. JAMES E. PROCTOR, JR. OF PRINCE GEORGE'S COUNTY

ECONOMIC MATTERS:

CHAIRMAN	HON. DERECK E. DAVIS OF PRINCE GEORGE'S COUNTY
VICE–CHMN.	HON. DAVID D. RUDOLPH OF CECIL COUNTY

ENVIRONMENTAL MATTERS:

CHAIRMAN	HON. MAGGIE McINTOSH OF BALTIMORE CITY
VICE–CHMN.	HON. JAMES E. MALONE, JR. OF BALTIMORE COUNTY

HEALTH AND GOVERNMENT OPERATIONS:
CHAIRMAN HON. PETER A. HAMMEN OF BALTIMORE CITY
VICE–CHMN. HON. SHANE E. PENDERGRASS OF HOWARD COUNTY

JUDICIARY:
CHAIRMAN HON. JOSEPH F. VALLARIO, JR. OF PRINCE GEORGE'S COUNTY
VICE–CHMN. HON. SAMUEL I. ROSENBERG OF BALTIMORE CITY

WAYS & MEANS:
CHAIRMAN HON. SHEILA E. HIXSON OF MONTGOMERY COUNTY
VICE–CHMN. HON. ANN MARIE DOORY OF BALTIMORE CITY

RULES & EXECUTIVE NOMINATIONS:
CHAIRMAN HON. HATTIE N. HARRISON OF BALTIMORE CITY
VICE–CHMN. HON. RUDOLPH C. CANE OF THE EASTERN SHORE

COMMITTEE ON PROTOCOL:
CHAIRMAN HON. JOANNE C. BENSON OF PRINCE GEORGE'S COUNTY

CONSENT CALENDAR:
CHAIRMAN HON. KUMAR P. BARVE OF MONTGOMERY COUNTY

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

ORDER

JANUARY 13, 2010

ORDERED BY THE HOUSE OF DELEGATES OF MARYLAND, THAT THE RULES OF THE HOUSE OF DELEGATES IN EFFECT AT THE END OF THE REGULAR SESSION OF 2009 WITH THE EXCEPTION OF RULE 116, BE ADOPTED FOR THE REGULAR SESSION OF 2010.

BY ORDER,
MARY MONAHAN
CHIEF CLERK

Read and adopted.

House Rule 116

Delegate Barve moved to make House Rule No. 116 a Special Order of Business until January 19, 2010.

The motion was adopted.

MESSAGE TO THE SENATE

January 13, 2010

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 adopted.

MESSAGE FROM THE SENATE

January 13, 2010

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 ordered journalized.

VETOED HOUSE BILLS – 2009

VETOED HOUSE BILLS AND MESSAGES – 2009 REGULAR SESSION

(See Exhibit A of Appendix II)

The Messages from the Governor were read and ordered journalized.

The Speaker put the question: Shall all of the following bills pass, notwithstanding the objection of the Governor?

HB 43 sustained (0–137)
HB 59 sustained (0–137)
HB 80 sustained (0–137)
HB 111 sustained (0–137)
HB 112 sustained (0–137)
HB 169 sustained (0–137)
HB 269 sustained (0–137)
HB 292 sustained (0–137)
HB 400 sustained (0–137)
HB 402 sustained (0–137)
HB 455 sustained (0–137)
HB 466 sustained (0–137)
HB 553 sustained (0–137)
HB 572 sustained (0–137)
HB 741 sustained (0–137)
HB 809 sustained (0–137)
HB 931 sustained (0–137)
HB 976 sustained (0–137)
HB 977 sustained (0–137)
HB 1245 sustained (0–137)
HB 1454 sustained (0–137)

The vetoes were sustained by roll call vote as follows:

Affirmative – 0 Negative – 137 (See Roll Call No. 9)

INTRODUCTION OF BILLS

House Bill 1 – Delegates Love, Ali, Aumann, Barkley, Bates, Beidle, Beitzel, Bohanan, Cane, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elmore, Frank, Frush, George, Hucker, Impallaria, Jameson, Jones, Kach, Kaiser, King, Kipke, Kramer, Krebs, Kullen, Levy, McComas, Minnick, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Riley, Rudolph, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, F. Turner, Valderrama, Walkup, Weir, and Wood

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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 2 – Delegate Montgomery

AN ACT concerning

Public Health – Lyme Disease – Record of Reported Cases

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to collect and keep a record of the number of Lyme disease cases reported each year under certain provisions of law; and generally relating to the monitoring of Lyme disease in the State.

BY adding to
Article – Health – General

Section 18–111
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 3 – Delegate Conaway

AN ACT concerning

Business Regulation – Employees Who Carry Firearms – Protective Body Armor

FOR the purpose of requiring an employer to provide protective body armor to an employee who is required to carry a firearm loaded with live rounds; defining certain terms; and generally relating to protective body armor for employees.

BY adding to
Article – Business Regulation
Section 1–211
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 4–101(e) and 5–101(h)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 4 – Delegate Conaway

AN ACT concerning

Election Law – United States Senate – Special Election to Fill Vacancy

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 primary election and special general election to fill a vacancy in the office of United States Senator under certain circumstances; specifying the time when a special election to fill a vacancy in the office of United States Senator shall be held; authorizing the Governor to appoint an individual 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, with amendments,
Article – Election Law
Section 8–401 and 8–602
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–601
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 5 – Delegate Braveboy

AN ACT concerning

Corporations and Associations – Low–Profit Limited Liability Companies

FOR the purpose of authorizing the formation of a certain low–profit limited liability company as a permitted form of unincorporated business organization; requiring the name of a low–profit limited liability company to include certain words or abbreviations; requiring a low–profit limited liability company to meet certain requirements; providing that if a low–profit limited liability company that met certain requirements at its formation subsequently ceases to satisfy a certain requirement, it shall immediately cease to be a low–profit limited liability company but may continue to exist as a limited liability company under certain circumstances; requiring that the articles of organization for a limited liability company set forth whether it is a low–profit limited liability company; defining a certain term; and generally relating to low–profit limited liability companies.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–501, 1–502(b) and (f), 4A–101(n) through (r), and 4A–204(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Corporations and Associations
Section 1–502(f), 4A–101(n), and 4A–201.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 4A–101(a) and (l)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 6 – Delegate F. Turner

AN ACT concerning

Property Tax – Notice – 60–Day Appeal

FOR the purpose of requiring a contract for the sale of real property to contain a certain notice that the new owner of property transferred during a certain period of time may submit a certain appeal on or before a certain number of days after the transfer; and generally relating to a requirement that a contract for the sale of real property contain a certain notice.

BY adding to
Article – Real Property
Section 10–708
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 14–502(a)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 7 – Delegate Valderrama

AN ACT concerning

Property Tax Credit – Security Guard Disabled or Killed in Line of Duty

FOR the purpose of authorizing the governing body of a county or municipal corporation to grant, by law, a county or municipal corporation property tax credit for a dwelling house owned by an individual or surviving spouse of an individual who becomes disabled or dies as a result of or in the course of employment as a security guard under certain circumstances; authorizing the governing body of a county or municipal corporation to provide by law for the

amount and duration of the property tax credit and any other provision necessary to carry out the credit; altering certain definitions; defining a certain term; and generally relating to property tax credits.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–210
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 8 – Delegate McConkey

AN ACT concerning

Video Lottery Terminals – State Legislators – Prohibited Acts

FOR the purpose of prohibiting a member of the Senate of Maryland or the House of Delegates from holding a license issued in connection with the operation of video lottery terminals; prohibiting a member from performing work or services as an independent contractor for a certain licensee or an agent of the licensee; and generally relating to the operation of video lottery terminals and members of the Senate of Maryland and the House of Delegates.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–02(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–05(d)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 9 – Delegates McConkey, Barve, and Myers

AN ACT concerning

Vehicle Laws – Vehicle Emissions Inspection – Test Performed by Dealers

FOR the purpose of authorizing a certain licensed vehicle dealer to conduct a certain exhaust emissions test; establishing that a dealer may conduct a certain

exhaust emissions test only by means of an on–board diagnostics test on vehicles that meet certain criteria; establishing that a dealer may conduct a certain exhaust emissions test only on equipment that meets requirements established by the Motor Vehicle Administration; requiring a dealer who performs a certain exhaust emissions test to collect a certain fee; prohibiting a dealer who conducts a certain exhaust emissions test from imposing a certain additional fee; requiring the dealer to provide a certain monthly report to the Administration and to forward certain fees; defining a certain term; and generally relating to motor vehicle emissions inspections.

BY adding to
Article – Transportation
Section 23–210
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 10 – Delegate Manno

AN ACT concerning

Teacher and Employee Pension Sustainability and Solvency Trust Fund

FOR the purpose of imposing a tax at a certain rate on certain income in excess of a certain amount; providing for the distribution of revenue attributable to a certain State income tax imposed on income of individuals in excess of a certain amount to a certain special fund; requiring certain corporations to compute Maryland taxable income using a certain method; requiring the Comptroller to make certain estimates and distribute certain income tax revenue from corporations to a certain special fund; 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; establishing the Teacher Pension Sustainability and Solvency Trust Fund; requiring the Secretary of Budget and Management to administer the Fund; providing that the Fund may only be used to transfer certain amounts to the General Fund of the State to offset certain contributions to certain systems of the State Retirement and Pension System; altering the determination of the State's contribution for certain plans in the State Retirement and Pension System; requiring the State's actuary to calculate a certain alternative contribution rate for certain plans in the State Retirement and Pension System; requiring the Governor under certain circumstances to transfer certain amounts from a certain trust fund to the General Fund of the State for certain fiscal years; defining certain terms; providing for the application of this Act; and generally relating to the Maryland individual and

corporate income tax and the State's contribution for certain plans in the State Retirement and Pension System.

BY adding to
Article – Tax – General
Section 2–608.2, 2–613.1, and 10–402.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–609, 2–613.1, 2–614, 2–615, 10–105(a), and 10–811
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Finance and Procurement
Section 7–327
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–304
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 11 – Delegates Sophocleus, Robinson, Cane, DeBoy, Sossi, Glenn, Riley, Wood, Frush, Love, and Carr

AN ACT concerning

Student Stigma Act

FOR the purpose of changing references to emotional disturbance to emotional disability; 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 emotional disturbance to emotional disability.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–401
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 12 – Delegates Sophocleus, Robinson, DeBoy, Wood, Sossi, Riley, and Carr

AN ACT concerning

Health – Failure to Properly Bury or Dispose of a Body – Penalties

FOR the purpose of prohibiting an individual from burying or disposing of a human body except in a certain manner; establishing certain penalties; and generally relating to the burial or disposal of a human body.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–101
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 5–513
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 13 – Delegates Haddaway and Eckardt

AN ACT concerning

Criminal Law – Salvia Divinorum and Salvinorin A – Distribution to and Possession by Individual Under 21 Years of Age

FOR the purpose of prohibiting a person from distributing Salvia divinorum or Salvinorin A to an individual under the age of 21 years; providing that it is a defense in a certain prosecution that the defendant examined a certain license or identification that positively identified a certain purchaser or recipient as at least a certain age; establishing penalties for a certain violation of this Act; providing that certain separate incidents are separate violations for a certain purpose; prohibiting an individual under the age of 21 years from possessing Salvia divinorum or Salvinorin A; establishing that a person who violates this Act shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the District Court to prescribe a certain form of citation; requiring the jurisdiction that issues a

certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; providing that an individual who is under the age of 21 years but not a minor is subject to certain provisions of this Act; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; establishing certain penalties for a certain violation of this Act; prohibiting the Chief Judge of the District Court from establishing a certain schedule for the prepayment of fines; authorizing a court to direct the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State's Attorney to prosecute a certain violation in a certain manner; authorizing a certain intake officer to refer a certain child to a substance abuse education or rehabilitation program under certain circumstances; requiring a certain intake officer to forward a certain citation to the State's Attorney if a certain child fails to comply with a substance abuse education or rehabilitation program referral; establishing that a violation of a certain provision of this Act is a violation for certain purposes; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; requiring the Attorney General to submit a certain report to certain committees on or before a certain date; defining a certain term; and generally relating to Salvia divinorum and Salvinorin A.

BY adding to
Article – Criminal Law
Section 10–130 through 10–133 to be under the new part "Part IV. Salvia Divinorum"
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(dd), 3–8A–10(k), and 3–8A–33(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 14 – Delegate George

AN ACT concerning

Gaming – Video Lottery Facilities – Restriction on Location

FOR the purpose of prohibiting a proposed video lottery facility from being located within a certain distance of a church, community center, playground, school, or shopping center, unless the proposed video lottery facility is located on the site of an existing horse racecourse; providing for the application of this Act; and generally relating to video lottery gaming.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–36(h)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 15 – Delegate Haddaway

AN ACT concerning

Criminal Law – Dangerous Dogs – Mandatory Spaying or Neutering

FOR the purpose of requiring the owner of a certain dangerous dog to provide to the unit of the county or municipal corporation that made the determination that the dog is dangerous proof that the dog has been spayed or neutered within 30 days of receiving notice of the determination by the unit; providing penalties for a violation of this Act; and generally relating to dangerous dogs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–619
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 16 – Delegate Smigiel

AN ACT concerning

Sales and Use Tax – Exemption – University and College Textbooks

FOR the purpose of providing an exemption from the sales and use tax for the sale of certain textbooks bought by certain individuals; defining a certain term; and generally relating to a sales and use tax exemption for the sale of university and college textbooks.

BY adding to
Article – Tax – General
Section 11–231
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 17 – Delegate McConkey

AN ACT concerning

Education – Incidents of Bullying, Harassment, or Intimidation – Reports by Principals – Local Law Enforcement Agency

FOR the purpose of authorizing public school principals to report incidents of bullying, harassment, or intimidation against students attending the school to the chief of the local law enforcement agency; requiring principals to use a certain form; defining certain terms; and generally relating to the authorization of principals to report incidents of bullying, harassment, or intimidation against students to the chief of the local law enforcement agency.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–424
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 18 – Delegate Hubbard

AN ACT concerning

Environment – Lead Wheel Weights – Prohibited

FOR the purpose of prohibiting certain persons from using, allowing to be used, or selling certain lead wheel weights after certain dates; requiring the State to ensure that no vehicle in the State fleet is equipped with certain lead wheel weights after a certain date; requiring the Department of the Environment to adopt certain regulations that at a minimum list environmentally safe lead–free wheel weights; requiring the Department to update the regulations over a certain period of time; requiring the Department to inform certain persons, to the maximum extent practicable, regarding the requirements under the regulations; requiring the regulations to provide a certain phase–in period for the prohibition against the use or sale of certain wheel weights; requiring lead

wheel weights removed and collected to be properly recycled; providing for the enforcement of this Act, including the required issuance of a warning for an initial violation; and generally relating to the prohibition against the use or sale of lead wheel weights in the State.

BY adding to
Article – Environment
Section 6–3A–01 to be under the new subtitle "Subtitle 3A. Lead Wheel Weights"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 19 – Delegate Waldstreicher

AN ACT concerning

Health Insurance – Coverage of In Vitro Fertilization Services

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage for certain benefits for outpatient services arising from certain in vitro fertilization procedures; providing for the application of this Act; and generally relating to coverage of in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–810
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 20 – Delegate V. Turner

AN ACT concerning

Public Service Companies – Termination of Electric or Gas Service – Notice

FOR the purpose of prohibiting a public service company from terminating electric or gas service to a residential customer because of nonpayment without providing certain notice related to certain bill assistance programs; prohibiting a public service company from terminating electric or gas service to a residential customer over a certain age because of nonpayment without providing certain notice related to certain bill assistance programs; requiring the notices to meet

certain requirements; providing for the construction of this Act; requiring the Public Service Commission to adopt regulations to carry out this Act; and generally relating to public service companies and the termination of gas or electric service to residential customers.

BY adding to
Article – Public Utility Companies
Section 7–307.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 21 – Delegate G. Clagett

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2009 – Frederick County – The John Hanson Memorial

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to change the location of the John Hanson Memorial to the City of Frederick.

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA03 (AH)

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

House Bill 22 – Delegate V. Turner

AN ACT concerning

Task Force to Study Traffic Accident Clearance Procedures

FOR the purpose of establishing a Task Force to Study Traffic Accident Clearance Procedures; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the establishment of a Task Force to Study Traffic Accident Clearance Procedures.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 23 – Delegates Haddaway and Eckardt

AN ACT concerning

Talbot County – Knapps Narrows – Speed Limit

FOR the purpose of prohibiting a person from operating a vessel on Knapps Narrows in Talbot County in excess of a certain speed; requiring the Department of Natural Resources to develop a certain informational program; establishing certain penalties; and generally relating to the speed limit for operating a vessel on Knapps Narrows in Talbot County.

BY adding to
Article – Natural Resources
Section 8–725.7
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 24 – Delegate Smigiel

AN ACT concerning

Criminal Law – Plea Agreements – Prohibition of Concurrent Sentences for Child Sexual Offenses

FOR the purpose of prohibiting a plea agreement from providing for concurrent sentencing for a defendant charged with multiple counts of certain child sexual offenses; and generally relating to plea agreements for defendants charged with child sexual offenses.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–303 through 3–308
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 3–325
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–602

Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 25 – Delegate Smigiel

AN ACT concerning

Income Tax – Subtraction Modification – Amounts Received for Agricultural Preservation

FOR the purpose of providing a certain subtraction modification under the Maryland individual and corporate income tax for certain income received for certain agricultural preservation purposes; defining a certain term; providing for the application of this Act; and generally relating to subtraction modifications under the Maryland individual and corporate income tax.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a) and 10–307(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–207(y)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–307(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 26 – Delegate Howard

AN ACT concerning

Family Law – Child Custody Orders

FOR the purpose of requiring a court in a custody proceeding to consider existing or potential discipline problems of the child when making a custody determination; and generally relating to child custody orders.

BY adding to
Article – Family Law
Section 9–109
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 27 – Delegate Conaway

AN ACT concerning

Automobile Insurance – Use of Territory in Rate Making – Limitation

FOR the purpose of limiting the number of territories an insurer may use in establishing automobile insurance rates under provisions of law governing prior approval rate making and competitive rating; requiring the Maryland Insurance Commissioner to adopt certain regulations; and generally relating to rate making for automobile insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 11–216 and 11–319
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 28 – Delegate Braveboy

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; providing for the application of this Act; 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 2009 Supplement)

BY adding to
Article – Real Property
Section 11–109.4 and 11B–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 29 – Delegate Braveboy

AN ACT concerning

Real Property – Condominiums and Homeowners Associations – Priority of Liens

FOR the purpose of providing that a certain portion of a certain lien on a condominium unit, including any attorney's fees or costs for filing a lien, has priority over a first mortgage or deed of trust under certain circumstances; providing that certain lot owners in a homeowners association are liable for certain charges and assessments; allowing a homeowners association to enforce the payment of certain assessments and charges by imposition of a contract lien under certain circumstances; providing that a certain portion of a homeowners association contract lien, including certain attorney's fees and costs for filing the lien, has priority over a first mortgage or deed of trust under certain circumstances; providing that certain provisions of this Act do not affect or limit the priority of certain liens, mortgages, or deeds of trust; making stylistic changes; and generally relating to liens on condominium units and lots in homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property

Section 11–110(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 11B–113.6
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 30 – Delegate Waldstreicher

AN ACT concerning

Health Insurance – Coverage of In Vitro Fertilization Services

FOR the purpose of altering the circumstances under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage for certain benefits for outpatient services arising from certain in vitro fertilization procedures; and generally relating to coverage of in vitro fertilization services by health insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–810
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 31 – Delegate Smigiel

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 Appropriations.

House Bill 32 – Delegate Kach

AN ACT concerning

Health Insurance – Small Group Market – Cap on Comprehensive Standard Health Benefit Plan

FOR the purpose of repealing the option for the Maryland Health Care Commission to adjust cost–sharing arrangements in the Comprehensive Standard Health Benefit Plan if the average rate for the Standard Plan exceeds a certain percentage of the average annual wage in the State; providing for a delayed effective date; and generally relating to the Comprehensive Standard Health Benefit Plan in the small group health insurance market.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1207(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 33 – Delegate Hubbard

AN ACT concerning

Child Care Articles and Toys Containing Bisphenol–A – Prohibition

FOR the purpose of prohibiting the manufacture, sale, or distribution of certain toys or child care articles containing bisphenol–A; requiring a person to use the least toxic alternative; prohibiting a person from using certain carcinogens or certain reproductive toxicants when complying with a certain provision of this Act; providing for a certain penalty; defining certain terms; and generally relating to certain toys and child care articles containing bisphenol–A.

BY adding to
Article – Health – General

Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 34 – Delegate Waldstreicher

AN ACT concerning

State Government – Commemorative Month – Hispanic Heritage Month

FOR the purpose of requiring the Governor to proclaim a certain period each year as Hispanic Heritage Month; requiring the proclamation to urge certain organizations to observe the month with certain activities; and generally relating to Hispanic Heritage Month.

BY adding to
Article – State Government
Section 13–503
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 35 – Delegate Hubbard

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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 36 – Delegates Haddaway, Eckardt, Smigiel, and Norman

AN ACT concerning

Environment – Bay Restoration Fund – Payments to Contractors

FOR the purpose of requiring the Comptroller or certain local governments to disburse certain grant funds from the Bay Restoration Fund directly to certain contractors under certain circumstances; and generally relating to the disbursement of grant funds from the Bay Restoration Fund.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(h)(1), (i)(8)(i), (j), (k), and (l)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–1605.2(j)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 37 – Delegate G. Clagett

AN ACT concerning

Creation of a State Debt – Frederick County – Way Station

FOR the purpose of authorizing the creation of a State Debt not to exceed $500,000, the proceeds to be used as a grant to the Board of Directors of Way Station, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or

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

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

House Bill 38 – Delegate Frush

AN ACT concerning

Motor Vehicles – Disposal Under Indemnity Agreement – Repeal

FOR the purpose of repealing a provision of law that authorizes certain persons to transfer certain inoperable motor vehicles to an automotive dismantler and recycler or scrap processor without providing a certificate of title or fulfilling certain notice requirements; repealing a provision of law that authorizes an automotive dismantler and recycler or scrap processor to require certain motor vehicle transferors to execute an indemnity agreement; and generally relating to the disposal of inoperable motor vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 25–209
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing
Article – Transportation
Section 25–210
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 39 – Delegate Braveboy

AN ACT concerning

Education – Public High Schools and Public High School Students – Data Collection System

FOR the purpose of requiring the State Department of Education to develop a certain data collection system on or before a certain date; identifying the purpose of a certain provision of law; and generally relating to public high schools and public high school students.

BY repealing and reenacting, with amendments,
Article – Education

Section 7–203.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 558 of the Acts of the General Assembly of 2006)

Read the first time and referred to the Committee on Ways and Means.

House Bill 40 – Delegate F. Turner

AN ACT concerning

Video Lottery – Costs – Money for Terminals

FOR the purpose of increasing by a certain amount the proceeds from the operation of video lottery terminals devoted to paying certain costs, including the leasing or purchasing, repairing, maintaining, testing, and examining of video lottery terminals; reducing by a certain amount the proceeds from the operation of video lottery terminals devoted to the Purse Dedication Account under the authority of the State Racing Commission; and generally relating to the distribution of proceeds from the operation of video lottery terminals.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–01(a) and (l) and 9–1A–28(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 41 – Delegate Kach

AN ACT concerning

Health Insurance – Copayments for In Vitro Fertilization Procedures and Surgical Treatment of Morbid Obesity

FOR the purpose of authorizing certain insurers, nonprofit health service plans, and health maintenance organizations to require, notwithstanding certain provisions of law, a copayment not to exceed a certain amount for certain in vitro fertilization procedures and certain surgical treatment of morbid obesity under certain circumstances; and generally relating to health insurance

copayments for in vitro fertilization procedures and surgical treatment of morbid obesity.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–810 and 15–839
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 42 – Delegate Conaway

AN ACT concerning

Real Estate Appraisers – Knowledge of Value of Real Estate – Prohibited

FOR the purpose of prohibiting a certified real estate appraiser or licensed real estate appraiser from providing real estate appraisal services under certain circumstances in which the certified real estate appraiser or licensed real estate appraiser knows the asking price or the selling price of the real estate being appraised; providing that a person who violates this Act is guilty of a misdemeanor; establishing certain penalties; and generally relating to the provision of real estate appraisal services.

BY adding to
Article – Business Occupations and Professions
Section 16–705.2
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–706
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 43 – Delegate Aumann

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
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 44 – Delegate Smigiel

AN ACT concerning

State Spending Procedure – Fiscal Notes

FOR the purpose of providing that a committee may not vote on certain bills or amendments unless a fiscal note is posted on the website of the General Assembly for at least a certain number of days; requiring the fiscal note to identify the sources of any assumptions that the Department of Legislative Services used in preparing the estimates of the fiscal impact of certain bills or amendments; and generally relating to a requirement that a fiscal note contain certain information and be available a certain number of days before a committee votes on certain bills or amendments.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1505(a), (e)(4), and (f)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 2–1505(k)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 45 – Delegate Cane

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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 46 – Delegate Sossi

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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–701(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 47 – Delegates Haddaway, Eckardt, and Smigiel

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 Rules and Executive Nominations.

House Bill 48 – Delegate Smigiel

AN ACT concerning

Domestic Violence – Requirement to Advise Respondent of Consequences of Final Protective Order

FOR the purpose of requiring a judge, in a proceeding for relief from domestic violence, to advise the respondent of certain consequences resulting from the issuance of a final protective order before the respondent may consent to waive a temporary protective order hearing or consent to the entry of a final protective order; authorizing a respondent to withdraw consent to the entry of a final protective order at any time before a final protective order is entered and requiring the court to proceed with a final protective order hearing; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–505(d) and 4–506(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–506(a), (b), (d), and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 49 – Delegate Braveboy

AN ACT concerning

Creation of a State Debt – Prince George's County – Walker Mill Daycare and Training 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 Walker Mill Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 50 – Delegate G. Clagett

AN ACT concerning

Agriculture – Specialty Fertilizers – Low Phosphorous Fertilizer

FOR the purpose of altering the threshold for the phosphoric acid content of lawn fertilizers to which certain prohibitions and requirements apply; altering a certain definition; and generally relating to the regulation of low phosphorous fertilizer.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–201(p) and 6–210(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 51 – Delegate G. Clagett

AN ACT concerning

Real Property – Installation and Use of Clotheslines on Residential Property

FOR the purpose of providing that a certain provision of this Act regarding the regulation of clotheslines by a local legislative body applies to charter counties and Baltimore City; prohibiting a local legislative body from prohibiting the installation or use of clotheslines on certain residential property; providing that a contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property may not prohibit a homeowner or tenant from installing or using clotheslines on certain residential property; providing that a homeowner or tenant may not be

prohibited from installing or using clotheslines on certain residential property, regardless of the terms in any contract, deed, covenant, restriction, instrument, declaration, rule, bylaw, lease agreement, rental agreement, or any other document concerning the installation or use of clotheslines on certain residential property; providing that this Act does not prohibit reasonable restrictions, for certain purposes, on the dimensions, placement, or appearance of clotheslines; defining certain terms; and generally relating to residential property and the placement of clotheslines on residential property.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.03(b) and 2.13(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article 66B – Land Use
Section 4.01.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 14–130
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 52 – Delegate Smigiel

AN ACT concerning

Regulated Firearms – License Issued by Delaware, Pennsylvania, or Virginia – Reciprocity

FOR the purpose of specifying that a license issued by Delaware, Pennsylvania, or Virginia to an individual to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(p)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 5–117.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 53 – Delegate G. Clagett

AN ACT concerning

Environment – Sewage Sludge Utilization Permit – Septage

FOR the purpose of altering certain requirements for the adoption of certain regulations by the Department of the Environment to include consideration of septage; establishing certain requirements for septage haulers; establishing an Oversight Committee on Sewage Sludge Utilization; providing for the membership, staff, and duties of the Oversight Committee; requiring the Department to review certain fees charged by publicly owned treatment works facilities to septage haulers and authorizing the Department to reduce those fees under certain circumstances; authorizing the Department to reimburse publicly owned treatment works facilities for certain lost revenue under certain conditions with funds from the Bay Restoration Fund; requiring the Department to adopt certain regulations relating to eligibility for reimbursement and the rate of reimbursement; expanding the authorized uses of the Bay Restoration Fund to include reimbursement of certain lost revenue to publicly owned treatment works facilities; defining and revising certain terms; and generally relating to septage hauling and the sewage sludge utilization permit.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–201, 9–230(b), 9–242, and 9–1605.2(i)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–230(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–244.1 and 9–244.2
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 54 – Delegate Braveboy

AN ACT concerning

Real Property – Condominiums – Dispute Settlement Mechanism

FOR the purpose of altering the application of a certain dispute settlement mechanism under the Maryland Condominium Act; and generally relating to condominium dispute settlement procedures.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–113
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 55 – Delegate Ivey

AN ACT concerning

Homeowner's Insurance – Coverage for Water Damage

FOR the purpose of altering a certain requirement that certain insurers offer at certain times coverage for loss that is caused by or results from water backing up through sewers or drains to specify that the sewers or drains are located inside or outside the insured's dwelling and are part of the dwelling's sewer or drainage system; requiring certain insurers to offer at certain times coverage for loss that is caused by or results from a discharge or release of water from a water or sewerage system; providing for the application of this Act; and generally relating to coverage for water damage under homeowner's insurance policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–202
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 56 – Delegates Conway and Mathias

AN ACT concerning

Worcester County – Slot Machines for Nonprofit Organizations

FOR the purpose of adding Worcester County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Worcester County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 57 – Delegate Ali

AN ACT concerning

Subway and Light Rail Operation Safety Act

FOR the purpose of prohibiting a person from using a text messaging device to write, send, or read a text message while operating a subway or light rail vehicle; defining certain terms; providing a certain exception; providing a certain penalty; and generally relating to a prohibition on the use of a text messaging device while operating a subway or light rail vehicle.

BY adding to
Article – Transportation
Section 7–708
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 58 – Delegate Smigiel

AN ACT concerning

State Government – Open Meetings Act – Definition of Public Body

FOR the purpose of altering the definition of a public body in the context of the Open Meetings Act to include a certain entity created by a certain memorandum of understanding, a certain memorandum of agreement, a certain contract, and a

certain political subdivision of the State under certain circumstances; and generally relating to the definition of a public body in the context of the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502(h)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 59 – **Delegate Pena–Melnyk**

AN ACT concerning

Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland

FOR the purpose of establishing the Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland; providing for the membership, purposes, and staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation but entitling members to certain reimbursement for certain expenses under certain regulations in the State budget; requiring the Task Force to study and make certain recommendations on how to incorporate and apply the principles of Universal Design for Learning into the policies, practices, and curriculum of the education systems in Maryland; requiring the Task Force to submit a report to the State Board of Education and certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Incorporate the Principles of Universal Design for Learning into the Policies, Practices, and Curriculum of the Education Systems in Maryland.

Read the first time and referred to the Committee on Ways and Means.

House Bill 60 – **Delegate Smigiel**

AN ACT concerning

Criminal Procedure – Violation of Pretrial or Posttrial Release No Contact Order – Expedited Hearing ("Alexis's Law")

FOR the purpose of authorizing an alleged victim, a pretrial services representative, or a State's Attorney to request an expedited hearing before a certain District

Court or circuit court judge if the alleged victim alleges that the defendant has violated a certain condition of pretrial or posttrial release; requiring a court to issue a bench warrant and schedule a certain expedited hearing under certain circumstances; requiring a certain hearing to be held within a certain period of time; authorizing a court to revoke or continue a defendant's release under certain circumstances; and generally relating to violations of conditions of pretrial and posttrial release.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 5–201(a) and 5–213
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 5–213.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 61 – Delegate V. Turner

AN ACT concerning

Correctional Services – Provision, Possession, and Use of Wireless Communication Devices in Correctional Facilities – Penalties

FOR the purpose of prohibiting an inmate from using or possessing a wireless communication device unless authorized to do so by a certain managing official; providing that an inmate is subject to a certain penalty that includes a mandatory minimum sentence; prohibiting a court from imposing a sentence less than the mandatory minimum sentence; prohibiting a court from suspending any part of the mandatory minimum sentence; providing that a person is not eligible for parole during the mandatory minimum sentence; prohibiting a person from providing or attempting to provide an inmate with a wireless communication device unless authorized to do so by a certain managing official; establishing a certain penalty; providing that an employee of a State correctional facility who violates this Act is subject to removal; and generally relating to the provision, possession, and use of wireless communication devices in correctional facilities.

BY adding to
Article – Correctional Services
Section 8–804
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 62 – Delegate V. Turner

AN ACT concerning

Environment – Payment of Cost Differential – Nitrogen Removal Technology

FOR the purpose of repealing a certain contingency on the requirement that the Department of the Environment pay for certain costs associated with the installation of on–site sewage disposal systems utilizing nitrogen removal technology with money from the Bay Restoration Fund; requiring the Department to make payment with money from certain General Fund appropriations if certain funding is unavailable; giving priority for certain funding to certain homeowners installing on–site sewage disposal systems utilizing nitrogen removal technology; and generally relating to on–site sewage disposal systems utilizing nitrogen removal technology.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1108(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 280 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1108(b) and 9–1605.2(h)(1) and (2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1108(c) and 9–1605.2(h)(3)(i)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 63 – Delegate Smigiel

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Eminent Domain – Condemnation Proceedings and Limitation on Condemnation Authority

FOR the purpose of proposing an amendment to the Maryland Constitution to prohibit the condemnation of private property for certain purposes if the property is intended to be transferred to a private person; requiring that a certain issue in a condemnation proceeding be tried by a jury under certain circumstances; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 40 through 40C and 61(a)

BY proposing an amendment to the Maryland Constitution
Article XI–B – City of Baltimore – Land Development and Redevelopment
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–C – Off–Street Parking
Section 1

BY proposing an amendment to the Maryland Constitution
Article XI–D – Port Development
Section 1

Read the first time and referred to the Committee on Environmental Matters.

House Bill 64 – Delegate McConkey

AN ACT concerning

Real Property – Residential Mortgages and Deeds of Trust – Foreclosure Sales

FOR the purpose of creating a rebuttable presumption that a foreclosure sale of certain residential real property is invalid if the sale is delayed beyond a certain time; and generally relating to foreclosure sales of residential real property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama

AN ACT concerning

International Marriage Brokers – Regulation

FOR the purpose of requiring an international marriage broker to provide certain information to a recruit; requiring a client of an international marriage broker to provide certain information to the international marriage broker and to affirm that certain information is accurate and complete; requiring an international marriage broker to request certain criminal history records checks from the Criminal Justice Information System Central Repository; requiring the Central Repository to process certain State and national criminal history records checks on submission of certain information and fees; prohibiting an international marriage broker from providing services to a certain client or recruit until certain information is received and provided to a recruit; prohibiting an international marriage broker from further dissemination of certain information; authorizing an international marriage broker to disclose certain information only after obtaining certain written consent; providing that a certain international marriage broker shall be deemed to be doing business in the State; establishing penalties for violating this Act; requiring the court to consider certain factors in determining a certain penalty; defining certain terms; and generally relating to international marriage brokers.

BY adding to
Article – Business Regulation
Section 19–601 through 19–607 to be under the new subtitle "Subtitle 6. International Marriage Brokers"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 66 – Chair, Environmental Matters Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Department of Housing and Community Development – Neighborhood Business Development Program – Microenterprise Loans

FOR the purpose of authorizing certain entities to administer a Microenterprise Loan Program under certain standards adopted by the Department of Housing and Community Development under certain circumstances; authorizing the Department to establish certain standards by regulation; exempting microenterprise projects from certain financial funding requirements; authorizing the Department to help train certain employees; authorizing the Department to charge and collect certain fees in a certain manner; and generally relating to the Neighborhood Business Development Program and the Microenterprise Loan Program in the Department of Housing and Community Development.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–301(a) and (e)
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–306
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY adding to
Article – Housing and Community Development
Section 6–308.1
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 67 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

FOR the purpose of extending the termination date of the Senior Prescription Drug Assistance Program; altering the period of time during which the subsidy required under the Senior Prescription Drug Assistance Program may not exceed a certain amount; and generally relating to the Senior Prescription Drug Assistance Program.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–106(e)

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 153 of the Acts of the General Assembly of 2002, as amended by Chapter 282 of the Acts of the General Assembly of 2005, Chapter 345 of the Acts of the General Assembly of 2006, Chapter 509 of the Acts of the General Assembly of 2007, and Chapter 558 of the Acts of the General Assembly of 2008
Section 13

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 68 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Grants – Small Businesses and Certified Minority Business Enterprises

FOR the purpose of requiring applicants for certain financial assistance from the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund to demonstrate that certain steps were taken to include certain small businesses and certain certified minority business enterprises; authorizing the Department of the Environment to withhold certain financial assistance under certain circumstances; establishing a threshold to require grantees that receive grants that exceed a certain amount from a certain fund to take steps to include certain small businesses and certain certified minority business enterprises; and generally relating to small businesses and certified minority business enterprise participation and the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.3
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 69 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Insurers – Audits, Investments, and Operations

FOR the purpose of authorizing the Maryland Insurance Commissioner to require a health maintenance organization, authorized insurer, nonprofit health service plan, dental plan organization, and managed care organization to file certain audited financial reports earlier than certain dates; prohibiting certain partners in certain accounting firms responsible for preparing certain audited financial reports from acting in that capacity for more than a certain number of consecutive years for the same insurer; requiring certain insurers to file with the Commissioner certain written plans and all changes and amendments to the written plans for use in the State on or before a certain date; authorizing the reserve investments of an insurer to include securities lending, repurchase, reverse purchase, and dollar roll transactions with business entities, subject to certain requirements; clarifying the type of information that the Commissioner may consider in determining whether the continued operation of an authorized insurer engaging in insurance business in the State would be hazardous to policyholders or creditors of the authorized insurer or the general public; authorizing the Commissioner to order certain insurers to take certain actions if the Commissioner determines that the continued operation of an authorized insurer may be hazardous to policyholders or creditors of the authorized insurer or the general public; requiring the annual statement filed by each nonprofit health service plan to be in a certain form and to contain certain additional information; requiring each nonprofit health service plan to file a certain audited financial report; requiring each nonprofit health service plan to file a certain audited financial report for each affiliate and subsidiary owned by or under the control of the nonprofit health service plan; clarifying the form and content of the annual statement filed by a dental plan organization; authorizing the Commissioner to require a dental plan organization doing business in the State to file a certain interim statement containing certain information; requiring a dental plan organization to file a certain audited financial report; establishing certain penalties; defining certain terms; and generally relating to the audits, investments, and operations of insurers.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–717
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance

Section 4–116(c), 4–118(c)(1), 5–511(n), 5–608(a) and (t), 9–102, and 9–103
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 4–116(d) and 5–608(t)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–121, 14–413, and 15–605(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 70 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Bay Restoration Fund – Expanded Use of Funds

FOR the purpose of expanding the authorized uses of the Bay Restoration Fund to allow the funds to be used for the payment of principal and interest on bonds issued by a local government if the proceeds are used for certain costs of enhanced nutrient removal under certain circumstances; and generally relating to the authorized uses of the Bay Restoration Fund.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605.2(i)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605.2(i)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 71 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Senior Prescription Drug Assistance Program – Appointment of Insurance Producers

FOR the purpose of prohibiting an insurance producer from marketing the Senior Prescription Drug Assistance Program or assisting a Medicare beneficiary to enroll in the Program unless the insurance producer has an appointment from the Program; authorizing the Program to require an insurance producer to receive certain training before granting an appointment to the insurance producer; authorizing the Program to terminate the appointment of an insurance producer under certain circumstances; requiring the Program to maintain a producer register in accordance with certain provisions of law; requiring an insurance producer who has been appointed by the Program to maintain documentation of the appointment in accordance with certain provisions of law; and generally relating to the Senior Prescription Drug Assistance Program.

BY adding to
Article – Insurance
Section 14–515(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 72 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Oil and Gas Production Permits – Fees

FOR the purpose of requiring the Department of the Environment to establish and collect certain fees; requiring the Department to consider certain factors in establishing and reviewing the fees; establishing an Oil and Gas Fund in the Department for the collection of certain oil and gas permit and production fees; providing that the Fund is a special, nonlapsing fund; requiring certain fees to be paid into the Fund; requiring the Department to use the Fund for certain purposes; requiring the Department annually to submit a certain report; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to oil and gas development and production.

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–102 and 14–105
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 14–104
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 14–122 through 14–125
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 73 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Water Quality Revolving Loan Fund – Use of Funds

FOR the purpose of authorizing the use of the Maryland Water Quality Revolving Loan Fund to provide assistance in the form of forgiveness of principal or other forms of financial assistance, as authorized or required by federal law; and generally relating to the use of revolving loan funds in the Department of the Environment.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1605(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1605(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 74 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Maryland Uniform Interstate Family Support Act – Revision

FOR the purpose of revising the Maryland Uniform Interstate Family Support Act; altering the circumstances under which a tribunal of this State is authorized to exercise personal jurisdiction over a nonresident individual in a proceeding to establish or enforce a child support order or to determine parentage; specifying who is required to give notice of a request for a determination of the controlling support order; authorizing the Attorney General to provide certain services to certain individuals; altering certain rules of evidence and procedure; altering the circumstances under which a support enforcement agency or tribunal of this State is required to redirect certain payments; altering a certain provision governing the recognition of a support order modified in another state; and generally relating to the revision of the Maryland Uniform Interstate Family Support Act.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–304(a), 10–310, 10–320, 10–328, 10–331, and 10–351
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 75 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Criminal Law – Escape from Juvenile Facility

FOR the purpose of altering the elements of the crimes of escape in the first degree and escape in the second degree to include a prohibition against escape from a privately operated, physically secure facility for juveniles committed to the Department of Juvenile Services; defining a certain term; altering a certain definition; and generally relating to escape from a juvenile facility.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–401, 9–404, and 9–405
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Human Services
Section 9–226
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 76 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claimant Confidentiality

FOR the purpose of prohibiting, subject to a certain exception, the Criminal Injuries Compensation Board from allowing disclosure of a claimant's name, address, telephone number, or Social Security number; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–806
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 77 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims Outside the United States

FOR the purpose of altering the definition of "crime" for purposes of the Criminal Injuries Compensation Board to make residents of the State against whom certain acts are committed in certain other countries eligible for an award from the Board; and generally relating to the eligibility for awards from the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 78 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Law – Contraband – Telecommunication Devices – Penalties

FOR the purpose of making a felony certain offenses relating to possessing, delivering, concealing, or receiving a telecommunication device in a place of confinement; increasing certain maximum penalties; and generally relating to telecommunication devices in places of confinement.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–417
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 79 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commercial Law – Credit Services Businesses – Limitation on Fees

FOR the purpose of prohibiting a credit services business, its employees, and certain independent contractors from charging or receiving any money or other valuable consideration in connection with an extension of credit that, when combined with any interest charged on the extension of credit, would exceed a certain interest rate; and generally relating to the regulation of credit services businesses.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 14–1902
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 80 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board for Professional Engineers

FOR the purpose of requiring the State Board for Professional Engineers to adopt regulations to require a demonstration of professional competency as a condition of renewal of a license to practice engineering under certain circumstances; providing for implementation of the continuing competency program on a phased–in basis; authorizing the Board to issue certain retired status licenses; prohibiting a holder of a retired status license from practicing engineering; authorizing the holder of a retired status license to use a certain designation; authorizing the Board to reactivate a retired status license under certain circumstances; and generally relating to the practice of professional engineering.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 14–314
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 14–316
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 81 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Cosmetologists – Hearing Board

FOR the purpose of authorizing the State Board of Cosmetologists to appoint a hearing board, with the approval of the Secretary of Labor, Licensing, and Regulation; providing for the membership and chair of the hearing board; authorizing the Board to refer certain matters to the hearing board; providing for the procedures of the hearing board; providing that a decision of the hearing board is a final order under certain circumstances; providing for judicial review of a decision of the hearing board; and generally relating to the State Board of Cosmetologists.

BY adding to
Article – Business Occupations and Professions
Section 5–315.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 82 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Pilots – Limited Licenses

FOR the purpose of increasing the vessel draft for which individuals holding certain limited licenses may provide pilotage; making conforming changes relating to the requirements for demonstration of sufficient ability, skill, and experience and to license fees; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 11–403, 11–406, 11–407, and 11–408
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 83 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Department of Labor, Licensing, and Regulation – State Real Estate Commission – Continuing Education

FOR the purpose of altering certain continuing education requirements for a licensee of the State Real Estate Commission who possesses a certain graduate degree; clarifying the continuing education requirements for a licensee holding a license from another state; altering the criteria for the Commission to use in selecting subject matter for continuing education courses; authorizing the Commission to set certain fees for providers of continuing education courses; repealing certain obsolete provisions; requiring certain licensees to take certain courses as a condition of licensure renewal on or after a certain date; and generally relating to continuing education for licensees of the State Real Estate Commission.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 17–315
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 84 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Membership

FOR the purpose of increasing the number of members of the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors; and generally relating to the State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–202
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 85 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Labor and Industry – Boiler and Pressure Vessel Safety Act

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, 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, a deputy boiler inspector, a

special inspector, or an authorized inspection agency to make certain inspections with respect to the installation, repair, or alteration of boilers and pressure vessels; authorizing the Chief Boiler Inspector or a deputy boiler inspector to make certain inspections of antique or 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; repealing certain inspection fees; adding certain inspection fees; altering certain provisions to require only an authorized inspection agency to file with the Chief Boiler Inspector a certain report and a certain notification and to pay a certain filing fee; requiring the owner or user of a boiler or pressure vessel to pay a certain fee for a certificate of inspection; requiring certain insurers to develop, maintain, and make available to the Commissioner of Labor and Industry for inspection at the insurer's place of business a certain quality assurance program or to submit to the Chief Boiler Inspector evidence of certain accreditation; and generally relating to boilers and pressure vessels.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–907, 12–909, 12–910(a), 12–911, and 12–913(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 86 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Underwriting and Rating – Consumer Rates and Rating

FOR the purpose of clarifying that an insurer shall place and retain a consumer at the most favorably priced rate for which the consumer qualifies; clarifying that an insurer that is part of an insurance holding company system shall place, retain, or move a consumer to the most favorably priced rating tier of any of the admitted insurers within its holding company system for which the consumer qualifies; and generally relating to insurance underwriting and rating.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–212(e) and 27–501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 87 – Chair, Economic Matters Committee (By Request – Departmental – State Police)

AN ACT concerning

State Fire Marshal – Nongovernmental Electrical Inspectors

FOR the purpose of requiring the State Fire Marshal to administer and enforce this Act; authorizing the State Fire Marshal to adopt certain regulations and use certain staff to carry out and enforce this Act; providing that this Act does not supersede certain local laws or ordinances; removing the exemption for certain counties; requiring certain electrical inspectors to obtain county approval or certification under certain circumstances; requiring certain electrical installations to have a permit and be inspected; requiring certain utilities to receive a certain certificate before the utility authorizes electrical current to be turned on; requiring certain electrical installations be certified within a certain period of time after final completion; requiring a person to be certified as a nongovernmental electrical inspector by the State Fire Marshal before inspecting or certifying an electrical installation; requiring that applicants for a nongovernmental electrical inspector certificate meet certain minimum qualifications and pass a certain written examination; authorizing the State Fire Marshal to adopt certain regulations to establish certain alternate qualifications for applicants; requiring an applicant to submit an application and certain documents and pay a certain application fee; requiring the application to contain a certain statement; requiring the State Fire Marshal to issue a certificate under certain circumstances; requiring a certificate holder to give notice of a change of address; providing for certain procedures relating to renewal of a certificate; authorizing the State Fire Marshal to deny, refuse to renew, or suspend or revoke a certain certificate, reprimand a certificate holder, or impose a civil penalty under certain circumstances and subject to certain hearing requirements; providing for review of the State Fire Marshal's hearing determinations; providing for certain criminal penalties; making stylistic changes; providing for the application of this Act; repealing a certain definition; defining a certain term; altering a certain definition; and generally relating to the authority of the State Fire Marshal and the certification of nongovernmental electrical inspectors.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–601 through 12–603, 12–606, and 12–607
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Public Safety
Section 12–604 and 12–605
Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 12–604 through 12–614
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 88 – Chair, Economic Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Comptroller)

AN ACT concerning

Other Tobacco Products Licenses

FOR the purpose of requiring a person to have an appropriate license whenever the person acts as an other tobacco products manufacturer, retailer, storage warehouse, or wholesaler in the State; providing for a certain exception for certain retailers; requiring a license to act as an other tobacco products retailer for each place of business of the retailer; making holders of other tobacco products licenses subject to certain restrictions and requirements; providing for license application procedures and fees; requiring the display of a license in a certain manner; prohibiting a person from reapplying for a license within a certain period after the person's license was revoked; requiring the Comptroller to issue other tobacco products licenses to manufacturers, storage warehouses, and wholesalers under certain circumstances; requiring certain clerks of the circuit court to issue other tobacco products licenses to retailers under certain circumstances; specifying the scope of the licenses; providing for the renewal of a license; authorizing the Comptroller to delegate certain powers and duties; providing for certain disciplinary actions and proceedings; authorizing the Comptroller to adopt certain regulations; granting certain rights to judicial review under certain circumstances; prohibiting a person from acting, attempting to act, or offering to act as an other tobacco products manufacturer, retailer, storage warehouse, or wholesaler in the State unless the person has an appropriate license; requiring the Comptroller to pay certain fees into the General Fund of the State; stating the intent of the General Assembly; requiring certain licensees to take certain actions and keep certain records; requiring a person who transports other tobacco products by vehicle on a public road to have certain information; authorizing the Comptroller by regulation to require a common carrier that brings other tobacco products into the State to submit certain information; prohibiting a person from shipping, importing, or selling other tobacco products into or within the State except under certain circumstances; requiring a person who ships, imports, or sells other tobacco products to take certain actions; placing certain restrictions on the sale, storage, and distribution of other tobacco products; providing for certain penalties;

prohibiting certain political subdivisions from imposing a tax on other tobacco products; requiring certain other tobacco products licensees to file certain tax returns on or before a certain date and pay a certain tax; altering certain requirements for payment of the tobacco tax on cigarettes and other tobacco products; repealing a certain requirement that the Comptroller establish by regulation a certain system of taxing other tobacco products; authorizing the Comptroller to require an other tobacco products manufacturer or wholesaler to post security in certain amounts; defining certain terms; altering certain definitions; requiring the Comptroller to adopt certain regulations; providing for a delayed effective date; and generally relating to licenses for other tobacco products manufacturers, retailers, storage warehouses, and wholesalers.

BY repealing
Article – Business Regulation
Section 16–217
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 16–219
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 16A–101 through 16A–218 to be under the new title "Title 16A. Other Tobacco Products Licenses"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–101, 12–102, 12–103, 12–104, 12–201, 12–202, 12–301, 12–302, 12–304(a), 13–825(h), and 13–1015
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing
Article – Tax – General
Section 12–306
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Ways and Means.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 1 – Delegate Sophocleus

A House Joint Resolution concerning

Turkish Treatment of the Ecumenical Patriarchate and the Ecumenical Patriarch of the Orthodox Christian Church

FOR the purpose of urging the government of the Republic of Turkey to uphold and safeguard certain rights, cease certain discrimination, grant the Ecumenical Patriarch of the Orthodox Christian Church appropriate recognition, ecclesiastic succession, and the right to train certain clergy, and respect certain human and property rights; providing that a copy of this resolution be forwarded by the Department of Legislative Services to certain individuals; and generally relating to the Ecumenical Patriarchate of the Orthodox Christian Church.

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

House Joint Resolution 2 – Delegate Smigiel

A House Joint Resolution concerning

Maryland Sovereignty Under the Tenth Amendment to the Constitution of the United States

FOR the purpose of demanding that the federal government halt its practice of assuming powers and imposing mandates on the states of the United States for purposes not enumerated under the Constitution of the United States.

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

MESSAGE FROM THE EXECUTIVE

GOVERNOR MARTIN O'MALLEY – 2009 RECESS APPOINTMENTS
REQUIRING CONFIRMATION BY THE MARYLAND HOUSE OF DELEGATES

(See Exhibit B of Appendix II)

Read and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 137 Members present.

(See Roll Call No. 10)

ADJOURNMENT

At 1:02 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 14, 2010.

Annapolis, Maryland
Thursday, January 14, 2010

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Mary Ann Love of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 11)

The Journal of January 13, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Donoghue – personal business
Del. Harrison – personal
Del. Levy – doctor's appointment

MINORITY LEADERSHIP APPOINTMENTS

Minority Leader – The Honorable Anthony J. O'Donnell
Assistant Minority Leader – The Honorable Nancy Stocksdale
Minority Whip – The Honorable Christopher B. Shank
Assistant Minority Whip – The Honorable Jeannie Haddaway
Chair of the Republican Caucus – The Honorable Addie Eckardt
Chief Deputy Whip – The Honorable William J. Frank
Parliamentarian – The Honorable Michael Smigiel
Deputy Whip – The Honorable Joseph Boteler
Deputy Whip – The Honorable Susan Aumann
Deputy Whip – The Honorable Tanya Shewell
Deputy Whip – The Honorable Don Dwyer
Deputy Whip – The Honorable Tony McConkey
Deputy Whip – The Honorable Richard Sossi

Read and ordered journalized.

INTRODUCTION OF BILLS

House Bill 89 – Delegate O'Donnell

AN ACT concerning

Environment – Wetlands and Waterways Program Fees – Aquaculture

FOR the purpose of exempting aquacultural activities for which the Department of Natural Resources has issued a certain permit from a requirement to pay certain fees under the Wetlands and Waterways Program; and generally relating to the Wetlands and Waterways Program.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a) and (b)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–203.1(b)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 90 – Delegate Burns

AN ACT concerning

Same Sex Marriages – Foreign Jurisdictions – Invalidity

FOR the purpose of providing that a marriage between two individuals of the same sex that is validly entered into in another state or in a foreign country is not valid in this State; altering the definition of a "foreign marriage" to provide that the term includes a marriage ceremony between a man and woman; declaring that marriages between individuals of the same sex are against the public policy of this State; and generally relating to the validity of same sex marriages in the State.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–201 and 2–502(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 91 – The Speaker (By Request – Administration)

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Unemployment Insurance – Modernization and Tax Relief Act

FOR the purpose of providing for an alternative method to determine the base period for unemployment insurance purposes under certain circumstances; altering certain provisions relating to benefit eligibility of certain part–time workers; providing that certain training benefits may not be charged to employers; creating an additional training benefit for certain individuals; providing for the calculation and limit for the additional training benefits; prohibiting the denial of additional training benefits under certain circumstances; prohibiting payment of additional training benefits after a certain period; reducing the interest rate on certain late payments; adjusting the applicable table of contribution rates for a certain time period under certain circumstances; defining certain terms; altering certain definitions; providing for the effective dates and application of this Act; making this Act an emergency measure; and generally relating to unemployment insurance.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–101(a) and 8–802
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–101(b) and (v), 8–611(e), 8–612(d)(6), 8–628, and 8–903(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 8–812
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 92 – The Speaker (By Request – Administration) and Delegates Busch, Hixson, Doory, Barkley, Barnes, Bobo, Bohanan, Branch, Carr, Davis, Dumais, Eckardt, Feldman, Gilchrist, Glenn, Gutierrez, Haynes, Hecht, Heller, Howard, Hucker, Ivey, Kelly, King, Kipke, Kullen, Lafferty, Levi, Malone, Manno, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Reznik, Rice, Rosenberg, Ross, Rudolph, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

EMERGENCY BILL

AN ACT concerning

Labor and Employment – Job Creation and Recovery Tax Credit

FOR the purpose of establishing the Job Creation and Recovery Tax Credit; providing a credit against the State income tax for certain employers employing certain individuals in certain qualified positions; defining certain terms; providing for certification by the Department of Labor, Licensing, and Regulation of persons eligible for the credit and of the maximum amount of credit for which a qualified employer is eligible; limiting to a certain amount the credit each qualified employer may receive; providing for a cap of the total aggregate amount of the tax credit that the Department may approve; allowing the credit as a credit against the payment of certain withholding taxes under certain circumstances; making the credit refundable under certain circumstances; requiring certain reports; authorizing the adoption of certain regulations; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to tax credits in connection with the employment of certain individuals in certain qualified positions in the State and the Job Creation and Recovery Tax Credit program.

BY adding to
Article – Labor and Employment
Section 11–1101 through 11–1107 to be under the new subtitle "Subtitle 11. Job Creation and Recovery Tax Credit"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Tribute to U.S. Senator Paul Sarbanes

Remarks by Governor Martin O'Malley

Remarks by Congressman John Sarbanes

Remarks by U.S. Senator Paul Sarbanes

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 12)

ADJOURNMENT

At 10:53 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 15, 2010.

Annapolis, Maryland
Friday, January 15, 2010

The House met at 11:08 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Melvin L. Stukes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 13)

The Journal of January 14, 2010 was read and approved.

EXCUSES:
Del. Branch – personal
Del. Bronrott – business
Del. Burns – doctor's appointment
Del. Cane – business – Agricultural Conference
Del. V. Clagett – medical – fractured ankle
Del. Harrison – doctor's appointment
Del. Jones – business
Del. Krebs – business
Del. Malone – funeral
Del. McIntosh – funeral
Del. Montgomery – left early – business
Del. Oaks – business
Del. Stocksdale – business
Del. Walkup – doctor's appointment

APPOINTMENTS

January 15, 2010

RESOLVED, THAT THE SPEAKER MAKES THE FOLLOWING COMMITTEE APPOINTMENT:

Hon. Charles A. Jenkins to the Health and Government Operations Committee

By Order,
Mary Monahan

Chief Clerk

Read and adopted.

INTRODUCTION OF BILLS

House Bill 93 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Motor Vehicle Administration – Identification Cards and Drivers' Licenses

FOR the purpose of altering the period of validity of identification cards issued for certain applicants by the Motor Vehicle Administration; repealing a requirement that certain information be stated on a driver's license application form; authorizing the Administration to waive a vision examination for certain license applicants under certain circumstances; and generally relating to drivers' licenses and identification cards.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 12–301(i), 16–106(b), and 16–110(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–106(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 94 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Juvenile Causes – Exceptions – Hearings

FOR the purpose of repealing a provision authorizing a party who files exceptions to a master's findings, conclusions, or recommendations in certain juvenile proceedings to elect a hearing de novo; authorizing the court to decide exceptions without a hearing under certain circumstances; requiring that, in certain juvenile proceedings, the exceptions be decided on the evidence

presented to the master; authorizing the court to consider additional evidence only under certain circumstances; authorizing the court to take certain actions under certain circumstances; and generally relating to exceptions to a master's findings, conclusions, and recommendations in juvenile proceedings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–807(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–807(d) and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 95 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

FOR the purpose of altering certain requirements relating to the registration of individuals who have committed certain offenses on a certain registry; altering the offenses for which a person can be required to register on a certain registry for committing, attempting to commit, or conspiring to commit; requiring certain persons to register on a certain registry if they have been convicted of certain crimes in certain countries; altering the requirements for registration on a certain registry for a certain person granted probation before judgment; providing that certain requirements for a person to register on a certain registry are to be applied retroactively under certain circumstances; providing for the calculation of a certain term of registration; altering certain requirements for persons under a certain age to register on a certain registry under certain circumstances; establishing that certain individuals who are under the protection of certain witness protection programs are exempt from certain registration requirements; altering certain time periods relating to certain registration, notice, and reporting requirements; requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a

certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring a certain registrant who makes changes in certain identifying information to send a certain notice to a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant leaves the United States under certain circumstances or temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring a certain registrant to provide a digital image instead of a photograph under certain circumstances; requiring a certain registrant to provide a palm print; repealing an exemption from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing certain terms of registration to be reduced under certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include the county where the registrant habitually lives or intends to habitually live; requiring a certain supervising authority to notify the local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701, 11–702, 11–702.1, 11–704 through 11–710, 11–712, 11–713, 11–714, 11–717, 11–718(a), and 11–721 to be under the amended subtitle "Subtitle 7. Sex Offender Registration"

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–703
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–704.1 and 11–704.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 96 – Delegate Kullen

AN ACT concerning

Calvert County – Education – Junior Reserve Officer Training Corps Instructors

FOR the purpose of applying to Calvert County a certain definition of "public school employee" that includes Junior Reserve Officer Training Corps (JROTC) instructors for the purpose of certain provisions of law related to organizations of certificated employees; and generally relating to representation for JROTC instructors in Calvert County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–401(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 97 – Delegates McConkey, Benson, Costa, Krysiak, Montgomery, Pena–Melnyk, Stukes, Stull, V. Turner, and Jenkins

AN ACT concerning

Education – Hearing and Vision Screenings

FOR the purpose of requiring certain parents or legal guardians of certain students to ensure that certain screenings take place before certain students enter certain

school systems; requiring certain county boards of education to develop certain procedures to determine compliance with certain requirements; and generally relating to hearing and vision screenings for public school students.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–404(a) and (b)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 7–404.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 98 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Tidal Fish Licenses – Transfer and Suspension

FOR the purpose of prohibiting a certain temporary transferee of a tidal fish license from using the license or receiving a transfer of a certain license during a certain period of time under certain circumstances; altering the grounds for the suspension of a tidal fish license; repealing the grounds for a certain authorization; altering the requirements for certain regulations adopted by the Department of Natural Resources relating to the suspension and revocation of a license or authorization; and generally relating to tidal fish licenses issued by the Department of Natural Resources.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–701(i) and (l)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 99 – Delegates Conway, Cane, Eckardt, Elmore, Haddaway, and Mathias

AN ACT concerning

Legislative Community Initiatives Loan of 2004 – Wicomico County – Wicomico County Library

FOR the purpose of amending the Legislative Community Initiatives Loan of 2004 to allow the proceeds of a certain grant to be used for studies and planning.

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, Chapter 94 of the Acts of the General Assembly of 2005, and Chapter 488 of the Acts of the General Assembly of 2007
Section 13(3)(ii) Item (T–2)

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

House Bill 100 – Delegate Feldman

AN ACT concerning

Corporations – Directors – Factors Considered in Best Interests of Corporation

FOR the purpose of authorizing a director of a corporation, in considering the best interests of the corporation and its shareholders, to consider certain factors and other appropriate factors consistent with the business judgment rule; providing that this Act does not create or abrogate certain duties owed by a director or impose a certain duty, obligation, or liability on a director or create a right or cause of action against, or basis for standing to sue, a director; making stylistic changes; and generally relating to the directors of corporations.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 2–405.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 101 – 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–605
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 102 – Delegate Feldman

AN ACT concerning

Campaign Finance – Contributions by Minors

FOR the purpose of requiring that a contribution by a dependent minor be reported in the name of the minor but be considered as being made by the minor's custodial parents or guardians for purposes of certain contribution limits; requiring that the amount of a dependent minor's contribution be attributed to the minor's custodial parents or guardians in a certain manner; and generally relating to contributions by minors.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(o)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–226
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 103 – Delegates Lafferty and Malone

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 relocation plan for mobile home park residents; requiring the plan to include the payment of certain relocation assistance to each park household under certain circumstances; providing that the plan include certain information; providing that a mobile home park owner shall not incur liability and may not be estopped from obtaining possession of certain premises under certain circumstances; prohibiting a relocation plan from including certain conditions under certain circumstances; requiring relocation assistance to be paid to residents who will be dislocated when a mobile home park is closed; establishing the method of calculating relocation assistance; establishing conditions under which a mobile home park owner is not required to pay relocation assistance; establishing a time table for paying relocation assistance; providing that, under certain circumstances, a resident may forfeit receiving relocation assistance; establishing that a certain local governing body may provide additional relocation assistance to dislocated residents and that the payments are not the responsibility of the mobile home park owner; 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 104 – Delegates Robinson and Oaks

AN ACT concerning

Baltimore City – Ivy Family Support Center Loan of 2001

FOR the purpose of amending the Baltimore City – Ivy Family Support Center Loan of 2001 to require that the loan proceeds be encumbered by the Board of Public Works or expended for certain purposes by a certain date; and generally relating to the Baltimore City – Ivy Family Support Center Loan of 2001.

BY repealing and reenacting, with amendments,
Chapter 163 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

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

House Bill 105 – Delegate Glenn

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Baltimore City – Youth Sports Program Facility

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to remove the requirement that the Board of Directors of the Youth Sports Program, Inc. provide a certain matching fund.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA02(AA)

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

House Bill 106 – Delegates Dumais, Rosenberg, Anderson, Barnes, Carter, Conaway, Frush, Gutierrez, Ivey, Jones, Lafferty, Lee, Levi, Oaks, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges

FOR the purpose of altering a certain surcharge on certain fees, charges, and costs in certain civil cases in the circuit courts and the District Court; making a stylistic change; and generally relating to certain surcharges deposited into the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–202(a)(1) and (d) and 7–301(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 7–202(e)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 107 – Delegates Ali, Bobo, Barkley, Carr, Feldman, Gutierrez, Hucker, Kaiser, Manno, McComas, McConkey, Miller, Montgomery, Norman, Olszewski, Pena–Melnyk, Reznik, Rice, Shewell, Stein, Taylor, and Waldstreicher

AN ACT concerning

Legislative Voting Sunshine Act

FOR the purpose of requiring the result of certain votes taken on a bill in a standing committee to be made available on the General Assembly website at a certain time; requiring the posted result to allow an individual to see how each member of the standing committee voted on certain actions relating to the bill; and generally relating to the posting of standing committee votes on a website.

BY renumbering
Article – State Government
Section 2–1506
to be Section 2–1506.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 2–1506
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 108 – Delegate Kelly

AN ACT concerning

Western Maryland Code Home Rule Counties – Police Departments – Local Referendum Required

FOR the purpose of requiring that, if the county commissioners of a code home rule county in the Western Maryland class, by ordinance or resolution, create or expand a county police bureau, unit, or department or transfer duties from the Sheriff's Office to a county police bureau, unit, or department, the ordinance or resolution is to be submitted to a referendum of the legally qualified voters of the county; requiring the county commissioners and the local board of elections of the appropriate county to take certain actions to provide for and hold the referendum; requiring any ordinance enacted or resolution passed prior to the

effective date of this Act relating to the creation or expansion of a police bureau, unit, or department, authorizing the appointment of individuals as police officers with certain powers, or the transfer of duties from the Sheriff's Office to a county police bureau, unit, or department to be submitted by the county commissioners to a referendum of the legally qualified voters of the county; requiring the county commissioners and the local board of elections of the appropriate county to take certain actions and hold the referendum on the previously enacted ordinance; providing that the Sheriff's Office of Allegany County is responsible for highway and road patrol duties in the county, with certain law enforcement powers; providing for the construction of this Act; and generally relating to police departments in code home rule counties in the Western Maryland class and to the Sheriff's Office of Allegany County.

BY adding to
Article 25B – Home Rule for Code Counties
Section 13C–2
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(b)(8)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 109 – Delegate Ali

AN ACT concerning

Residential Property Tax Disclaimer Act

FOR the purpose of requiring that a certain form developed by the State Real Estate Commission contain a certain notice; and generally relating to sales of residential property.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 10–702(b) and (f)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 10–702(c)
Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 14)

ADJOURNMENT

At 11:26 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 18, 2010.

Annapolis, Maryland
Monday, January 18, 2010

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Emmett C. Burns, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 15)

The Journal of January 15, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. Bronrott – personal
Del. V. Clagett – medical – fractured ankle
Del. Davis – personal
Del. Holmes – illness
Del. Kelly – illness
Del. Mathias – business
Del. F. Turner – personal
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 110 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages – Clubs – Membership

FOR the purpose of reducing in Dorchester County the membership requirements for certain fraternal organizations and armed forces organizations or clubs to obtain a Class C beer, wine and liquor license; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(a)(1) and (k)(1)

Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(k)(4) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 111 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Charter Counties – Local Laws – Digital Copies

FOR the purpose of authorizing a charter county to make a digital copy of a certain compilation of laws available on the Internet as an alternative to a requirement to provide certain copies to certain entities; altering a certain requirement that a charter county provide a copy of a certain compilation of laws to the Department of Legislative Services to authorize the copy to be in either a digital or printed form; authorizing a charter county under certain circumstances to make a digital copy of certain compilations or codes of local laws available on the Internet as an alternative to a requirement to deposit copies with certain State agencies; making stylistic changes; and generally relating to compilations and codes of local laws of charter counties.

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 7
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 112 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Alcoholic Beverages License Holders – Fines

FOR the purpose of increasing the maximum fine that the Dorchester County Board of License Commissioners may impose on a holder of an alcoholic beverages license instead of or in addition to suspending the license for a violation of the alcoholic beverages laws; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 16–507(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 113 – Delegates Eckardt, Cane, and Haddaway

AN ACT concerning

Dorchester County – Membership of Sanitary Commission

FOR the purpose of increasing the number of sanitary commissioners in the Dorchester County Sanitary Commission; and generally relating to the sanitary commission for Dorchester County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–622(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 114 – Delegates Nathan–Pulliam, Benson, Burns, Conaway, Glenn, Gutierrez, Hubbard, Kipke, Mizeur, Morhaim, Oaks, Pena–Melnyk, Robinson, Tarrant, Taylor, and V. Turner

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 certain health occupations boards to develop collaboratively certain training and materials for certain board members; requiring the Secretary of Health and Mental Hygiene to confirm the appointment of certain directors; requiring that after certain consultation and to the extent permitted by certain resources, certain health occupations boards 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 based solely on certain complaints the board receives after a certain period of time; requiring certain health occupations boards that are authorized to use peer review to provide certain licensees and certificate holders an opportunity to review and respond to certain reports; requiring certain health occupations boards to consider certain reports and responses before taking certain action; 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 orders for disciplinary action on certain websites; requiring the Secretary to establish certain goals for the timeliness of complaint resolution; requiring the Secretary to monitor the timeliness of complaint resolution for certain health occupations boards; requiring the Secretary to establish certain goals on or before a certain date; requiring certain health occupations boards to collaborate with the Office of the Attorney General to make certain information available to the public concerning certain roles for assistant attorneys general; establishing that certain departure from sanctioning guidelines, failure to meet certain timeliness goals, and noncompliance with certain guidelines concerning certain roles for assistant attorneys general may not be grounds for certain hearings or appeals; requiring the Secretary, Department, and health occupations boards to make certain reports to certain committees of the General Assembly on or before certain dates; providing for the construction and the application of this Act; 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; and 1–601 through 1–609 to be under the new subtitle "Subtitle 6. General Clarification of the Disciplinary Process"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 115 – Delegates Tarrant, Robinson, and Conaway

AN ACT concerning

Creation of a State Debt – Baltimore City – Maryland SPCA Adoption Center Expansion

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 Maryland

SPCA, 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 Appropriations.

House Bill 116 – Delegates Ali, Barkley, Feldman, Manno, Taylor, and Vaughn

AN ACT concerning

Credit Card Blacklisting Prevention Act

FOR the purpose of prohibiting a person from including or enforcing certain provisions in certain consumer credit contracts; providing that a provision included in a consumer credit contract in violation of certain provisions of this Act is void and unenforceable; permitting certain information to be used to detect or prevent certain fraudulent activity; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to consumer credit contracts.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 117 – Delegates Kaiser, Taylor, and Montgomery

AN ACT concerning

Creation of a State Debt – Montgomery County – Camp Brighton Woods

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 Girl Scout Council of the Nation's Capital, 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 Appropriations.

House Bill 118 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Department of Public Safety and Correctional Services – Secretary – Acting Capacity

FOR the purpose of adding certain members of the executive staff of the Secretary of Public Safety and Correctional Services, one of whom shall be designated to serve as acting Secretary when the Secretary is absent from the State or otherwise unavailable; and generally relating to the Secretary of Public Safety and Correctional Services.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–102 and 2–105
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 119 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Firearm Applications – Authority of Secretary

FOR the purpose of providing that, in addition to the current methods for transferring a firearm application to the Secretary of State Police, a firearm application may be transferred to the Secretary by any other method pre–approved by the Secretary; and generally relating to the Department of State Police and the application to purchase a firearm.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–120
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 120 – Delegates Kelly, Vallario, Dumais, Elmore, Frank, Jennings, Kramer, Schuler, Shank, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Law Enforcement Officers – Unsubstantiated Complaints – Admissibility

FOR the purpose of providing that evidence of a certain complaint against a law enforcement officer is not admissible in a certain proceeding if the complaint resulted in a certain outcome; and generally relating to the admissibility of evidence relating to a law enforcement officer.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–110
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 121 – Delegates Anderson, Barnes, Cardin, Glenn, Olszewski, Ramirez, Ross, Schuler, Smigiel, Stukes, Tarrant, Vallario, and Waldstreicher

AN ACT concerning

Office of the Public Defender – Eligibility for Services – Authorization to Access Agency Records

FOR the purpose of authorizing the Office of the Public Defender to make cooperative agreements with the Department of Labor, Licensing, and Regulation, the Comptroller, and the State Department of Assessments and Taxation to allow the Office to have certain access to certain information regarding applicants for services of the Office; and generally relating to eligibility for services of the Office of the Public Defender.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 16–210
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 122 – Delegates Anderson, Barnes, Benson, Bronrott, Burns, Carter, Conaway, Conway, George, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Hucker, Ivey, Kirk, Levi, McComas, McIntosh, Murphy, Nathan–Pulliam, O'Donnell, Oaks, Pena–Melnyk, Proctor, Ramirez, Robinson, Rosenberg, Ross, Schuler, Shank, Smigiel, Stukes, Tarrant, V. Turner, and Vallario

AN ACT concerning

Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification

FOR the purpose of repealing a provision of law requiring that the Public Defender serve at the pleasure of the Board of Trustees of the Office of the Public Defender; specifying that the Governor may remove the Public Defender for certain reasons, only on the recommendation of the Board of Trustees; increasing the number of members of the Board of Trustees; altering the method of selection of the members and chair of the Board of Trustees; requiring each member of the Board of Trustees to have demonstrated commitment to indigent defense; increasing the number of members of the Board of Trustees who are required to be active attorneys admitted to practice before the Court of Appeals of Maryland; prohibiting a prosecutor, judge, or law enforcement officer from being a member of the Board of Trustees; providing for the staggering of terms of the Board of Trustees; specifying that at the end of a term a member of the Board of Trustees continues to serve until a successor is appointed and qualifies; authorizing the reappointment to the Board of Trustees of a member whose term has expired; increasing the quorum of the Board of Trustees; repealing provisions of law relating to regional advisory boards of the Office of the Public Defender; requiring that the initial members of the Board of Trustees be appointed on or before a certain date; specifying the terms of the initial members of the Board of Trustees; providing that a member of the Board of Trustees who is serving on the effective date of this Act shall continue to serve until a successor is appointed and qualifies; and generally relating to the Office of the Public Defender.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 16–203(a) and 16–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Criminal Procedure
Section 16–303 and 16–304
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 123 – Delegate Barnes

AN ACT concerning

Jury Duty – Exemption from Service – Election Judge

FOR the purpose of exempting from jury service an individual who has served as an election judge for a county board of elections in the State under certain circumstances; and generally relating to exemption from jury service.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 8–306
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 124 – Delegate Barnes

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 and 2009 Supplement)

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 2009 Supplement)

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

House Bill 125 – Delegates Anderson, Branch, Conaway, Hammen, Kirk, Krysiak, Oaks, Robinson, Rosenberg, and Stukes

AN ACT concerning

Baltimore City Public School System – Exclusion from Amount of Bonds Outstanding

FOR the purpose of excluding Qualified School Construction Bonds from the limitation on the aggregate principal amount of bonds outstanding for the Baltimore City Public School System; and generally relating to an exclusion from the amount of bonds outstanding for the Baltimore City Public School System.

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.2(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–306.2(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 126 – Delegates Ramirez, Vallario, Barnes, Conaway, and Simmons

AN ACT concerning

Outstanding Arrest Warrants – Drivers' Licenses and Vehicle Registrations

FOR the purpose of altering the definition of an outstanding warrant for arrest for purposes of certain provisions of the Maryland Vehicle Law governing suspension of drivers' licenses and vehicle registrations under certain circumstances; and generally relating to suspension of drivers' licenses and vehicle registrations based on outstanding warrants for arrest under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–406(8), 13–406.1(a)(1) and (b), and 16–204(a)(1) and (3) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–406.1(a)(3)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 127 – Delegate Kipke

AN ACT concerning

Public Health – Food Establishments – Transportation of Perishable Foods

FOR the purpose of requiring certain food establishments to transport certain foods from a wholesale food warehouse or distribution center in accordance with certain standards; requiring a wholesale food warehouse or distribution center to display a certain sign; requiring the Department of Health and Mental Hygiene to adopt regulations establishing certain standards for the transportation of certain foods, requirements for the display of a certain sign, and certain fines; and generally relating to the transportation of perishable foods by food establishments.

BY adding to
Article – Health – General
Section 21–330.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 128 – Delegate Rosenberg

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Petition for Writ of Actual Innocence – Notice of Filing and Hearing

FOR the purpose of requiring a person who files a petition for writ of actual innocence to notify the State of the filing in a certain manner; authorizing the State to file a response to a petition for writ of actual innocence within a certain period of time; requiring that the victim or victim's representative be notified of a hearing on a petition for writ of actual innocence before the hearing is held; establishing that a victim or victim's representative has the right to attend a hearing on a petition for writ of actual innocence; making this Act an emergency measure; and generally relating to a petition for writ of actual innocence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 129 – Delegates Benson and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George's County – John E. Feggans Center 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 Mayor and Common Council of the City of Seat Pleasant 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 Appropriations.

House Bill 130 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Professional Land Surveyors – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board for Professional Land Surveyors 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 for Professional Land Surveyors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 15–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(35)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 131 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Physical Therapy Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Physical Therapy 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, in conjunction with the Department of Health and Mental Hygiene, to submit a certain report on or before a certain date; and generally relating to the State Board of Physical Therapy Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–502
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(47)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 132 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners in Optometry – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners in Optometry in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) to a certain date the termination provisions relating to statutory authority 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 Examiners in Optometry.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 11–602
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(45)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 133 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Pilots – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Pilots 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 Department of Labor, Licensing, and Regulation, in conjunction with the Board, to submit a certain report on or before a certain date; and generally relating to the State Board of Pilots.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 11–802
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(50)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 134 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners of Landscape Architects – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners of Landscape Architects in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to certain 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 Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions
Section 9–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(36)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 135 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Chiropractic and Massage Therapy Examiners – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Chiropractic and Massage Therapy 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 certain reports on or before certain dates; altering a certain reference; and generally relating to the State Board of Chiropractic and Massage Therapy Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 3–602
Annotated Code of Maryland
(2009 Replacement Volume)

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

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(12)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 136 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Plumbing – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Plumbing 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 Department of Labor, Licensing, and Regulation to submit a certain report on or before a certain date; and generally relating to the State Board of Plumbing.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(51)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 137 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners of Nursing Home Administrators – Sunset Extension and Program Evaluation

FOR the purpose of continuing the State Board of Examiners of Nursing Home Administrators 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 Examiners of Nursing Home Administrators.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 9–502
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(42)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 138 – Delegates Waldstreicher, Vallario, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Jennings, Kelly, Kramer, Lee, Levi, McComas, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Valderrama

AN ACT concerning

Criminal Injuries Compensation Board – Right to Hearing

FOR the purpose of providing that a claim filed with the Criminal Injuries Compensation Board is subject to certain provisions of the Administrative Procedure Act; providing that if a claimant requests a hearing after the Board has issued proposed findings of fact, conclusions of law, or orders, the Board shall hold a hearing before the Board issues final findings of fact, conclusions of law, or orders; and generally relating to the Criminal Injuries Compensation Board.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–815
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

MARTIN LUTHER KING, JR. DAY ADDRESS

DELEGATE KEITH E. HAYNES
Baltimore City

Letter From A Birmingham Jail

Dr. King was the epitome of a humble leader. Molded in humility. He didn't simply talk about his dreams but he *led* by example. He went into, battle "time and time" again – to fight for his ideals. Even after his house had been bombed and the lives of family endangered. Yet, he never wavered in his fight for justice.

But on April 16, 1963, Dr. King was in jail. He was in jail for "parading without a permit" in Birmingham, Alabama. He sat in jail. Although they imprisoned his physical body they could not imprison his mind or ideals. In responding to 7 Clergymen and 1 Rabbi who criticized the efforts of Dr. King in a local newspaper, it was on the blank columns of the paper in which he was criticized that Dr. King wrote his now–famous "Letter From A Birmingham Jail". When reading the letter, you find or concluded that Dr. King's response and argument was as "Straightforward and Simple" as it was "Bold." It embodied the Legal Argument of Justice; the Moral Argument of what was Right; and the Constitutional Argument of what was Inalienable: Simply put, Dr. King speaking on behalf of all African–Americans stated that 1. We are Americans. 2. Americans have certain Inalienable Rights. 3. We are being Denied those Rights. 4. Therefore, something which is Wrong needs to be Corrected.

He, in fact, appealed exclusively to something that is embodied in the Constitution which our Founding Fathers and the Framers of the U.S. Constitution constructed. Yet, he was labeled an extremist. He believed in Equal Justice – Yet, he was labeled an extremist. He believed that all men are created equal – Yet, he was labeled an extremist. But using the label of an extremist, Dr. King in his "Letter From

A Birmingham Jail" used an interesting juxtaposition – he wrote "…… as I continued to think about the matter, I gradually gained a bit of satisfaction from being considered an extremist." He quoted Abraham Lincoln "…..This nation cannot survive half slave and half free." – Was not Abraham Lincoln an Extremist? He quoted Thomas Jefferson by saying " We Hold these truths to be self–evident that all men are created equal." Was not Thomas Jefferson an extremist? So, Dr. King reached a quite simple conclusion. He said, "So the question is not whether we will be extremists, but what kind of extremists will we be. Will we be extremists for hate or extremists for love? Will we be extremists for the preservation of injustice or will we be extremists for the cause of justice."

March On Washington

Four months later, Dr. King would stand on the steps of the Lincoln Memorial – It was August 28, 1963 – to participate in the "March on Washington for Jobs and Freedom." After several battles in the Deep South with Bull Connor whose tactics included the use of fire hoses and attack dogs not only on men but on women and children – Dr. King came to Washington. They really didn't know what to expect. The March was late starting because Dr. King and others were late because they were meeting with members of Congress. They did not know how many people to expect but over 300,000 people showed up to support the March. As Dr. King prepared his speech he wrote and re–wrote it. There are actually several versions of the speech. But a little known fact that escapes most people is that the speech that Dr. King prepared and delivered and later became known as the "I Have A Dream" speech never had a formal title. Dr. King had spoken on a few occasions using the theme of "The Dream". But on this occasion – The March on Washington – and after long debate and preparation and within the context of the "March" he thought it best to address the mass of people from the perspective that African–Americans had been issued a Bad Check. In the early portion of his speech, Dr. King stated, "In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they wrote a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the inalienable rights of life, liberty and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note as far as her citizens of color are concerned. In honoring this sacred obligation America has given the African–American people a bad check which has come back marked insufficient funds. But we refuse to believe that the Bank of Justice is bankrupt…". As Dr. King began to conclude his address, I am told that the crowd began to experience a certain synergy as he continued to talk about the injustice and inequities of the African–American people. As he began to conclude, it was Mahalia Jackson, a great gospel singer in her own right who spoke out in a bold voice and said "Infused by the power of a higher power" Dr. King launched into what would become one, if not, the most prolific speech he would ever deliver – "I have a dream, I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream. It is a dream deeply rooted in the American Dream. I have a dream that one day this nation will rise up and live out the true meaning of creed – we hold these truths to be self–evident that all men are created equal." One could argue that this statement is the epitome of diversity. He didn't champion one race, one people, one religion, age or gender, but

rather he championed all people. He dreamed of a day that the moral conscience of what is right would overcome the dredges of what defined the inequities of a people. He said, "I have a dream that one day that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." I have a dream today. What Dr. King's Dream gave us was the fierce urgency of Hope, The Steadfastness of Faith and the Uncompromising Obligation refusing and unwilling to give up. He said, "This is our hope. This is our faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day."

The Question – Is Dr. King's Message Relevant Today

So therein lies the question before each of us here today as we celebrate the Life, Ideals and Legacy of the 81st birthday of Dr. King. Is Dr. King's message relevant today or to put it in the vernacular phrase – can you still see the Dream?

Even despite the continued strides in access to healthcare – many disparities continue to exist – Can you still see the Dream? Despite the efforts made in equities in labor – Inequities in employment and income still persist – Can you see the Dream? Although we continue to say that justice is blind, but the scales of justice still seem to tilt when considering imbalance of justice on the issues of arrest and incarceration; and even though we have opened the doors to an equal education the outcomes still suggest that we have much more work to do. Can you still see the Dream?

Can You Still See The Dream?

On a more personal note, when I think about my own life and growing up in rural North Carolina and as a young boy hearing of news of Dr. King of the death of Dr. King was like hearing of the death of all hope. But it was shortly after his death that Daddy King, Dr. King's father, delivered a speech in my church that renewed the hope and faith that most in my community had lost. And it was those words that I am sure reinforced at a very early age my uncompromising desire to serve humanity. When I walk up steps at the rear of this great State House voluntarily where so many of my ancestors stood involuntarily – I See the Dream. And when I look out across this great Chamber and see the diversities of race, ethnicities, gender and age and orientation – not only can I see the Dream but I can say we are living the Dream. And finally, when I look a few miles down the road to Washington, D.C. and see that 40 years after the death of Dr. King – we as a people elected this country's first African–American President. I still continue to see the promise of the Dream.

I've Been To The Mountaintop

In Conclusion, I have concluded that the answer to question of whether – Is Absolutely Yes. As in his last speech that he would deliver – the speech which eerily foreshadows his impending death seems to confirm that conclusion. Although Dr. King primarily addressed the concerns of the Memphis Sanitation Strike when he again called for continued Unity and Economic Actions. It was the substance of the latter

part of speech which underscores the relevance of his message as we ALL work together to confront the challenges or issues that may confront us. He said, "We've got some difficult days ahead……." "And he's allowed me to go to the mountain. And I've looked over. And I've seen the promised Land. I may not get there with you. But I want you to know tonight, that we as a people, (He didn't say African–American People, he didn't say Caucasian, Asian nor Hispanic) But we as a people (ALL PEOPLE) will get to the promised land".

Delegate Branch moved the Delegate's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 16)

ADJOURNMENT

At 8:44 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 19, 2010.

Annapolis, Maryland
Tuesday, January 19, 2010

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Robert A. Costa of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 17)

The Journal of January 18, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Harrison – personal
Del. Levi – car trouble
Del. Walkup – medical – fractured knee

SPECIAL ORDERS

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

House Rule 116

Delegate Barve moved to make House Rule No. 116 a Special Order for January 21, 2010.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 18)

ADJOURNMENT

At 10:14 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 20, 2010.

Annapolis, Maryland
Wednesday, January 20, 2010

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jeannie Haddaway of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 126 Members present.

(See Roll Call No. 19)

The Journal of January 19, 2010 was read and approved.

EXCUSES:
Del. Bates – brother's surgery
Del. Braveboy – illness
Del. Cardin – business
Del. V. Clagett – medical – fractured ankle
Del. Holmes – funeral
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 139 – Delegates Jones, Burns, and Nathan–Pulliam

AN ACT concerning

Creation of a State Debt – Baltimore County – Augsburg Lutheran Home of Maryland

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 Augsburg Lutheran Home 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 Appropriations.

House Bill 140 – Delegates Elliott and Mathias

AN ACT concerning

Bicycles, Mopeds, and Motor Scooters – Minors – Protective Headgear

FOR the purpose of prohibiting a person who is under a certain age from operating or riding as a passenger on a bicycle, moped, or motor scooter unless the person is wearing certain protective headgear; increasing the age below which the operator or passenger of a bicycle is required to wear certain protective headgear; clarifying that the defined term "bicycle" includes a moped; making certain stylistic changes; and generally relating to protective headgear requirements for an operator of or a passenger on a bicycle, moped, or motor scooter.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–104 and 21–1207.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.1 and 11–134.5
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 141 – Delegates Haddaway and Eckardt

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 $300,000, 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 Appropriations.

House Bill 142 – Delegates Reznik, Bronrott, Gutierrez, Hucker, Kach, Kramer, Love, Rice, Shewell, and Taylor

AN ACT concerning

Correctional Services – Prerelease Unit – Inmate Aftercare Plans

FOR the purpose of requiring the Commissioner of Correction to operate a prerelease unit within the Division of Correction; requiring the Commissioner to develop certain prerelease services and make the services available to inmates of the prerelease unit; requiring the warden or administrator or a certain designee to develop a certain aftercare plan for an inmate before the inmate is released from the prerelease unit; requiring that an aftercare plan for an inmate include certain information; authorizing the Division to arrange for a certain person or governmental unit to provide certain services; authorizing the Commissioner to contract with certain persons or government authorities to provide certain services; and generally relating to the establishment of a prerelease unit and development of inmate aftercare plans.

BY adding to
Article – Correctional Services
Section 3–1001 through 3–1004 to be under the new subtitle "Subtitle 10. Prerelease Unit and Inmate Aftercare Plans"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 143 – Delegate Morhaim

AN ACT concerning

Vehicle Laws – Use of Work Zone Speed Control Systems – Presence of Workers Required

FOR the purpose of altering the definition of "work zone" as it relates to work zone speed control systems; providing that a work zone speed control system may be used only when a worker is present on the roadway, median divider, or shoulder within or adjacent to the work zone; and generally relating to work zone speed control systems.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–810(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–810(a)(6) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 144 – Delegates Miller, Aumann, Bartlett, Bates, Beitzel, Boteler, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kelly, King, Kipke, Krebs, McComas, McConkey, Minnick, Myers, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, Stull, Walkup, and Wood

AN ACT concerning

People's Insurance Counsel Division in the Office of the Attorney General – Repeal

FOR the purpose of repealing the People's Insurance Counsel Division in the Office of the Attorney General and provisions of law relating to the Division; requiring certain equipment and assets of the Division to be transferred to the Maryland Insurance Administration on a certain date; and generally relating to the repeal of the People's Insurance Counsel Division in the Office of the Attorney General.

BY repealing
Article – State Government
Section 6–301 through 6–308 and the subtitle "Subtitle 3. People's Insurance Counsel"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 145 – Delegates Miller, Aumann, Bartlett, Bates, Beitzel, Boteler, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kelly, King, Kipke, McComas, McConkey, McDonough, Minnick, Myers, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, Stull, Walkup, and Wood

AN ACT concerning

County Income Tax – Transparency

FOR the purpose of requiring certain employers or payors to include in a certain statement the amount of State income tax and county income tax withheld from certain payments; providing for the application of this Act; and generally

relating to a requirement that an employer or payor provide a certain statement.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–911(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 146 – Delegates Pena–Melnyk, Barnes, and Frush

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 $100,000, 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 147 – Delegates Morhaim, Barve, Eckardt, Elliott, George, Hubbard, Kullen, Nathan–Pulliam, Rosenberg, and V. Turner

AN ACT concerning

Health Insurance – Assignment of Benefits and Reimbursement of Nonpreferred Providers

FOR the purpose of providing that an insured of certain health insurance carriers may not be liable to certain on–call physicians for certain services under certain circumstances; prohibiting certain on–call physicians from taking certain actions against an insured under certain circumstances; authorizing the on–call physicians to collect certain payments from an insured under certain circumstances; requiring certain carriers or their agents to pay certain on–call physicians for certain health care services delivered to an insured at a certain rate under certain circumstances; requiring certain carriers to disclose certain information under certain circumstances; authorizing certain carriers to seek reimbursement from an insured for a claim or portion of a claim submitted by certain on–call physicians under certain circumstances; authorizing certain

carriers to require certain on–call physicians to provide certain information under certain circumstances; authorizing the enforcement of certain provisions of this Act in a certain manner under certain circumstances; requiring the Maryland Health Care Commission to review annually payments to certain on–call physicians and report its findings to the Maryland Insurance Administration; authorizing the Administration to take a certain action to investigate and enforce a violation of certain provisions of this Act; requiring the Administration, in consultation with the Maryland Health Care Commission, to adopt certain regulations; providing that certain carriers may not prohibit the assignment of benefits to a provider by an insured, subscriber, or enrollee; prohibiting certain carriers from refusing to directly reimburse a provider under an assignment of benefits; requiring certain carriers to include certain information with a payment to an insured, subscriber, or enrollee under certain circumstances; requiring certain physicians to provide certain information to a patient under certain circumstances; requiring the Maryland Insurance Commissioner to develop certain forms; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration and the Office of the Attorney General, to conduct a certain study and submit certain reports; defining certain terms; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the assignment of benefits and reimbursement of nonpreferred providers.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 14–205.2 and 15–134
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 148 – Delegates Minnick, Aumann, Boteler, Bromwell, Donoghue, Kach, Miller, Myers, Olszewski, Serafini, Weir, and Wood

AN ACT concerning

Criminal Procedure – Child Sexual Offenders – Elimination of Diminution Credits and Parole Eligibility

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain inmate who is serving a sentence for a certain sexual offense against a minor; eliminating parole eligibility for sexual offenders who are serving terms of confinement for certain offenses against minors committed on or after a certain date; providing that this Act does not restrict a certain authority of the Governor to pardon or remit a certain sentence; and generally relating to sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 149 – Chair, Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than $11,275,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, 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; 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 generally relating to the issuance and sale of such bonds.

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

House Bill 150 – The President and The Speaker (By Request – Administration)

Budget Bill

(Fiscal Year 2011)

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2011, 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 Appropriations.

House Bill 151 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Reconciliation and Financing Act of 2010

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; authorizing certain units of government to charge a certain fee for certain purposes; repealing certain requirements for a certain notice relating to abandoned property to be published in certain newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet website relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet website; repealing a requirement that certain balances in a certain fund revert to the General Fund at the end of certain fiscal years; authorizing the use of certain funds for certain purposes; altering the maximum aggregate amount of a certain assessment; altering certain restrictions on the use of certain funds; altering certain provisions relating to certain requirements that certain nonprofit health service plans use certain funds for certain purposes under certain circumstances; requiring the Comptroller to make a certain distribution to the Education Trust Fund; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenues from short–term rental vehicles; altering certain provisions relating to the funding of a certain highway; repealing a certain grant program; repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds for certain fiscal years; authorizing the Governor to transfer to the General Fund certain amounts from certain special funds, subject to a certain contingency; providing that certain grants to county boards of education may be funded from the Maryland Consolidated Capital Bond Loan of 2010; requiring that certain units of local government receive a certain amount of funding for certain fiscal years for certain purposes; prohibiting the expenditure of funds in a certain fiscal year for

certain rate increases; authorizing the transfer by budget amendment of certain funds for certain purposes; providing that certain proceeds from the corporate income tax for a certain fiscal year be credited to the General Fund; altering certain reporting requirements; prohibiting any new awards from being made under a certain scholarship program for a certain academic year; authorizing the transfer of certain savings and interest from certain funds into the General Fund; altering the distribution of certain highway user revenues for certain fiscal years; prohibiting the payment of certain bonuses, merit increases, or cost–of–living adjustments for certain State employees for a certain fiscal year; providing that the State is not required to make certain employer contributions for employees participating in a certain supplemental retirement plan for a certain fiscal year; clarifying and altering the authority of the Governor to implement certain employee furloughs and salary reduction days during certain years; clarifying the base rate for calculating overtime for certain employees under certain circumstances; requiring the State to repay certain amounts to a certain account in certain fiscal years; providing that the Governor is not required to include certain appropriations in the budget for a certain fiscal year under certain circumstances; altering the amounts of certain funds required to be charged back to certain agencies for a certain purpose; making the provisions of this Act severable; 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 15–607 and 17–311
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–301(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–216(b) and 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Education
Section 5–205(c)(3), 16–305(c)(1)(i), and 17–104(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–411(f) and (g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–302, 13–1015, 13–1116(a)(1), 13–1117(a)(1), 13–1118(a)(1), 19–310.1(b), (c), and (d), and 19–14B–01(c)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing
Article – Health – General
Section 18–108(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 14–106(d)(1) and (2)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–306 and 7–325(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–202, 2–1104, and 2–1302.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 2–606(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 4–321(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Education
Section 18–1201 through 18–1207 and the subtitle "Subtitle 12. Private Career School Student Grant Program"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Natural Resources
Section 10–301(m)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing
Article – Tax – General
Section 8–406(b) and 10–704.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 62 of the Acts of the General Assembly of 1992
Section 4

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(c)

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009
Section 19, 35, 39, and 44

BY repealing
Chapter 487 of the Acts of the General Assembly of 2009
Section 25 and 34

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

House Bill 152 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2010, and the Maryland Consolidated Capital Bond Loans of 2003, 2004, 2005, 2006, 2007, 2008, and 2009

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, Seventeen Million, Five Hundred Seventy Five Thousand Dollars ($1,017,575,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of this State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to the requirement that certain grantees provide and expend certain matching funds by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt to be issued in 2011, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be issued in 2012, the proceeds to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; 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; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; 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 204 of the Acts of the General Assembly of 2003
Section 1(3) Item DA07(A), Item MA01(B), Item UB00(A), and Item ZA00(N)

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, Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 336 of the Acts of the General Assembly of 2008, and Chapter 485 of the Acts of the General Assembly of 2009

Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 204 of the Acts of the General Assembly of 2003, as amended by Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item RD00(C)

BY repealing and reenacting, with amendments,
Chapter 432 of the Acts of the General Assembly of 2004
Section 1(3) Item QP00(B), Item UB00(A)(3), (5), and (6), and Item ZB02(C)

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, Chapter 336 of the Acts of the General Assembly of 2008, and Chapter 485 of the Acts of the General Assembly of 2009
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item QP00(A), Item UB00(A)(3), (5), and (6), and Item ZB02(C)

BY repealing and reenacting, with amendments,
Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, and Chapter 485 of the Acts of the General Assembly of 2009
Section 1(1)

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

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item QP00(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 12(1) Item ML10(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, and Chapter 485 of the Acts of the General Assembly of 2009
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item DW01.08(A), Item VE01(A), and Item ZB02(B)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(1) and (3) Item RE01(B), Item VD01(B), and Item ZA01(A) and Section 12(1) and (3) Item DE02.01(A), Item RA01(B), Item RM00(E), Item RB23(B), Item RB24(A), Item RB29(A), Item RI00(A), Item WA01(A), and Item ZB02(C)

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

House Bill 153 – Delegates Kullen, Proctor, and Vallario

AN ACT concerning

Creation of a State Debt – Calvert County – Kellam's Field

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 Town of Chesapeake Beach 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 Appropriations.

House Bill 154 – Delegates Kullen and O'Donnell

AN ACT concerning

Patuxent River – Oysters – Use of Patent Tongs

FOR the purpose of altering a certain area in the Patuxent River in which a certain prohibition on the use of patent tongs to catch oysters applies; and generally relating to the use of patent tongs to catch oysters in the Patuxent River.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1011(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 155 – Delegates Kaiser, Barkley, Boteler, Carr, DeBoy, Elmore, Glenn, Hixson, Hucker, James, Love, Manno, Montgomery, Robinson, and F. Turner

AN ACT concerning

Delegate Howard P. Rawlings Educational Excellence Award – Qualifications – Study Abroad Programs

FOR the purpose of providing that an individual who qualifies for a Delegate Howard P. Rawlings Educational Excellence Award remains qualified for the award if the individual is accepted in a certain study abroad program under certain circumstances; and generally relating to qualifications for the Delegate Howard P. Rawlings Educational Excellence Award.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–303
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 156 – Delegates Sossi, Eckardt, Elmore, Haddaway, Mizeur, Smigiel, and Walkup

EMERGENCY BILL

AN ACT concerning

Mental Hygiene Administration – Upper Shore Community Mental Health Center – Continued Operation

FOR the purpose of adding the Upper Shore Community Mental Health Center to the list of State facilities maintained under the direction of the Mental Hygiene

Administration of the Department of Health and Mental Hygiene; requiring the Administration, notwithstanding any other provision of law, to continue the operation of the Upper Shore Community Mental Health Center in Chestertown, Maryland; making this Act an emergency measure; and generally relating to the Upper Shore Community Mental Health Center.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 10–406(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 10–406(e)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 157 – Delegate Anderson (By Request – Baltimore City Administration)

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 2009 Supplement)

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

House Bill 158 – Delegates Ali, Barve, and Conaway

AN ACT concerning

Special Election for U.S. Senate Vacancies Act

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 primary election and a special general election to fill a vacancy in the office of United States Senator under certain circumstances; specifying the dates when a special election to fill a vacancy in the office of United States Senator shall be held; requiring the Governor to fill a vacancy in the office of United States Senator temporarily under certain circumstances, but requiring that any individual so appointed be of the same political party as the vacating member; prohibiting an individual appointed and duly sworn in to fill a vacancy in the office of United States Senator temporarily from being a candidate to fill the vacancy in the special election; providing for the application of this Act; 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–602
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 159 – Delegates Sossi, Aumann, Boteler, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Kipke, Jenkins, Jennings, Krebs, McComas, McDonough, Miller, Norman, Schuh, Serafini, Shank, Shewell, Smigiel, Stocksdale, and Walkup

AN ACT concerning

Criminal Law – Interception of Communication – Immunity from Prosecution

FOR the purpose of providing that a person who intercepts a wire, oral, or electronic communication that provides evidence of the commission of a felony is immune from criminal prosecution for the interception; and generally relating to immunity from prosecution for the interception of wire, oral, or electronic communications.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings
Section 10–402(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 160 – Delegate Malone

AN ACT concerning

Maryland Estate Tax – Exclusion for Family Farm Subject to Agricultural Preservation Easements

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain real property subject to certain agricultural preservation easements; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 161 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Family Law – Permanency Planning and Guardianship Review Hearings – Consultation with Child

FOR the purpose of requiring the juvenile court, in certain permanency planning and guardianship review hearings, to place on the record a certain consultation with the child at certain intervals; and generally relating to certain permanency planning and guardianship review hearings.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–823(b), (c), and (h)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–823(k)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–326(a)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Family Law
Section 5–326(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 162 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Expedited Partner Therapy Pilot Program – Extension

FOR the purpose of extending the termination date of the Expedited Partner Therapy Pilot Program; and generally relating to the Expedited Partner Therapy Pilot Program.

BY repealing and reenacting, with amendments,
Chapter 146 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 163 – Delegates Miller, Aumann, Bartlett, Bates, Beitzel, Boteler, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, King, Kipke, Krebs, McComas, McConkey, McDonough, Myers, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, Stull, and Walkup

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Taxpayers' Bill of Rights

FOR the purpose of proposing an amendment to the Maryland Constitution that establishes a certain Bill of Rights for individual taxpayers in the State; requiring certain voter approval for new State or local taxes, tax rate increases, and repeal of tax exemptions; imposing certain spending limits on the State; requiring that a certain Rainy Day Fund be maintained; requiring that certain revenues received in excess of certain estimates be transferred to a certain Rainy Day Fund; prohibiting use of the Rainy Day Fund except under certain circumstances; requiring that under certain circumstances certain balances in excess of certain amounts be returned to individual taxpayers; prohibiting certain transfers from State special funds to the State General Fund; prohibiting appropriations from State special funds that supplant State General Fund appropriations or that if not made would necessitate a State General Fund appropriation; prohibiting the State from imposing certain obligations on local units of government under certain circumstances; providing for the severability of certain provisions of this Act; 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
Declaration of Rights
Article 15A

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

House Bill 164 – Delegate Holmes

AN ACT concerning

Drunk and Drugged Driving – Repeat Offenders – Special Registration Plates

FOR the purpose of requiring the Motor Vehicle Administration to issue special license plates to identify a vehicle that is owned by an individual who has been

convicted of certain drunk or drugged driving offenses a certain number of times; requiring the special registration plates to be distinctive and to include the letters "DUI"; requiring the Administration to recall the registration plates of each vehicle owned by an individual who has been convicted of certain drunk and drugged driving offenses a certain number of times; requiring the Administration to provide a certain notice concerning recalled registration plates; requiring the Administration to issue special registration plates and certain validation tabs under certain circumstances; requiring a vehicle owner to comply with a certain notice; requiring the owner of a vehicle issued special registration plates to pay a certain fee; requiring special registration plates issued under this Act to be displayed for a certain number of years; requiring an owner to renew registration under certain circumstances; requiring the Administration to return or issue certain registration plates and to issue certain validation tabs at the end of a certain time period; and generally relating to drunk and drugged driving.

BY adding to
Article – Transportation
Section 13–630
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 165 – Delegates Simmons, Anderson, Barnes, Dumais, Dwyer, Frank, Jennings, Kelly, Kramer, Levi, McComas, McConkey, Ramirez, Shank, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Offender Registry – Indecent Exposure

FOR the purpose of expanding the definition of offender for purposes of provisions relating to a certain offender registry to include a person who is ordered by a court to register and who has been convicted of indecent exposure, if the victim is under a certain age; and generally relating to a certain offender registry.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(h)
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 166 – Delegate Hubbard

AN ACT concerning

Farmer's Markets – Raw Agricultural Product Sales – Producer Mobile Farmer's Market License

FOR the purpose of altering a certain definition to exclude the sale of certain raw agricultural products at a farmer's market from regulation as a food service facility; prohibiting a local jurisdiction from requiring a license for the sale of raw agricultural products at a farmer's market; clarifying that a license is not required to deliver prepackaged food products; requiring the Department of Health and Mental Hygiene to establish a producer mobile farmer's market license; providing for the fee and duration of the license; authorizing a licensee to sell certain products at a farmer's market; providing that the license is valid in all jurisdictions in the State; prohibiting a local jurisdiction from requiring a certain licensee to obtain a separate permit or a license to sell certain products; requiring the Department to issue the license, conduct certain inspections, and adopt certain regulations; requiring the license to be displayed in a certain manner; establishing fines for violations of requirements relating to the license; requiring county health departments to enforce provisions relating to the license; establishing that certain fines for violations be paid to the county in which the violation occurred; defining certain terms; making conforming changes; making stylistic changes; and generally relating to the sale of raw agricultural products and mobile food service facility licenses.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–301(h)(2), 21–304, 21–305(b) and (c), and 21–308(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–305(a) and 21–309(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 167 – Delegate Hubbard

AN ACT concerning

Seasonal Farmer's Market Producer Sampling License

FOR the purpose of authorizing a county to establish a seasonal farmer's market producer sampling license to allow a producer of a farm product to prepare and offer samples of the product at a farmer's market; requiring the license to be valid at all farmer's markets in the county for a certain time period, for a single fee; limiting a licensee to offer samples only of a product produced by the licensee; requiring a county issuing the license to adopt certain ordinances; and generally relating to product sampling at farmer's markets.

BY adding to
Article – Health – General
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 168 – Delegates Rosenberg, Anderson, and Dumais

AN ACT concerning

Architectural or Engineering Services – Construction Industry – Indemnity Agreements – Void

FOR the purpose of providing that certain indemnity agreements relating to certain architectural or engineering services are against public policy and are void and unenforceable under certain circumstances; clarifying language; making stylistic changes; providing for the application of this Act; and generally relating to certain construction industry indemnity agreements.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 5–401(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 169 – Delegates Carr, Ali, Barkley, Beidle, Bronrott, Frush, Healey, Hecht, Howard, Hucker, Jameson, Kaiser, Levy, Love, Montgomery, Morhaim, Murphy, Reznik, Shewell, and Waldstreicher

AN ACT concerning

Marilyn J. Praisner Safe and Earth–Friendly Roadway Act

FOR the purpose of authorizing the State Highway Administration, Maryland Transportation Authority, 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, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only with a new or replacement luminaire that meets certain requirements; authorizing the Administration, the Authority, a political subdivision, or an electric company to install or replace a certain luminaire for highway lighting only if the new or replacement luminaire is of a certain type; authorizing the Administration, the Authority, or a political subdivision to waive a certain requirement for luminaires for highway lighting for certain reasons; requiring the Administration, the Authority, 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, the Authority, 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; requiring an electric company to offer the Administration, the Authority, or a political subdivision the opportunity to replace certain luminaires for highway lighting with replacement luminaires owned and maintained by the Administration, Authority, or political subdivision under certain circumstances; 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 2009 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 and 2009 Supplement)

BY adding to
Article – Transportation
Section 8–609.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 170 – Delegate Donoghue

AN ACT concerning

Creation of a State Debt – Washington County – Deafnet 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 Deafnet Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 171 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Aging School Program – Qualified Zone Academy Bonds

FOR the purpose of authorizing the creation of a State Debt in the amount of $4,543,000, the proceeds to be used as a grant to the Interagency Committee on School Construction for certain development or improvement purposes; providing for disbursement of the loan proceeds and the allocation of funds to eligible school systems, subject to a requirement that the grantee document the provision of a required federal matching fund; authorizing the Board of Public Works to sell certain bonds at certain sales; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 172 – Delegates Waldstreicher, Anderson, Barnes, Carter, Dumais, Lee, Rosenberg, Simmons, and Smigiel

AN ACT concerning

Criminal Procedure – Use of Tracking Device by Law Enforcement Officer – Search Warrant

FOR the purpose of prohibiting a law enforcement officer from using a certain tracking device to determine the location or movement of another individual unless a certain search warrant has been issued; providing for the application of this Act; defining a certain term; and generally relating to the use of tracking devices by law enforcement officers.

BY adding to
Article – Criminal Procedure
Section 1–203(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 173 – Delegates Morhaim, Cardin, and Stein

AN ACT concerning

Human Services – Quality Care – Juvenile Facilities

FOR the purpose of requiring each committed facility licensed by the Department of Juvenile Services to serve no more than 48 children at one time; and generally relating to juvenile facilities.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–238.1(a)
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 174 – Delegates Miller, Aumann, Bartlett, Bates, Beitzel, Boteler, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kelly, King, Kipke, Krebs, McComas, McConkey, McDonough, Minnick, Myers, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, Stull, Walkup, and Wood

AN ACT concerning

Maryland Funding Accountability and Transparency Website – State Loans

FOR the purpose of requiring the Department of Budget and Management to include on the Maryland Funding Accountability and Transparency website State loans in excess of a certain amount; and generally relating to the Maryland Funding Accountability and Transparency website.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–313
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 20)

ADJOURNMENT

At 10:13 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 21, 2010.

Annapolis, Maryland
Thursday, January 21, 2010

The House met at 10:18 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Joseline A. Pena–Melnyk of Anne Arundel and Prince George's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 21)

The Journal of January 20, 2010 was read and approved.

EXCUSES:
Del. Barnes – business – court
Del. Benson – funeral
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Impallaria – personal business
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 175 – Delegates Reznik, Ali, Barkley, Gutierrez, Hucker, Kaiser, Kullen, Manno, Rice, Robinson, Shewell, Taylor, Valderrama, and Weir

AN ACT concerning

Labor and Employment – Credit Reports and Credit Histories of Applicants and Employees – Limitations on Use by Employers

FOR the purpose of prohibiting an employer from using a certain individual's credit report or credit history for certain purposes; authorizing an employer to request or consider a certain individual's credit report or credit history under certain circumstances; requiring the Commissioner of Labor and Industry to adopt certain regulations; authorizing certain civil actions under certain circumstances; providing that this Act does not apply to certain employers; and generally relating to the credit reports and credit histories of applicants and employees.

BY adding to
Article – Labor and Employment
Section 3–710
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 176 – Delegates Hixson, Hucker, Manno, Olszewski, Reznik, and Robinson

AN ACT concerning

Public Schools – Student Information – Availability to Military Recruiters

FOR the purpose of requiring certain public schools that administer the Armed Services Vocational Aptitude Battery (ASVAB) to choose a certain score reporting option for military recruiter contact; requiring certain public schools to send a certain notice containing certain information to the ASVAB representative coordinating the administration of the ASVAB and to notify certain students and the parent or guardian of certain students of certain release of student information requirements; providing that certain students or the parent or guardian of certain students who choose to release certain information to military recruiters may individually submit certain forms to the military services; defining a certain term; and generally relating to public schools and the availability of student information for military recruiters.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–111
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 177 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2009 – Easter Seals Inter–Generational Center

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to remove the requirement that the Board of Directors of Easter Seals Greater Washington–Baltimore Region, Inc. provide a certain matching fund.

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(C) and Item ZA03(C)

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

House Bill 178 – Delegates McConkey, Barnes, Costa, Dwyer, George, King, Kipke, Pena–Melnyk, and Sophocleus

AN ACT concerning

Anne Arundel County Public Schools – Office Discipline Referrals – Accountability Policy

FOR the purpose of requiring the Anne Arundel County Board of Education to develop a certain policy for accounting for certain office discipline referrals submitted in certain schools on or before a certain date; requiring a certain policy to include certain information; requiring the county board to implement a certain policy in certain public schools in a certain school year; requiring the county board to submit a certain report to the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to an accountability policy by the Anne Arundel County Board of Education for office discipline referrals.

BY adding to
Article – Education
Section 7–311
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 179 – Delegates Elliott and Krebs

AN ACT concerning

State Board of Nursing – Temporary License – Issuance

FOR the purpose of authorizing the State Board of Nursing to issue a temporary license to an individual who has taken and passed a certain examination, but is waiting for the completion of a certain records check; specifying the scope of temporary licenses issued to certain individuals; exempting certain individuals from a certain provision of law; and generally relating to the issuance of temporary nursing licenses.

BY repealing and reenacting, without amendments,
Article – Health Occupations

Section 8–301(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–301(c) and 8–315(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 180 – Delegates Hixson, Hucker, and Mizeur

AN ACT concerning

Financial Institutions – Automated Teller Machines – Video Cameras

FOR the purpose of requiring each operator of an automated teller machine to install and maintain a video camera that views and records certain activity occurring within a certain number of feet in front of the automated teller machine; requiring each operator of an automated teller machine to preserve the recordings made by the video camera for at least a certain number of days; providing that a video camera need not record banking transactions made at an automated teller machine; requiring operators of certain automated teller machines to comply with this Act on or before certain dates; and generally relating to automated teller machines.

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 1–401(a) and (j)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Financial Institutions
Section 1–402.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 181 – Delegates Hubbard, Ali, Benson, Bobo, Bromwell, Bronrott, Costa, Frush, Griffith, Healey, Holmes, Hucker, Ivey, Kipke, Kullen, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Proctor, Reznik, Riley, Tarrant, and V. Turner

AN ACT concerning

Department of Health and Mental Hygiene – Biomonitoring Program – Report

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to conduct a certain study on the feasibility of establishing a biomonitoring program in the State and to make certain recommendations; requiring the Department of Health and Mental Hygiene to make a certain report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a report on the feasibility of establishing a biomonitoring program in the State.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 182 – Delegates Stifler, Pena–Melnyk, Aumann, Barkley, Beidle, Bromwell, Eckardt, Frank, Frush, Glenn, Haddaway, Hecht, James, Jameson, Jennings, Kaiser, Kipke, Krebs, Kullen, Lee, Levi, Love, McComas, McConkey, McDonough, O'Donnell, Riley, Shank, Shewell, Stocksdale, V. Turner, and Jenkins

AN ACT concerning

Health Insurance – Coverage for Breast Cancer Screening – American Cancer Society Guidelines

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for breast cancer screening in accordance with certain screening guidelines existing on a certain date; and generally relating to insurance coverage for breast cancer screening.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–814
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 183 – Delegates Hucker, Hixson, and Mizeur

AN ACT concerning

Creation of a State Debt – Montgomery County – National Labor College Academic Services Building

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

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

House Bill 184 – The Speaker (By Request – Governor's Salary Commission)

AN ACT concerning

Constitutional Officers – Salaries

FOR the purpose of providing for the annual salaries of the Comptroller, Treasurer, Attorney General, and Secretary of State; providing that this Act does not apply to the salaries or compensations of the incumbent Comptroller, Treasurer, Attorney General, and Secretary of State; and generally relating to the salaries of certain constitutional officers of Maryland.

BY repealing and reenacting, with amendments,
Article – State Government
Section 4–103, 5–104, 6–103, and 7–107
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 185 – Delegate Kelly

AN ACT concerning

Transportation – Unlawful Signs Along Highways – Enforcement

FOR the purpose of establishing that, for purposes of enforcing certain provisions of law relating to sign placement and maintenance along highways, the presence of a sign in violation of the provisions of law is evidence of certain facts concerning the placement or maintenance of the sign; and generally relating to the enforcement of certain provisions of law relating to sign placement and maintenance along highways.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 8–749
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 186 – Delegate Waldstreicher

AN ACT concerning

Juvenile Services – State Board of Juvenile Services – Established

FOR the purpose of establishing the State Board of Juvenile Services; transferring the duties, powers, and responsibilities of the Department of Juvenile Services to the State Board of Juvenile Services; specifying the composition of the Board; providing for the appointment, removal, terms of office, and compensation of members of the Board; requiring the Board to appoint a Superintendent of Juvenile Services; specifying the term of office of the Superintendent; transferring the duties, responsibilities, and authority of the Secretary of Juvenile Services to the Superintendent of Juvenile Services; making conforming changes; repealing references to the Department of Juvenile Services and the Secretary of Juvenile Services; providing for certain transitional provisions; 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 establishment of a State Board of Juvenile Services.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 2–401(a) and 8–201(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–401(b)(2)(ii), 2–404, 2–501(b)(9)(ii), 6–102(2), 7–102(2), 8–201(h), 8–202(8), 8–204(a)(2) and (b)(1), 8–208(a)(14) and (b), 8–209(d), 8–706(2), 8–707, 8–709(b), 8–710(c), and 10–601(b)(2), (c)(2), and (d)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 8–201(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Correctional Services
Section 8–201(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–815(f)(4), 3–8A–01(h)(1), 3–8A–10(c)(4)(ii), (c–1)(4) and (5), and (i), 3–8A–10.1(b), 3–8A–11(b), 3–8A–15(e)(3) and (h)(2), (3), and (4), 3–8A–17(a), 3–8A–17.1(b), 3–8A–17.3(c)(1), 3–8A–17.8(c)(2), 3–8A–17.12, 3–8A–19(d)(1)(ii), (3), and (5)(i), 3–8A–20.1(a)(1), (b), (c), and (d)(1), and 3–8A–27(a)(2)(i) and (iii) and (b)(2), (3)(i), and (4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(2)(i) and (b)(2), (3)(i), and (4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 10 of the Acts of the General Assembly of 2006, as amended by Chapters 602 and 603 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–201(f)(3), 10–208(a)(14), 10–220(c), 11–113(c)(3)(ix), 11–402(a), 11–507, 11–607(a)(2), (b), and (c)(1), 11–616(a), (c), (d), and (e)(1), 11–617(c)(3), (4), and (5) and (d)(2), 11–701(m)(13), 11–704(c)(1)(ii) and (2)(ii), 11–912(a)(1)(v), and 11–1003(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–303(h)(1)(i), 3–109(e)(8), 3–6A–05(a)(2)(viii), 6–302(a)(1)(i), 6–303(b)(1)(i)3., 7–302(b)(3), 7–305(h)(1), 7–309(a)(1), 7–4A–03(a)(4), 7–1203(b)(5) and (c)(2)(iv), 8–412(a)(7), 8–417(a) and (b), 8–501(e)(3), 18–1803(b)(3), 18–2101(b)(2) and (d)(2), 22–301, 22–303(a)(1), 22–304(a) and (c)(5), 22–305(b)(3)(iii), 22–306(d)(1)(i) and (2), 22–308(c), and 22–309
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Section 5–503(a), 5–508(b)(5)(iii), 5–509(b)(3), 5–509.1(b)(3), 5–527(c), 5–560(d)(3), 5–7A–02(a)(6), and 9–403(c)(2)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–104(b)(2)(i), 5–703(a)(6), 8–1001(c)(3), 10–309(a)(1)(ii)1.K., 10–514(d)(2)(ii), 10–923(a)(6), 15–139(e), 16–206(b), 18–4A–03(a)(8) and (c)(2), and 24–804(b)(4)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–308(h)(3)(i)4., 20–101(b)(1)(iv) and (i)(2)(i)3., and 20–202(a)(2)(i)2.
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 1–212(b)(2)(iii), 4–205(c), 8–101(m)(2)(i)3., 8–302(2)(ii), 8–402(4), 8–406(a)(1)(i), 8–701(b)(3), 8–703.1(a)(2)(ii), 8–709(2), 8–801(2), 8–1001(b)(2)(i), 8–1002(2), 9–101; 9–201 through 9–212 and 9–214 through 9–223 to be under the amended subtitle "Subtitle 2. State Board of Juvenile Services" and the amended part "Part I. Organization and Administration of Board"; 9–226 through 9–237, 9–238.1, 9–239 through 9–240.1, 9–241 through 9–246, 9–401(c)(1)(ii), 9–402, 9–405(a), and 9–410(a)(1)
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–219
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)
(As enacted by Chapter 10 of the Acts of the General Assembly of 2006, as amended by Chapters 602 and 603 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–1003(b)(1)(v)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–702(b)(1)(i)2. and 5–502(b)(2)(i)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–305(d), 13–107.1(l)(4), and 14–501(b)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–401, 6–402(b), 6–404(1)(ii), (3), (5), and (8), 6–405(3), 6–406, 8–201(b), and 10–616(q)(5)(iii)8.
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 10–501(c), 10–502, 10–506(b), and 10–507
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13C–1(i)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 187 – Delegate Waldstreicher

AN ACT concerning

Juvenile Services – Juvenile Services Administration – Established

FOR the purpose of establishing the Juvenile Services Administration in the Department of Human Resources; transferring the duties, powers, and responsibilities of the Department of Juvenile Services to the Juvenile Services Administration; requiring the Secretary of Human Resources, with the approval of the Governor, to appoint an Executive Director of Juvenile Services; establishing that the Executive Director serves at the pleasure of the Secretary of Human Resources; providing for the compensation of the Executive Director; transferring the duties, responsibilities, and authority of the Secretary of

Juvenile Services to the Executive Director of Juvenile Services; repealing references to the Department of Juvenile Services and the Secretary of Juvenile Services; making conforming changes; providing for the effective date of various provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the establishment of a Juvenile Services Administration.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 2–401(a) and 8–201(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 2–401(b)(2)(ii), 2–404, 2–501(b)(9)(ii), 6–102(2), 7–102(2), 8–201(h), 8–202(8), 8–204(a)(2) and (b)(1), 8–208(a)(14) and (b), 8–209(d), 8–706(2), 8–707, 8–709(b), 8–710(c), and 10–601(b)(2), (c)(2), and (d)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 8–201(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Correctional Services
Section 8–201(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–815(f)(4), 3–8A–01(h)(1), 3–8A–10(c)(4)(ii), (c–1)(4) and (5), and (i), 3–8A–10.1(b), 3–8A–11(b), 3–8A–15(e)(3) and (h)(2), (3), and (4), 3–8A–17(a), 3–8A–17.1(b), 3–8A–17.3(c)(1), 3–8A–17.8(c)(2), 3–8A–17.12, 3–8A–19(d)(1)(ii), (3), and (5)(i), 3–8A–20.1(a)(1), (b), (c), and (d)(1), and 3–8A–27(a)(2)(i) and (iii) and (b)(2), (3)(i), and (4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27(a)(2)(i) and (b)(2), (3)(i), and (4)
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 10 of the Acts of the General Assembly of 2006, as amended by Chapters 602 and 603 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–201(f)(3), 10–208(a)(14), 10–220(c), 11–113(c)(3)(ix), 11–402(a), 11–507, 11–607(a)(2), (b), and (c)(1), 11–616(a), (c), (d), and (e)(1), 11–617(c)(3), (4), and (5) and (d)(2), 11–701(m)(13), 11–704(c)(1)(ii) and (2)(ii), 11–912(a)(1)(v), and 11–1003(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 2–303(h)(1)(i), 3–109(e)(8), 3–6A–05(a)(2)(viii), 6–302(a)(1)(i), 6–303(b)(1)(i)3., 7–302(b)(3), 7–305(h)(1), 7–309(a)(1), 7–4A–03(a)(4), 7–1203(b)(5) and (c)(2)(iv), 8–412(a)(7), 8–417(a) and (b), 8–501(e)(3), 18–1803(b)(3), 18–2101(b)(2) and (d)(2), 22–301, 22–303(a)(1), 22–304(a) and (c)(5), 22–305(b)(3)(iii), 22–306(d)(1)(i) and (2), 22–308(c), and 22–309
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–503(a), 5–508(b)(5)(iii), 5–509(b)(3), 5–509.1(b)(3), 5–527(c), 5–560(d)(3), 5–7A–02(a)(6), and 9–403(c)(2)(i)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–104(b)(2)(i), 5–703(a)(6), 8–1001(c)(3), 10–309(a)(1)(ii)1.K., 10–514(d)(2)(ii), 10–923(a)(6), 15–139(e), 16–206(b), 18–4A–03(a)(8) and (c), and 24–804(b)(4)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–308(h)(3)(i)4., 20–101(b)(1)(iv) and (i)(2)(i)3., and 20–202(a)(2)(i)2.
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Human Services

Section 1–212(b)(2)(iii), 4–205(c), 8–101(m)(2)(i)3., 8–302(2)(ii), 8–402(4), 8–406(a)(1)(i), 8–701(b)(3), 8–703.1(a)(2)(ii), 8–709(2), 8–801(2), 8–1001(b)(2)(i), 8–1002(2), 9–101; 9–201, 9–203 through 9–212 and 9–214 through 9–223 to be under the amended subtitle "Subtitle 2. Juvenile Services Administration" and the amended part "Part I. Organization and Administration of Administration"; 9–226 through 9–237, 9–238.1, 9–239 through 9–240.1, 9–241 through 9–246, 9–401(c)(1)(ii), 9–402, 9–405(a), and 9–410(a)(1)
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing
Article – Human Services
Section 9–202
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY adding to
Article – Human Services
Section 9–202
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–219
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)
(As enacted by Chapter 10 of the Acts of the General Assembly of 2006, as amended by Chapters 602 and 603 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 11–1003(b)(1)(v)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 2–702(b)(1)(i)2. and 5–502(b)(2)(i)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–305(d), 13–107.1(l)(4), and 14–501(b)

Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 6–401, 6–402(b), 6–404(1)(ii), (3), (5), and (8), 6–405(3), 6–406, and 10–616(q)(5)(iii)8.
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 10–501(c), 10–502, 10–506(b), and 10–507
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13C–1(i)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 188 – Delegate Waldstreicher

AN ACT concerning

Department of Juvenile Services Employees – Required Education

FOR the purpose of requiring the Correctional Training Commission to require, as a condition of employment, that certain employees possess a degree from an institution of higher education; and generally relating to required education for certain Department of Juvenile Services employees.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 8–201(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 8–209(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 10–101(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 3 – The Speaker (By Request – Governor's Salary Commission)

A House Joint Resolution concerning

Governor's Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

FOR the purpose of establishing the salaries to be paid the Governor and Lieutenant Governor, as directed by Article II, Section 21A of the Maryland Constitution, for the 4–year term of office beginning January 19, 2011.

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

SPECIAL ORDERS

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

House Rule 116

Read and referred to the Committee on Rules and Executive Nominations.

HR0035/183124/3

BY: Delegate O'Donnell

AMENDMENT TO HOUSE RULE 35

ORDERED by the House of Delegates, that House Rule No. 35, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

"35.

(a) No committee may meet while the House is in session without special leave of the Speaker.

(b) The Speaker may designate days or periods of hours during which special and select committees may meet, and during these times the standing committees may not meet.

(c) The Department of Legislative Services shall compile a list of the meetings scheduled by the committees and, from time to time, arrange for its distribution.

(D) (1) IF THE NECESSARY TECHNOLOGY IS AVAILABLE IN THE MEETING ROOM, AN AUDIO AND VIDEO RECORDING OF EACH COMMITTEE MEETING SHALL BE DISTRIBUTED ON THE INTERNET USING STREAMING MEDIA TECHNOLOGY.

(2) AN AUDIO AND VIDEO RECORDING REQUIRED UNDER THIS SUBSECTION SHALL BE AVAILABLE IN BOTH OF THE FOLLOWING FORMATS:

(I) A TRANSMISSION THAT IS CONTEMPORANEOUS WITH THE CONDUCT OF THE MEETING; AND

(II) AN ARCHIVED FILE THAT IS PUBLICLY ACCESSIBLE ON THE INTERNET FOR AT LEAST 4 YEARS.

(3) THIS SUBSECTION DOES NOT APPLY TO ANY PROCEEDING THAT IS CLOSED PURSUANT TO THE OPEN MEETINGS LAW.".

Read and referred to the Committee on Rules and Executive Nominations.

HR0036/683129/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE RULE 36

ORDERED by the House of Delegates, that House Rule No. 36, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follow:

"36.

(A) UNLESS THE MEETING IS CLOSED PURSUANT TO THE OPEN MEETINGS LAW, EACH MEETING OF A COMMITTEE SHALL BE OPEN TO ANY MEMBER OF THE PUBLIC.

(B) The chairman of each committee shall preserve order and decorum in and adjacent to the room assigned to that committee while the committee is in session and may order that area cleared **FOR THE PURPOSE OF RESTORING ORDER AND DECORUM**.".

Read and referred to the Committee on Rules and Executive Nominations.

HR0038/623429/1

BY: Delegate O'Donnell

AMENDMENT TO HOUSE RULE 38

ORDERED by the House of Delegates, that House Rule No. 38, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

"38.

(A) The final committee vote on any bill or resolution shall be recorded by individual member. Any other committee vote, at the request of any committee member, shall be recorded by individual member.

(B) Every recorded committee vote shall be [delivered]**:**

(1) DELIVERED to the Department of Legislative Services prior to the reporting of the bill or resolution to the floor of the House and be maintained as a permanent public record by that Department**; AND**

(2) MADE AVAILABLE TO THE PUBLIC ON THE INTERNET AS EXPEDITIOUSLY AS PRACTICABLE BY THE DEPARTMENT OF LEGISLATIVE SERVICES.".

Read and referred to the Committee on Rules and Executive Nominations.

HR0037/513225/1

BY: Delegate Smigiel

AMENDMENT TO HOUSE RULE 37

ORDERED by the House of Delegates, that House Rule 37, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

"37.

Each committee shall consider **AND VOTE ON** every bill and resolution referred to it.".

Read and referred to the Committee on Rules and Executive Nominations.

HR0037/753526/1

BY: Delegate Smigiel

AMENDMENT TO HOUSE RULE 37

ORDERED by the House of Delegates, that House Rule 37, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

"37.

(A) Each committee shall consider every bill and resolution referred to it.

(B) THE FINAL COMMITTEE VOTE ON A BILL OR RESOLUTION SHALL BE A YEA OR NAY VOTE ON THE MOTION TO REPORT THE BILL FAVORABLY TO THE FLOOR OF THE HOUSE OF DELEGATES.".

Read and referred to the Committee on Rules and Executive Nominations.

HR0023/463823/1

BY: The Majority Leader

AMENDMENT TO HOUSE RULE 23

ORDERED by the House of Delegates, that House Rule No. 23, as adopted by the House for the 2010 Session be, and it is hereby, repealed and readopted, with amendments, to read as follows:

"23.

(A) [Each bill**] DURING A REGULAR SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE BILL, HOUSE JOINT RESOLUTION**, House Resolution, and **[**other resolution**] HOUSE SIMPLE RESOLUTION** shall be numbered in order as introduced, beginning with **[**H.B.**] HOUSE BILL** 1 for House Bills, **[**H.J.R.**] HOUSE JOINT RESOLUTION** 1 for House Joint Resolutions, **[**H.R.**] HOUSE RESOLUTION** 1 for House Resolutions, and **[**H.S.R.**] HOUSE SIMPLE RESOLUTION** 1 for House Simple Resolutions.

(B) DURING A SPECIAL SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE BILL, HOUSE JOINT RESOLUTION, HOUSE RESOLUTION, AND HOUSE SIMPLE RESOLUTION SHALL BE NUMBERED IN THE ORDER IT IS INTRODUCED, BEGINNING WITH A NUMBER DETERMINED TO BE APPROPRIATE BY THE CHIEF CLERK OF THE HOUSE.".

Read and referred to the Committee on Rules and Executive Nominations.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 22)

ADJOURNMENT

At 10:43 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 22, 2010.

Annapolis, Maryland
Friday, January 22, 2010

The House met at 11:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Sheila Ellis Hixson of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 24)

The Journal of January 21, 2010 was read and approved.

EXCUSES:
Del. Bobo – illness
Del. Braveboy – illness
Del. Bronrott – business
Del. V. Clagett – medical – fractured ankle
Del. Costa – illness
Del. Myers – personal
Del. F. Turner – out of state – court
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 189 – Delegate DeBoy (Chair, Joint Audit Committee) and Delegates Aumann, Barkley, Bronrott, G. Clagett, Haynes, Hixson, Howard, Kach, and Oaks

AN ACT concerning

Office of Legislative Audits – Auditing Local School Systems

FOR the purpose of continuing the requirement that the Office of Legislative Audits conduct audits of certain local school systems by requiring the Office to conduct audits of each local school system within certain periods of time; and generally relating to audits of local school systems by the Office of Legislative Audits.

BY repealing and reenacting, with amendments,
Article – State Government

Section 2–1220(e)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 190 – Delegate Malone

AN ACT concerning

Motor Vehicles – Use of Video Display Equipment

FOR the purpose of altering the types of video display equipment that are prohibited from being located in certain areas of a motor vehicle; altering the standards for the location of video display equipment in a motor vehicle; altering certain exceptions to the prohibition against the use of video display equipment in certain locations in a motor vehicle; and generally relating to the use of video display equipment in a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–414
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 191 – Delegates Malone, Conway, Costa, Jennings, Mathias, Morhaim, Stull, and Weir

AN ACT concerning

Criminal Law – Sale of Novelty Lighters – Prohibition

FOR the purpose of prohibiting a person from selling at retail, offering for sale at retail, or distributing for retail sale in the State a novelty lighter; establishing a certain penalty for a violation of this Act; providing for the application of this Act; defining a certain term; and generally relating to the sale of novelty lighters.

BY adding to
Article – Criminal Law
Section 10–112.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 192 – Delegates Malone and Kach

AN ACT concerning

Motor Vehicles – Reading Text Message While Driving – Prohibition

FOR the purpose of prohibiting a person from using a text messaging device to read a text message while operating a motor vehicle under certain circumstances; and generally relating to the prohibition on the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 193 – Delegate Rosenberg

AN ACT concerning

Civil Proceedings – Foreign Defamation Judgments – Enforceability and Bases of Personal Jurisdiction

FOR the purpose of authorizing a court in this State to exercise personal jurisdiction for certain purposes and under certain circumstances over a certain person who obtains a certain foreign defamation judgment; prohibiting recognition of certain foreign judgments; establishing that certain foreign defamation judgments may not be recognized in this State unless a certain court makes a certain determination; authorizing a court to award costs and reasonable attorney's fees to a party opposing recognition or enforcement of a certain foreign judgment; defining a certain term; and generally relating to enforceability of certain foreign judgments and personal jurisdiction over certain persons who obtain certain foreign judgments.

BY adding to
Article – Courts and Judicial Proceedings
Section 6–103.3

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–704
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 194 – Delegates Rosenberg, Anderson, Aumann, Barnes, Dumais, Frank, Lafferty, Oaks, and Ramirez

AN ACT concerning

Juvenile Law – Motor Vehicle Theft and Unauthorized Use – Suspension of Driving Privileges

FOR the purpose of requiring the Motor Vehicle Administration to suspend the driving privilege of a child who has been adjudicated delinquent for a violation of certain provisions of law involving the unlawful taking or unauthorized use of a motor vehicle under certain circumstances; establishing certain maximum time periods during which a child's driving privilege may be suspended for a first or subsequent offense; requiring a clerk of a circuit court to report certain adjudications to the Administration; and generally relating to suspensions of driving privileges for unlawful taking or unauthorized use of a motor vehicle by certain persons.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–23(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–206(c)(1) and (2)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 195 – Delegates McConkey, Barnes, Carter, Conaway, Dumais, Frank, Kelly, Kramer, Rosenberg, Smigiel, and Valderrama

AN ACT concerning

Criminal Procedure – Sex Offender Registrants – Information on Internet Posting

FOR the purpose of authorizing the Department of Public Safety and Correctional Services to post on the Internet, in plain language that can be understood without special knowledge of the criminal laws of the State, a description of the crime of a sex offender registrant, excluding details that would identify the victim; and generally relating to the posting of information about sex offender registrants on the Internet.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–717
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 196 – Delegates Rosenberg, Carter, and Oaks

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Baltimore City – Baltimore Clayworks

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to extend the date by which the Board of Trustees of Baltimore Clayworks, Inc. must 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(R) and ZA02(W)

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

House Bill 197 – Chair, Economic Matters Committee

AN ACT concerning

State Board of Barbers and State Board of Cosmetologists – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Barbers and the State Board of Cosmetologists (boards) 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 boards; altering the membership composition of the boards; requiring the boards to adopt certain regulations regarding certain curriculum standards; altering the requirements for the renewal of certain licenses issued by the boards; repealing a requirement that certain complaints be signed by a complainant; requiring certain complaints to contain certain information; altering the procedures for the inspection of certain barbershops, beauty salons, and cosmetology schools; providing that an individual may renew a certain apprentice registration one time; repealing the requirement that certain apprentice barbers take a certain examination at a certain time and authorizing the renewal of a certain apprentice registration based on the failure of a certain examination; requiring the State Board of Cosmetologists to reimburse certain inspectors for certain expenses under the Standard State Travel Regulations; authorizing the State Board of Cosmetologists to set certain licensing fees; requiring the boards to pay certain fees to the State Comptroller; requiring the Comptroller to distribute certain fees into a certain fund; requiring the boards to pay certain fines into the General Fund of the State; establishing a State Barbers and Cosmetologists Boards' Fund as a special, nonlapsing fund in the Department of Labor, Licensing, and Regulation; requiring the Fund be used for certain purposes; providing for the administration of, auditing of, and distribution of money from the Fund; requiring the boards to submit certain reports to certain committees of the General Assembly on or before certain dates; defining certain terms; making certain stylistic and technical changes; providing for a delayed effective date for certain provisions of this Act; and generally relating to the authority of the State Board of Barbers and the State Board of Cosmetologists.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 4–202(a), 4–206, 4–207, 4–310, 4–314(d), 4–405, 4–511(a) and (e), 4–512, 4–702, 5–202(a), 5–205, 5–208, 5–311, 5–314(c), 5–405, 5–509(d), 5–520, and 5–702
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 4–314(c) and 5–509(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(9) and (14)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Business Regulation
Section 2–106.7 and 2–106.8
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 198 – Delegates Bronrott, Ali, Barkley, Barve, Carr, Dumais, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Heller, Hixson, Hucker, Kaiser, Kramer, Lee, Manno, Mizeur, Montgomery, Reznik, Rice, Simmons, Taylor, and Waldstreicher

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 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 199 – Delegates Pendergrass, Carr, Conaway, Costa, DeBoy, Guzzone, McDonough, Mizeur, Montgomery, Robinson, Smigiel, Sophocleus, Sossi, F. Turner, and Walkup

AN ACT concerning

Homestead Property Tax Credit – Eligibility of Employees of the Federal Government Stationed Outside the State

FOR the purpose of providing that under certain circumstances a homeowner who is an employee of the federal government stationed outside the State 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; 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 2009 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(c)(6)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 200 – **Delegates Rosenberg, Ali, Carter, Donoghue, and Oaks**

AN ACT concerning

Health Occupations – Morticians and Funeral Directors – Licenses

FOR the purpose of requiring an applicant for a funeral director's license to pass the arts and sciences State board examinations administered by a certain entity; requiring the Maryland State Board of Morticians and Funeral Directors to advise applicants for certain licenses of certain information; and generally relating to licenses for morticians and funeral directors.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 201 – **Delegates Norman, Bartlett, Bates, Beidle, Beitzel, Cane, Carr, G. Clagett, Conaway, DeBoy, Eckardt, Elliott, Elmore, Frank, Hecht, James, Jenkins, Jennings, Kaiser, Krebs, Kullen, McComas, McConkey, McDonough, Miller, O'Donnell, Riley, Robinson, Rudolph,**

Schuh, Serafini, Shank, Smigiel, Sossi, Stifler, Stocksdale, Stukes, and Stull

AN ACT concerning

Motor Vehicles – Renewal of Drivers' Licenses – Contractors for the Armed Forces of the United States

FOR the purpose of requiring the Motor Vehicle Administration to renew the driver's license of an individual who does not have a Maryland residence address if the individual provides certain documentation indicating that the individual resides outside the United States and is, or is the spouse or dependent of, a contractor who performs work for the armed forces of the United States and if the individual meets certain other requirements; and generally relating to the renewal of drivers' licenses.

BY adding to
Article – Transportation
Section 16–115(j)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 202 – Delegates Cardin, Morhaim, and Stein

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 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 a 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; providing that a fee may not be charged for the filing of the termination statement; 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; 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 and 9–515(d)
Annotated Code of Maryland
(2002 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 203 – Delegates Cardin, Bromwell, Hecht, Lafferty, Love, Morhaim, Olszewski, Rosenberg, Schuler, and Stein

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 2009 Supplement)

BY adding to
Article – Tax – General
Section 11–204(a)(9)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 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 2009 Supplement)
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

BY adding to
Article – Tax – General
Section 11–204(a)(8)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)
(As enacted by Chapters 217 and 218 of the Acts of the General Assembly of 2006, as amended by Chapter 506 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Ways and Means.

House Bill 204 – Delegates Norman, Impallaria, James, Jenkins, Jennings, McComas, McDonough, Riley, Smigiel, and Stifler

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 Ways and Means.

House Bill 205 – Delegates Conaway, Robinson, and Tarrant

AN ACT concerning

Creation of a State Debt – Baltimore City – Morgan Mill Renovation

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 Project PLASE, 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 Appropriations.

House Bill 206 – **Delegate Cardin**

AN ACT concerning

Unemployment Insurance – Disqualification – Imprisonment for Felony Conviction

FOR the purpose of requiring disqualification of an individual from receiving unemployment insurance benefits if the individual leaves employment to serve a sentence of imprisonment for a felony conviction; and generally relating to disqualification from receiving unemployment insurance benefits.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–1001(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–1001(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 207 – **Delegates Frank, Aumann, Bartlett, Beitzel, Dwyer, Eckardt, Elmore, George, Haddaway, Jennings, Kelly, Kramer, Krebs, McComas, McConkey, Miller, Norman, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, and Stocksdale**

AN ACT concerning

Victims of Crime – Burglary and Crimes of Violence – Civil Immunity

FOR the purpose of providing that a person is not 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 2009 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 2009 Supplement)

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

House Bill 208 – Delegates Schuler, Anderson, Barnes, Cardin, Carter, Conaway, Ramirez, Rosenberg, Simmons, Smigiel, Stein, and Valderrama

AN ACT concerning

Courts – County Administrative Judge – Responsibilities

FOR the purpose of establishing that the date for trial of a criminal matter in the circuit court shall be set by the county administrative judge or a designee of the judge; authorizing a county administrative judge to delegate to any judge, committee of judges, or officer or employee of the Judicial Branch of State government any of the administrative responsibilities, duties, and functions of the county administrative judge; and generally relating to the responsibilities of county administrative judges.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–103
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 209 – Delegates Vaughn, Gutierrez, Haynes, Holmes, Hucker, Love, Oaks, and Robinson

AN ACT concerning

General Obligation Bonds for Capital Projects – Required Reports

FOR the purpose of requiring that an enabling act for certain projects that authorizes the creation of a State debt for at least a certain amount to be used by certain entities contain a provision that requires the grantee to submit certain reports to the Governor's Office of Minority Affairs by certain dates regarding the extent to which the entity has used, or will use, certain funds for contracts with minority–owned businesses; requiring that the Governor's Office of Minority

Affairs provide a certain form and annually report to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; 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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 210 – Delegates Ali and Glenn

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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–202(m)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–209
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 211 – Delegate Morhaim

AN ACT concerning

State Government – Open Meetings Act – Notice and Complaints

FOR the purpose of requiring a complaint filed with the State Open Meetings Law Compliance Board to be filed within a certain time period; requiring that notice of a meeting of a public body include the date the notice is posted; altering certain notice requirements; requiring a public body to give notice of a meeting by certain methods under certain circumstances; authorizing a public body to give notice of a meeting by certain additional methods; repealing certain requirements related to notice of a meeting of a public body; and generally relating to notice and complaints under the Open Meetings Act.

BY repealing and reenacting, without amendments,
Article – State Government
Section 10–502.5(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502.5(b) and 10–506
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 212 – Delegate Costa

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2009 – Anne Arundel County – Southern High School Field House

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to allow the matching fund requirement for the Board of Directors of the Southern High School Sports Booster Club, Inc. to include funds expended prior to a certain date.

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA02(O)

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

House Bill 213 – Delegates Olszewski and Kach

AN ACT concerning

Criminal Law – Diminution Credits – Crimes of Violence

FOR the purpose of prohibiting the earning of more than a certain total number of diminution credits per month by an inmate whose term of confinement includes a consecutive or concurrent sentence for a crime of violence; and generally relating to diminution credits.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–708
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 214 – Delegates Pena–Melnyk, Barnes, and Frush

AN ACT concerning

Labor and Employment – Wage Payment and Collection Law – Definition of Wage

FOR the purpose of clarifying that the definition of "wage" as used in the Wage Payment and Collection Law includes overtime wages; and generally relating to the Wage Payment and Collection Law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–501(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 215 – Delegates Nathan–Pulliam and Eckardt

AN ACT concerning

State Board of Nursing – Changes to the Electrology Practice Committee and Licensing Requirements

FOR the purpose of establishing a certain quorum requirement for the Electrology Practice Committee of the State Board of Nursing; establishing certain requirements for when the Committee is to meet; providing that members of the

Committee are entitled to certain compensation as determined by the Board and certain reimbursement for travel; requiring that certain applicants pass and schedule certain national and clinical examinations; extending the period of time the Board has to send certain renewal notices; providing that the Board may send certain renewal notices by electronic means; extending the date on which the Board is to begin requiring criminal history records checks for certain renewal applicants; extending the period of time between criminal history records checks for certain renewal applicants; and generally relating to the State Board of Nursing, the Electrology Practice Committee, and electrologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–6B–05, 8–6B–08(e), 8–6B–10(b), and 8–6B–14(c) and (k)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 216 – Delegates Pena–Melnyk, Barnes, Frush, Hecht, Holmes, Kipke, Niemann, F. Turner, V. Turner, Valderrama, and Walker

AN ACT concerning

State Highway Administration – Unauthorized Signs on Highway Rights–of–Way

FOR the purpose of providing for original jurisdiction of the District Court for certain actions; prohibiting a person without authorization from the State Highway Administration from placing or maintaining a sign within the right–of–way of a State highway; providing that a sign placed or maintained in violation of this Act may be removed by the Administration, a law enforcement officer, or certain local governments; authorizing the Administration or certain local governments to collect certain civil penalties and to seek an injunction against violations of this Act; providing for civil penalties for certain violations of this Act; providing that certain provisions of this Act may be enforced only by issuance of a warning for a certain period of time; requiring the Administration and certain local governments to retain civil penalties collected under certain provisions of this Act; providing that the presence of a sign within a State highway right–of–way is evidence of certain facts; and generally relating to the placement and maintenance of unauthorized signs on State highway rights–of–way.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 4–401(16) and (17)

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 4–401(18)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–605
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 217 – Delegates Cardin, Ali, Elmore, Frick, Rice, Ross, and Walker

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 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 218 – Delegates Elmore, Aumann, Bartlett, Bates, Beitzel, Bohanan, Boteler, Cane, Conway, Costa, DeBoy, Eckardt, Frank, George, Haddaway, Impallaria, Jameson, Jennings, Kach, Kelly, King, Kipke, Krebs, Kullen, Levy, Mathias, McConkey, McDonough, Miller, Murphy, Myers, Norman, O'Donnell, Rudolph, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stifler, Stull, Walkup, Weir, and Wood

AN ACT concerning

Natural Resources – Oysters – Dredge Devices

FOR the purpose of repealing a prohibition on a person on a dredge boat possessing or using certain dredge devices; and generally relating to oyster dredge devices.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1013(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 219 – Delegates Bronrott, Anderson, Dumais, Eckardt, Barnes, Ross, Shewell, Levi, Burns, Morhaim, Nathan–Pulliam, Pena–Melnyk, and Reznik

AN ACT concerning

Office of the Governor – State Drug and Alcohol Abuse Council

FOR the purpose of establishing the State Drug and Alcohol Abuse Council in the Office of the Governor; providing for the membership of the Council; requiring the Governor to designate the chair of the Council; providing for the terms of the members of the Council; authorizing members of the Council to receive a certain reimbursement; providing that a majority of the voting members of the Council is a quorum; authorizing the Council to adopt certain procedures and consult with State agencies; authorizing the chair to designate certain individuals to serve on a committee or task force of the Council; requiring the Council to meet at least four times a year; providing for the purposes and duties of the Council; requiring the Office of the Governor to designate staff for the Council; specifying the terms of certain initial members of the Council; and generally relating to the State Drug and Alcohol Abuse Council.

BY adding to
Article – State Government
Section 9–2801 through 9–2806 to be under the new subtitle "Subtitle 28. State Drug and Alcohol Abuse Council"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 220 – Delegate James

AN ACT concerning

Program Open Space – Local Agricultural Exposition Centers – Authorization

FOR the purpose of authorizing each subdivision to construct and operate an agricultural exposition center on land that was acquired by the subdivision with Program Open Space funding; authorizing the sale of certain agricultural products at each agricultural exposition center; defining a certain term; and generally relating to agricultural exposition centers.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–901(a), (d), and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 5–911
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 221 – Delegates Kullen, Bartlett, V. Clagett, Conway, Costa, Frush, Haddaway, Hecht, Jameson, Krebs, Mathias, McComas, McIntosh, Montgomery, Murphy, Myers, O'Donnell, Stull, and Jenkins

AN ACT concerning

Maryland Estate Tax – Exclusion for Qualified Agricultural Property

FOR the purpose of altering the determination of the Maryland estate tax under certain circumstances to exclude from the value of the gross estate the value of certain agricultural property; providing for the recapture of certain Maryland estate tax under certain circumstances; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; defining certain terms; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1) and (2)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 7–309(c)

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 222 – Delegate Vaughn

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

FOR the purpose of establishing a Task Force on the Minority Business Enterprise Program and Equity Investment Capital; providing for the compensation of the Task Force; requiring the President of the Senate and the Speaker of the House to select a cochair from the Senate and House of Delegates; requiring the Department of General Services and the Department of Transportation to provide staff for the Task Force; prohibiting a Task Force member from receiving compensation but allowing a member to be reimbursed for certain expenses; requiring the Task Force to study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a certain manner; requiring the Task Force to report its recommendations and draft legislation to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Minority Business Enterprise Program and Equity Investment Capital.

Read the first time and referred to the Committee on Economic Matters.

House Bill 223 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Maintenance of Effort Waiver

MC 14–10

FOR the purpose of waiving the maintenance of effort provisions in law for a certain fiscal year for Montgomery County; making this Act an emergency measure; and generally relating to the maintenance of effort requirement of Montgomery County.

Read the first time and referred to the Committee on Ways and Means.

House Bill 224 – Delegates Morhaim, Cardin, McIntosh, and Stein

AN ACT concerning

Plumbing – Greywater Recycling

FOR the purpose of prohibiting a county from adopting or enforcing certain provisions of a local plumbing code; defining a certain term; and generally relating to greywater recycling.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–206
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 225 – Delegates Ali, Barkley, Carr, King, Kullen, Reznik, Serafini, and Shewell

AN ACT concerning

Transparency in Legislative Appointments Act

FOR the purpose of prohibiting local political party central committees in the State from voting by secret ballot when selecting a name to submit to the Governor to fill a vacancy in the office of State delegate or senator; and generally relating to voting by political party central committees to fill vacancies in certain legislative offices.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–204
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 226 – Delegate Anderson (By Request – Baltimore City Administration) and Delegate McHale

AN ACT concerning

Baltimore City Police Department Death Relief Fund – Procedures and Benefit Amount

FOR the purpose of altering the amount of benefit payable from the Baltimore City Police Department Death Relief Fund because of the death of an officer or

civilian employee under certain circumstances; changing certain references to the rank of "captain" to be references to the rank of "deputy major"; requiring a certain oath of office taken by a certain trustee to be administered by the Police Commissioner of Baltimore City or the Police Commissioner's designee and requiring the oath to be filed in the Police Commissioner's office; repealing a requirement that copies of a certain report of the board of trustees of the Fund be submitted for posting at certain facilities; requiring a certain report of the board of trustees of the Fund to be provided to all members of the board by electronic mail; requiring the board of trustees of the Fund to post copies of a certain report on the Baltimore City Police Department's Intranet; and generally relating to the Baltimore City Police Department Death Relief Fund.

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 16–101
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 16–103(a), 16–105(a)(1) and (d), and 16–106(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

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

AN ACT concerning

Maryland Militia – Membership

FOR the purpose of amending the requirements for membership of the Maryland militia; expanding eligibility to include citizens who take an oath of allegiance to the State; and generally relating to membership in the militia of the State.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 13–202
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

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

AN ACT concerning

Maryland Emergency Management Agency – Director

FOR the purpose of altering certain provisions of law so as to require the Governor to appoint directly the Director of the Maryland Emergency Management Agency (MEMA); requiring the Director of MEMA to be responsible to the Governor for carrying out the State emergency management program, to develop certain mutual aid agreements without a certain approval, and to employ personnel in a certain manner that is not subject to a certain authority; and generally relating to the Director of the Maryland Emergency Management Agency.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 14–104 and 14–112(c)(1)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

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

AN ACT concerning

Washington Cemetery Board of Trustees

FOR the purpose of abolishing the Washington Cemetery Board of Trustees; providing for the supervision of the Washington Cemetery by the Department of Veterans Affairs; defining a certain term; and generally relating to the Washington Cemetery.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–906
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,

Chapter 213 of the Acts of the General Assembly of 1870
Section 1, 2, 9, 10, and 11

BY repealing
Chapter 213 of the Acts of the General Assembly of 1870
Section 4, 5, 7, and 8

BY repealing
Chapter 213 of the Acts of the General Assembly of 1870, as amended by Chapter 97 of the Acts of the General Assembly of 1970
Section 3 and 6

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 79 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Deaf and Hard of Hearing, Office of the)

AN ACT concerning

Office of the Deaf and Hard of Hearing – Responsibilities

FOR the purpose of altering the responsibilities of the Office of the Deaf and Hard of Hearing; altering the name and the membership of the Maryland Advisory Council for the Deaf and Hard of Hearing; defining a certain term; and generally relating to the Office of the Deaf and Hard of Hearing and the Maryland Advisory Council for the Deaf and Hard of Hearing.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2401, 9–2403, and 9–2404
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 25)

ADJOURNMENT

At 11:28 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, January 25, 2010.

Annapolis, Maryland
Monday, January 25, 2010

The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Craig L. Rice of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 26)

The Journal of January 22, 2010 was read and approved.

EXCUSES:
Del. Bartlett – illness
Del. Beidle – business
Del. Bobo – illness
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. James – surgery
Del. Kelly – personal
Del. McIntosh – illness
Del. Simmons – illness
Del. Walkup – medical – fractured knee

REPORT OF THE GENERAL ASSEMBLY COMPENSATION COMMISSION

(See Exhibit C of Appendix II)

Read and ordered journalized.

INTRODUCTION OF BILLS

House Bill 227 – Delegate James

AN ACT concerning

Criminal Law – Gangs – Definition, Underlying Crimes, and Sentencing

FOR the purpose of altering the definition of "criminal gang" to remove a requirement that a group of three or more persons whose members engage in certain criminal activities, have certain objectives, and have a certain common identifier or purpose must be an ongoing association; adding certain felonies and misdemeanors to the list of underlying crimes that may serve to prove a certain pattern of criminal gang activity for conviction of a defendant as a member of a criminal gang; altering a prohibition against participation in a criminal gang so as to repeal the requirement that a certain pattern of criminal gang activity be ongoing; requiring a sentence imposed for a violation of the prohibition against participation in a criminal gang to be separate from and only consecutive to a sentence for any crime based on the act establishing a violation of the criminal gang law; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801 and 9–804
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 228 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Living Farm Heritage Museum

Ho. Co. 6–10

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 the 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 Appropriations.

House Bill 229 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Alpha Ridge Park

Ho. Co. 10–10

FOR the purpose of authorizing the creation of a State Debt not to exceed $75,000, 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 Appropriations.

House Bill 230 – Howard County Delegation

AN ACT concerning

Howard County Ethics Law – Clarifications and Enhancements

Ho. Co. 1–10

FOR the purpose of altering provisions of the Howard County ethics law; clarifying a certain definition; making certain persons subject to the Howard County ethics law under certain circumstances; altering provisions governing the preparation of a certain report about the affidavits and disclosures filed by certain persons under the Howard County ethics law; requiring that the summary reports be made available for immediate inspection by the public; and generally relating to the Howard County ethics law.

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–848 and 15–849
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–850
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 231 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Carroll Baldwin Hall

Ho. Co. 5–10

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 Carroll Baldwin Memorial Institute, 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 Appropriations.

House Bill 232 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Troy Regional Park

Ho. Co. 9–10

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 Appropriations.

House Bill 233 – Howard County Delegation

AN ACT concerning

Howard County Public Schools – Funding Accountability and Transparency Act

Ho. Co. 12–10

FOR the purpose of requiring the Howard County Board of Education to develop and operate a certain website that includes certain information about certain payments; specifying certain parameters of the website; defining certain terms; and generally relating to the development and operation of a searchable website by the Howard County Board of Education.

BY adding to
Article – Education

Section 5–116
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 234 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Symphony Woods Park

Ho. Co. 8–10

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 Columbia Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 235 – Howard County Delegation

AN ACT concerning

Creation of a State Debt – Howard County – Watson Telescope Observatory

Ho. Co. 11–10

FOR the purpose of authorizing the creation of a State Debt not to exceed $25,000, the proceeds to be used as a grant to the Board of Directors of the Howard Astronomical League 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 Appropriations.

House Bill 236 – Delegate Malone

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 when 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 237 – Delegates McConkey, Bates, Boteler, Dwyer, Eckardt, Elmore, George, Haddaway, Jennings, Kipke, McComas, Minnick, Shewell, Sossi, and Weir

EMERGENCY BILL

AN ACT concerning

Environment – On–Site Sewage Disposal Systems – Funding Availability

FOR the purpose of providing that certain prohibitions on the installation and replacement of certain on–site sewage disposal systems in the Chesapeake and Atlantic Coastal Bays Critical Area do not apply if certain funds are insufficient; making this Act an emergency measure; and generally relating to on–site sewage disposal systems with nitrogen removal technology.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1108
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 238 – Delegates Krebs, Olszewski, Aumann, Bartlett, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, Hecht, Impallaria, Kach, Mathias, McDonough, Miller, Minnick, Myers, Norman, Schuh, Shank, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Taxpayer Protection Act – State Income Tax CPI Adjustments

FOR the purpose of altering certain State income tax rate bracket thresholds for certain taxable years by a certain cost–of–living adjustment; and generally relating to a cost–of–living adjustment for certain tax rate brackets.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–105(a)(1)(iv) and (2)(iv)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–105(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 239 – Delegates King, Kipke, and Schuh

AN ACT concerning

Commercial Law – Contracts with Automatic Renewal Clauses – Required Notice

FOR the purpose of requiring certain businesses that sell or offer to sell goods or services to another business under certain contracts to provide written notice to the purchasing business of a certain automatic renewal clause; requiring the written notice to be provided during a certain time period and to include a certain statement; providing that, if a business fails to provide the written notice, the automatic renewal clause is void and unenforceable; defining certain terms; and generally relating to contracts that contain automatic renewal clauses.

BY adding to
Article – Commercial Law

Section 24–101 through 24–103 to be under the new title "Title 24. Automatic Renewal Clauses"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 240 – Delegates Levy, Aumann, Barve, Boteler, Bronrott, Cane, Carr, G. Clagett, DeBoy, Elmore, Frick, Frush, George, Glenn, Hecht, Howard, Jameson, Kaiser, Kipke, Kullen, Lafferty, Lee, Mizeur, Montgomery, Morhaim, Murphy, Olszewski, Reznik, Rice, Robinson, Ross, Sophocleus, Stukes, V. Turner, and Wood

AN ACT concerning

Election Law – Access to Voting Room and Voting Booth by Minors Not Eligible to Vote

FOR the purpose of increasing the maximum age at which a minor may accompany a voter in the voting room and voting booth at a polling place under certain circumstances; and generally relating to access to the voting room and voting booth by minors at the polling place.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–308 and 10–310(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 241 – Delegates Hixson, Cardin, Doory, Frick, Gilchrist, Ivey, Kaiser, Olszewski, Rice, Ross, and Stukes

EMERGENCY BILL

AN ACT concerning

Income Tax – Net Operating Loss Deductions – Loss from Criminal Fraud or Embezzlement

FOR the purpose of providing an exception for certain net operating losses to a certain provision requiring certain modifications to federal adjusted gross income to determine Maryland adjusted gross income without regard to a certain special net operating loss carryback period; providing for the application of this Act; making this Act an emergency measure; and generally relating to the Maryland income tax treatment of certain net operating losses.

Read the first time and referred to the Committee on Ways and Means.

House Bill 242 – Delegates Hixson, Cardin, Gilchrist, Howard, Ivey, Doory, Kaiser, Murphy, Rice, Stukes, and F. Turner

AN ACT concerning

Real Property – Mobile Home Park – Rental Agreement – Term of Payment

FOR the purpose of providing that a rental agreement for a site in a mobile home park may not require an annual payment of rent; providing that a prospective resident may request, and a park owner may agree to, an annual payment of rent for the site; altering the allowable terms of payment required to be contained in a rental agreement; and generally relating to the term of payment in a rental agreement for a mobile home park site.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8A–101(a) and (i)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–201
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 243 – Delegates Hixson, Barve, Howard, Hucker, Ivey, Kaiser, Mizeur, Olszewski, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Fairness in Negotiations Act

FOR the purpose of establishing as an independent unit of State government a Public School Labor Relations Board to assume certain duties previously held by the State Board of Education; requiring the Public School Labor Relations Board to hear certain controversies and disputes; establishing that certain decisions by the Public School Labor Relations Board are final; requiring the Public School Labor Relations Board to adopt certain rules and regulations related to the designation of an exclusive representative; requiring the Public School Labor Relations Board to supervise certain elections concerning employee representation; requiring a public school employer and an employee

organization to negotiate in a certain manner under certain circumstances; including procedures regarding employee transfers and assignments among the matters a public school employer must meet and negotiate with a certain employee organization on request; establishing certain processes and requirements for the resolution of disputes over the negotiability of certain topics; authorizing the Public School Labor Relations Board to adopt certain regulations, guidelines, and policies; repealing certain provisions of law regarding the resolution of certain impasses in negotiations; requiring the Public School Labor Relations Board to facilitate the beginning of mediation of certain disputes within a certain period of time and in a certain manner; establishing a certain process for the mediation of certain disputes; requiring a mediator to conclude certain mediations within a certain period of time; requiring a public school employer and employee organization to share certain dispute resolution costs equally; establishing certain processes for arbitration of certain disputes left unresolved by mediation; requiring the Public School Labor Relations Board to facilitate certain arbitration processes within a certain period of time and in a certain manner; requiring the Public School Labor Relations Board to issue a certain award at the end of arbitration; subjecting certain negotiated provisions or decisions to certain provisions of law concerning the fiscal relationship between public school employers and certain governing bodies; requiring public school employers to renegotiate certain agreements with employee organizations under certain circumstances in a certain manner; specifying the manner of appointment, membership, duties, and responsibilities of the Public School Labor Relations Board; providing for the staffing of the Public School Labor Relations Board; providing for the staggering of terms of the members of the Public School Labor Relations Board; requiring the Public School Labor Relations Board to decide certain controversies and disputes involving public school employers and employee organizations; authorizing a member of the Public School Labor Relations Board to petition a circuit court to seek enforcement of an order of the Public School Labor Relations Board; providing that a certain hearing and determination under this Act is a contested case; establishing the significance of certain prior orders, actions, and opinions of the State Board of Education in deciding certain matters arising after the enactment of this Act; providing for the application and construction of this Act; requiring the Public School Labor Relations Board to report to the General Assembly on or before a certain date; providing for the termination of this Act; 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 2–205(e), 6–401, 6–405(f), 6–408, 6–501, 6–506(f), 6–510, and 6–511
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education

Section 6–408.1; and 6–801 through 6–807 to be under the new subtitle "Subtitle 8. Public School Labor Relations Board"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 3–204
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 244 – Delegates Hixson, Ivey, Kaiser, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Tax Compliance and Administration Act of 2010

FOR the purpose of altering a certain exception to a certain addition modification required under the income tax relating to certain payments to certain related persons under certain circumstances; requiring certain transferors of certain property to pay certain amounts before recording certain documents under certain circumstances; repealing a certain credit relating to collecting and paying the sales and use tax; exempting from the sales and use tax the sale of certain cigarettes; altering the tobacco tax rate for cigarettes; requiring certain employers to file a sales and use tax return under certain circumstances; requiring certain vendors to file certain declarations of estimated sales and use tax and to pay certain estimated tax with certain declarations; requiring the Comptroller to assess certain interest and penalties for failure to pay estimated sales and use tax when due and for certain underestimation of sales and use tax; altering a certain threshold for purposes of the authority of certain tax collectors to require payment of certain unpaid tax liabilities in immediately available funds; including certain types of payments in a certain offset program; and generally relating to tax compliance and administration.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–306.1(a) and (c)(3), 10–912(c) and (d), 11–221(a), 11–601(b), 12–105(a), 13–104(a), and 13–930(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–306.1(b)

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing
Article – Tax – General
Section 11–105
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 11–501(c), 11–502(a–1), 11–601(b–1), 13–602.1, and 13–702.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 245 – **Allegany County Delegation**

AN ACT concerning

Allegany County – Turkey Hunting – Sundays

FOR the purpose of authorizing a person to hunt turkey on certain Sundays during certain months in Allegany County; and generally relating to hunting on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 246 – **Allegany County Delegation and Garrett County Delegation**

AN ACT concerning

Allegany County and Garrett County – 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 247 – Delegates Rosenberg and Kaiser

AN ACT concerning

Referendum Fairness Act

FOR the purpose of requiring a ballot issue committee that receives a contribution of a certain amount during a certain period before an election to report the contribution to the State Board of Elections within a certain period of time; requiring a report of a contribution under this Act to include certain information; requiring the State Board to develop an Internet site for the purpose of receiving reports of contributions under this Act and making the reports available to the public; and generally relating to campaign finance disclosure for a public referendum.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(f), (i), (o), (gg), and (rr)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 13–309.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 248 – Delegate Pena–Melnyk

AN ACT concerning

Vehicle Laws – Equine Riding – Helmet Requirement for Minors

FOR the purpose of prohibiting a person under a certain age from riding an equine on a highway, an equine–riding path, or a certain other property unless the person is wearing a properly secured helmet that meets or exceeds certain standards; providing that a person convicted of a first violation of this Act is subject to a

certain warning; establishing a fine schedule for subsequent violations of this Act; requiring a court to order the parent or guardian of a person under a certain age who is convicted of a violation of this Act to pay the fine imposed for the violation under certain circumstances; requiring a police officer who charges a person with a violation of this Act to provide certain educational materials to the person; and generally relating to helmet use while equine riding.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–104
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 249 – Delegate Rudolph

AN ACT concerning

Insurance – Premium Increase for Commercial and Workers' Compensation Insurance – Notice

FOR the purpose of requiring an insurer to provide certain notice to an insurance producer of a premium increase for certain types of insurance; and generally relating to notice for premium increases for commercial and workers' compensation insurance.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–608(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–608(g)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 250 – Delegates Morhaim, Bobo, Cane, Glenn, Hecht, Heller, Hixson, Hubbard, Lafferty, Lee, Levi, Montgomery, Nathan–Pulliam, Oaks, Reznik, Shewell, Stocksdale, Tarrant, V. Turner, and Walker

AN ACT concerning

Procurement – Minority Business Enterprises – Reciprocal Certification

FOR the purpose of requiring the Board of Public Works to adopt regulations to recognize and accommodate, for the purpose of certification under the State minority business enterprise program, minority business enterprises that receive certification from a certain federal agency or from a county government in the State; requiring the Board to keep certain records and submit a certain annual report to the General Assembly about the certification of certain minority business enterprises; and generally relating to a reciprocal certification process for certain minority business enterprises.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 251 – Delegates Morhaim, Bobo, Cane, Cardin, Conaway, Glenn, Hecht, Heller, Hixson, Hubbard, Kaiser, Lafferty, Lee, Levi, Montgomery, Nathan–Pulliam, Oaks, Reznik, Robinson, Shewell, Stocksdale, Tarrant, V. Turner, and Walker

AN ACT concerning

State Procurement – Minority Business Enterprises – Electronic Certification Process

FOR the purpose of requiring the Board of Public Works to adopt regulations that include provisions that allow a business seeking certification as a minority business enterprise to complete the application through an electronic process; and generally relating to an electronic certification process for minority business enterprises.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 252 – Delegates Shewell, Aumann, Bartlett, Beitzel, Boteler, Eckardt, Elliott, Elmore, Frank, George, Impallaria, Jenkins, Jennings,

Kach, Kelly, King, Kipke, Krebs, McComas, McConkey, McDonough, Miller, Minnick, Myers, Norman, O'Donnell, Schuh, Serafini, Shank, Smigiel, Sophocleus, Sossi, Stocksdale, Stull, F. Turner, and Weir

AN ACT concerning

Vehicle Laws – Exemption from Motor Vehicle Emissions Test and Inspection Requirements – Newer Vehicles

FOR the purpose of exempting a vehicle from certain motor vehicle emissions test and inspection requirements for a certain period of time after the vehicle's model year or first registration date, whichever is earlier; and generally relating to an exemption from certain motor vehicle emissions test and inspection requirements for certain newer vehicles.

BY adding to
Article – Transportation
Section 23–206.5
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 253 – Delegates Schuh and Smigiel

AN ACT concerning

Correctional Services – Diminution Credits – Inmate Serving Sentence for Rape of Minor or First– or Second–Degree Sexual Offense Against Minor

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a minor; and generally relating to the elimination of diminution credits for persons serving sentences for committing certain sexual crimes against minors.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 254 – Delegates Schuh and Smigiel

AN ACT concerning

Crimes – Sexual Offenses Against Children – Jessica's Law Enhancement

FOR the purpose of increasing the maximum and mandatory minimum penalties for a person convicted of rape in the second degree of a child under the age of 13 years; increasing the maximum and mandatory minimum penalties for a person convicted of sexual offense in the second degree against a child under the age of 13 years; and generally relating to sexual offenses against children.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–304 and 3–306
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 255 – Delegate Rosenberg

AN ACT concerning

Criminal Procedure – Strip Search or Body Cavity Search of an Arrestee – Restrictions

FOR the purpose of prohibiting a police officer from conducting or supervising a strip search or body cavity search of an individual arrested for certain misdemeanors or traffic offenses under certain circumstances, or of a minor detained for a certain act that would be a misdemeanor if committed by an adult or for certain traffic offenses under certain circumstances; providing for certain exceptions; authorizing a police officer to conduct or supervise a strip search or body cavity search only if the officer has a reasonable suspicion that certain items may be concealed by the individual or minor and the officer is granted authorization by a certain supervising officer on duty; establishing certain requirements for the conducting of a strip search or a body cavity search; requiring a medical professional to conduct a body cavity search; providing that a complaint against a police officer alleging a violation of this Act shall be investigated in accordance with a certain law; providing that nothing in this Act limits or repeals a common law or statutory right of an individual regarding an action for damages or injunctive relief; defining certain terms; and generally relating to restrictions on the conducting of a strip search or body cavity search of individuals arrested under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–101(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 2–108
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 3–101(a) and 3–104(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–101(e) and 3–104(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 256 – Delegate Rosenberg

AN ACT concerning

Vehicle Laws – Alcohol– and Drug–Related Driving Offenses – Transporting Minors – Penalties

FOR the purpose of altering criminal penalties for certain alcohol– and drug–related driving offenses involving transportation of a minor; making a corrective change; and generally relating to criminal penalties for certain alcohol– and drug–related driving offenses involving transportation of a minor.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902(a), (b), (c)(1) and (2), and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–902(c)(3) and 27–101(q)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 257 – Delegate Rosenberg

AN ACT concerning

Evidence – Journalist's Testimonial Privileges – Student

FOR the purpose of providing that certain testimonial privileges apply to a student engaged in a news gathering or news disseminating capacity under certain circumstances; making stylistic changes; providing for the application of this Act; and generally relating to certain testimonial privileges.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–112
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 258 – Delegates Mathias and Conway

AN ACT concerning

Sex Offenders – Registry Information Expansion and Interstate Data Sharing

FOR the purpose of altering certain requirements relating to the registration of individuals who have committed certain offenses on a certain registry; altering the offenses for which a person can be required to register on a certain registry for committing, attempting to commit, or conspiring to commit; requiring certain persons to register on a certain registry if they have been convicted of certain crimes in certain countries; altering the requirements for registration on a certain registry for a certain person granted probation before judgment; providing that certain requirements for a person to register on a certain registry are to be applied retroactively under certain circumstances; providing for the calculation of a certain term of registration; altering certain requirements for persons under a certain age to register on a certain registry under certain circumstances; establishing that certain individuals who are under the protection of certain witness protection programs are exempt from certain registration requirements; altering certain time periods relating to certain registration, notice, and reporting requirements; requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a

certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring a certain registrant who makes changes in certain identifying information to send a certain notice to a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant leaves the United States under certain circumstances or temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring a certain registrant to provide a digital image instead of a photograph under certain circumstances; requiring a certain registrant to provide a palm print; repealing an exemption from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing certain terms of registration to be reduced under certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include the county where the registrant habitually lives or intends to habitually live and the out of state registration status for certain registrants; requiring a certain supervising authority to notify the local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701, 11–702, 11–702.1, 11–704 through 11–710, 11–712, 11–713, 11–714, 11–717, 11–718(a), and 11–721 to be under the amended subtitle "Subtitle 7. Sex Offender Registration"

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–703
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–704.1 and 11–704.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 259 – Delegates Shewell, Aumann, Bartlett, Boteler, Dwyer, Elliott, Elmore, George, Jenkins, Kach, King, Krebs, McComas, McDonough, Miller, Myers, Robinson, Serafini, Sophocleus, Sossi, Stocksdale, Stull, and Weir

AN ACT concerning

Drunk or Drugged Driving – Subsequent Offenders – Notation on Driver's License

FOR the purpose of requiring the Motor Vehicle Administration to cancel the driver's license of a licensee convicted of certain drunk or drugged driving violations if the licensee was previously convicted of a certain drunk or drugged driving violation; authorizing an individual whose driver's license has been canceled under certain circumstances to apply for a new driver's license; authorizing a certain application for a new driver's license to be made after a certain time; requiring the Administration to issue a new driver's license under certain circumstances; requiring certain licenses issued under this Act to contain a certain notation; providing that a certain license may only be issued after the expiration of certain periods of suspension or revocation; providing that the issuance of a certain driver's license does not affect any period of suspension or revocation or any license restriction imposed on a certain licensee; requiring a certain fee; providing that a merchant or an agent or employee of a merchant may not be held civilly liable for the refusal to sell or distribute an alcoholic beverage to a certain individual; providing for the construction of this Act; and generally relating to individuals convicted of subsequent drunk or drugged driving offenses.

BY adding to
Article – Transportation

Section 16–113.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–201
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 260 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Personnel – Classification of Positions in the State Personnel Management System

FOR the purpose of requiring the Secretary of Budget and Management to classify certain positions in the State Personnel Management System; repealing a provision of law that requires the Secretary to provide certain training regarding certain standards and procedures; requiring the Secretary to provide certain advice; authorizing the Secretary to delegate authority to the head of a principal unit to classify positions for the principal unit under certain circumstances; requiring the head of a principal unit to classify certain positions if the Secretary delegates classification authority to the head of the principal unit; altering the circumstances under which the Secretary must conduct position classification audits; authorizing, instead of requiring, the Secretary to conduct certain operational audits; making clarifying and conforming changes; and generally relating to the classification of positions in the State Personnel Management System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 4–202 and 4–203
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 261 – Delegate Tarrant

AN ACT concerning

Health – Administrative Service Provider Contracts – Contracting Provider Definition

FOR the purpose of excluding a medical laboratory, as defined by a certain provision of law, from the definition of "contracting provider" as it concerns provisions of law relating to health maintenance organizations and certain administrative service provider contracts; and generally relating to administrative service provider contracts.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–713.2(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 262 – Delegates Kullen, Barkley, Bartlett, Dumais, Hubbard, Jameson, Morhaim, Reznik, Rosenberg, and Vallario

AN ACT concerning

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 subject to certain 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 2009 Supplement)

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

House Bill 263 – Delegates Tarrant, Conaway, and Robinson

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt not to exceed $750,000, the proceeds to be used as a grant to the Board of Directors of Sandi's Learning Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 264 – Delegates Mathias, DeBoy, and Conway

AN ACT concerning

Criminal Procedure – Warrantless Arrest – Second Degree Assault

FOR the purpose of authorizing a police officer to arrest a person without a warrant if the police officer has probable cause to believe that the person has committed a second degree assault under certain circumstances; requiring a police officer to consider whether a person acted in self–defense under certain circumstances; and generally relating to warrantless arrests for second degree assault.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–203
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 265 – Delegates Waldstreicher, Ali, Anderson, Barnes, Barve, Cardin, Costa, Dumais, Feldman, Frick, Frush, Haddaway, Hucker, Kipke, Lee, Love, Manno, McComas, McDonough, Mizeur, Montgomery, Olszewski, Reznik, Rice, Rosenberg, Schuler, Stein, and Valderrama

AN ACT concerning

Criminal Law – Abuse or Neglect of Animal – Increased Penalties

FOR the purpose of increasing the penalties for certain violations concerning the abuse or neglect of animals; authorizing a court, as a condition of sentencing, to

prohibit a certain defendant from the future ownership of an animal; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 10–604 and 10–606
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 266 – Delegates Rosenberg and Cardin

AN ACT concerning

Voter's Rights Protection Act of 2010

FOR the purpose of authorizing the Attorney General or a registered voter to institute an action in a circuit court for preventive relief when a person has engaged in, or there is reason to believe a person is about to engage in, certain violations of election law; requiring a circuit court to immediately hear and determine an action filed under this Act; providing that the grant of a remedy under this Act does not preclude any other remedy available under State or federal law; providing that a circuit court shall have jurisdiction of any proceeding instituted under this Act; requiring a circuit court to exercise its jurisdiction without regard to whether a person asserting a right under this Act has exhausted any other remedy available under law; and generally relating to the availability of preventive relief for certain election law violations.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 16–101 and 16–201
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 16–1003
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 267 – Delegate Taylor (Joint Committee on Unemployment Insurance Oversight) and Delegates Jameson, King, Ali, Feldman, Manno, and Rice

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date

FOR the purpose of repealing the termination date of the Joint Committee on Unemployment Insurance Oversight.

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–10A–11
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 50 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, with amendments,
Chapter 51 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Economic Matters.

House Bill 268 – Delegates Taylor, Ali, Feldman, Kaiser, Manno, Montgomery, Reznik, and Rice

AN ACT concerning

Minority Business Enterprise Program and Small Business Reserve Program – Architectural and Engineering Services

FOR the purpose of requiring the Board of Public Works to adopt certain regulations that require graduation from a certain program by a minority business enterprise that provides architectural and engineering services if the financial viability of the minority business enterprise exceeds a certain amount; altering the definition of small business under the Small Business Reserve Program by increasing the maximum average gross sales requirement for architectural and engineering services; and generally relating to architectural and engineering services under the Minority Business Enterprise Program and the Small Business Reserve Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303(b)(12) and 14–501(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 269 – Delegates Kaiser, Boteler, Carr, Feldman, Healey, Hecht, Ivey, Manno, Montgomery, O'Donnell, Reznik, Robinson, Schuler, Shewell, Sophocleus, Stocksdale, and Stukes

AN ACT concerning

Child with a Disability – Individualized Education Program

FOR the purpose of requiring appropriate school personnel to provide a copy of certain documents relating to the development of an individualized education program for a child with a disability to the parents of the child within a certain period before a certain meeting; requiring appropriate school personnel to provide a copy of a completed individualized education program to the parents of a child with a disability within a certain period after a certain meeting; requiring the parents to be provided with a draft copy of the individualized education program under certain circumstances; requiring the documents to be in an accessible format; and generally relating to individualized education programs for children with disabilities.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–405
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 270 – Delegates Rice, Ali, Davis, Hixson, Reznik, Tarrant, and Vaughn

AN ACT concerning

Alcoholic Beverages – Licensed Restaurants – Extended Hours for Food Service

FOR the purpose of allowing restaurants for which certain alcoholic beverages licenses are issued to remain open until a certain hour for the serving of food only; and generally relating to restaurants issued certain alcoholic beverages licenses.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 11–301(b) and (e), 11–302(b) and (e), and 11–303(b)
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 271 – Delegates Rice, Hixson, Cardin, Howard, Ivey, Kaiser, Olszewski, Ross, and Shank

AN ACT concerning

Transportation – Public–Private Partnerships – Notice to the General Assembly

FOR the purpose of requiring the Department of Transportation to provide certain information to certain committees of the General Assembly and the Department of Legislative Services by a certain date prior to issuing a public notice of solicitation related to certain public–private partnerships; requiring the Department to provide certain information to certain committees of the General Assembly and the Department of Legislative Services by a certain date prior to entering into certain public–private partnerships; stating the intent of the General Assembly regarding the application of this Act; defining certain terms; and generally relating to providing notice to the General Assembly of public–private partnerships involving the Department of Transportation.

BY adding to
Article – Transportation
Section 3.5–101 and 3.5–201 to be under the new title "Title 3.5. Public–Private Partnerships"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 272 – Delegate King

AN ACT concerning

Classroom Placement – Multiple–Birth Children – Parental Discretion

FOR the purpose of authorizing the parent or guardian of multiple–birth children to request the classroom placement of the children under certain circumstances; requiring a parent or guardian to make a certain request in a certain manner within a certain period of time; requiring a school to provide the classroom placement requested by certain parents or guardians; authorizing a principal to determine a certain classroom placement for certain children if a certain determination is made by the principal in consultation with certain classroom teachers after a certain period of time; providing that certain parents or guardians may appeal a certain classroom placement decision of a principal to

the county board of education; requiring that certain children remain in a certain classroom placement during a certain appeal; authorizing a school to recommend a certain classroom placement to certain parents or guardians or provide certain professional advice to assist certain parents or guardians regarding classroom placement for multiple–birth children; prohibiting a county board from adopting a certain policy; defining a certain term; and generally relating to parental discretion for the classroom placement of multiple–birth children.

BY adding to
Article – Education
Section 7–120
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 273 – **Delegate King**

AN ACT concerning

Public Safety – Pool Lifeguards – Regulation (Connor's Law)

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to adopt regulations requiring the owners of certain types of swimming pools to have a certain number of lifeguards on duty when a certain number of individuals are in the water; and generally relating to the regulation of swimming pools and lifeguards.

BY adding to
Article – Health – General
Section 20–301.2
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 274 – **Delegate King**

AN ACT concerning

Health Insurance – Benefit Cards – Copayments

FOR the purpose of requiring certain insurers, nonprofit health service plans, health maintenance organizations, managed care organizations, and third party administrators that provide certain coverage for prescription drugs to include

required copayments for prescription drug benefits on a health insurance benefit card, prescription drug card, or other technology; requiring certain insurers, nonprofit health service plans, health maintenance organizations, managed care organizations, and third party administrators to provide to their insureds, subscribers, or enrollees a health insurance benefit card that includes required copayments for certain medical visits; requiring a new health insurance benefit card to be provided under certain circumstances; making certain provisions of law applicable to health maintenance organizations; and generally relating to health insurance and prescription drug benefit card requirements.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–130
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 15–130.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 275 – Chair, Appropriations Committee (By Request – Departmental – Budget and Management)

AN ACT concerning

State Employees – Employee Performance Appraisals – Revisions

FOR the purpose of altering the factors that must be included in evaluating the performance of certain managers and supervisors; providing that a certain anonymous survey may be performed only under certain circumstances; altering the manner in which an employee's performance may be rated on a performance appraisal; repealing the requirement that an employee perform a certain self–assessment; repealing the requirement that a certain self–assessment be part of an employee's performance appraisal; altering the definition of "grievance" under certain provisions of law to exclude a dispute about a certain

mid–year performance appraisal; making clarifying and conforming changes; and generally relating to the conduct of employee performance appraisals for State employees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 7–501, 7–502, 7–503, and 12–101(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 276 – Delegates Riley, James, Aumann, Barkley, Boteler, G. Clagett, Conaway, DeBoy, Glenn, Heller, Kach, McComas, McDonough, Montgomery, Norman, Robinson, Ross, Sophocleus, Sossi, Valderrama, Waldstreicher, Weir, and Wood

AN ACT concerning

Education – Public School Holidays – Veterans Day

FOR the purpose of adding a certain day to the list of public school holidays; removing a certain day from the list of days for which public schools are required to devote a part of the day to certain exercises; and generally relating to the designation of Veterans Day as a public school holiday.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 277 – Howard County Delegation

AN ACT concerning

Howard County – Tax Sales – Auctioneers' Fees

Ho. Co. 4–10

FOR the purpose of altering the fees auctioneers are allowed at tax sales in Howard County; and generally relating to tax sales in Howard County.

BY repealing and reenacting, with amendments,
Article – Tax – Property

Section 14–813(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 27)

ADJOURNMENT

At 8:22 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, January 26, 2010.

Annapolis, Maryland
Tuesday, January 26, 2010

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Speaker Michael E. Busch of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 123 Members present.

(See Roll Call No. 28)

The Journal of January 25, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. James – illness
Del. Kach – illness – in hospital
Del. McDonough – business
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 278 – Delegate Hubbard

AN ACT concerning

Maryland Medical Assistance Program – Medical Eligibility for Nursing Facility Level of Care

FOR the purpose of requiring the Department of Health and Mental Hygiene to determine that certain individuals are medically eligible for certain services under certain circumstances; requiring the Department to allow individuals to submit certain information under certain circumstances; defining certain terms; and generally relating to medical eligibility for nursing facility level of care under the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a) and (c) and 15–101(a) and (h)

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 15–146
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 279 – Delegates Robinson and Tarrant

AN ACT concerning

Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages – Store Opening Hours

FOR the purpose of altering the time at which establishments issued certain alcoholic beverages licenses in the Park Heights Redevelopment Area in Baltimore City may begin selling alcoholic beverages; making certain technical corrections; and generally relating to alcoholic beverages licensees in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–203(a), (b), and (d)(1), 11–302(b)(1) and (d)(1), and 11–303(d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–203(d)(3), 11–302(a), (b)(2), (d)(2), and (j), and 11–303(a), (b), and (d)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 11–302(j) and 11–303(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 280 – Delegates Robinson, Conaway, and Tarrant

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 $100,000, 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 281 – Delegates Pena–Melnyk, Benson, Costa, Hecht, Hubbard, Kullen, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Tarrant, and V. Turner

AN ACT concerning

Commission on Surrogate Parenting

FOR the purpose of creating the Commission on Surrogate Parenting; providing for the composition, chair, and staffing of the Commission; providing that a member of the Commission may not receive compensation but may be reimbursed for certain expenses; requiring the Commission to study certain issues related to surrogate parenting; requiring the Commission to make certain recommendations, if possible; requiring the Commission 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 Commission on Surrogate Parenting.

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

House Bill 282 – Delegate Pena–Melnyk

AN ACT concerning

Transportation Projects – Bicycle and Pedestrian Access – Funding and Reporting

FOR the purpose of declaring that it is the policy of the State that, in developing the annual Consolidated Transportation Program, the Maryland Department of Transportation shall work to ensure that there is a balance between funding for

certain transportation projects for pedestrians and bicycle riders and certain highway construction projects and place increased emphasis on certain transportation projects in certain areas under certain circumstances; requiring the Statewide 20–Year Bicycle–Pedestrian Master Plan to be revised in each year that the Maryland Transportation Plan is revised; repealing an obsolete reference; and generally relating to transportation projects for pedestrians and bicycle riders.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–602 and 2–604
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 283 – Delegates Waldstreicher, Dumais, Ali, Anderson, Barkley, Barnes, Barve, Carr, Dwyer, Eckardt, Feldman, Frush, Haddaway, Hecht, Hubbard, Hucker, Kullen, McComas, McDonough, Montgomery, Morhaim, O'Donnell, Ramirez, Rosenberg, Shank, Shewell, Smigiel, and Vaughn

AN ACT concerning

Criminal Law – Sexual Solicitation of a Minor and Human Trafficking – Prohibitions and Proof

FOR the purpose of prohibiting a person from knowingly engaging in a device, scheme, or continuing course of conduct intended to cause another to believe that if the other did not take part in a sexually explicit performance the other or a third person would suffer physical restraint or serious physical harm; prohibiting a person from knowingly destroying, concealing, removing, confiscating, or possessing certain documents of another person while violating certain prohibitions; providing that the State need only prove that a reasonable person, based on certain criteria, should have known that a certain minor had not attained a certain age under certain circumstances; making it a felony to knowingly take or detain another with the intent to use force, threat, coercion, or fraud to compel the other to marry the person or a third person or perform a sexual act, sexual contact, or vaginal intercourse; providing that a person who knowingly benefits from participation in a violation of this Act is subject to the same penalties that would apply if the person had violated this Act; providing that a person who knowingly aids, abets, or conspires with one or more other persons to violate this Act shall be subject to the same penalties that apply for a violation of this Act; defining a certain term; and generally relating to sexual solicitation of a minor and human trafficking.

BY repealing and reenacting, with amendments,

Article – Criminal Law
Section 3–324, 11–301, and 11–303
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 29)

ADJOURNMENT

At 10:14 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, January 27, 2010 in memory of former Delegate Charles McC. Mathias.

Annapolis, Maryland
Wednesday, January 27, 2010

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Andrew A. Serafini of Washington County.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 35)

The Journal of January 26, 2010 was read and approved.

EXCUSES:
Del. Beidle – business
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Kach – illness
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 284 – Delegates Smigiel, Eckardt, Elmore, Haddaway, McDonough, and Sossi

AN ACT concerning

County Oyster Committees – Public Shellfish Fishery Area – Power Dredging

FOR the purpose of authorizing certain county oyster committees to authorize the use of power dredges to catch oysters in public shellfish fishery areas under certain circumstances; defining a certain term; and generally relating to power dredging for oysters.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1012
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 285 – Delegates Burns, Bates, Branch, DeBoy, Frank, Glenn, Jameson, Jones, McHale, Miller, Nathan–Pulliam, Oaks, Shank, and Taylor

AN ACT concerning

Criminal Procedure – Sexual Offenders – Notice to Residents

FOR the purpose of requiring the Department of Public Safety and Correctional Services, within a certain time period after receiving a certain registration statement or notice of change of address, to send notice of the registration statement or change of address to each residence located within a certain distance of the residence of the registrant; providing for the application of this Act; and generally relating to sexual offenders.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–713
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 286 – Delegates Nathan–Pulliam, Burns, and Jones

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 $145,000, 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 Appropriations.

House Bill 287 – Delegates Ali, Benson, Nathan–Pulliam, Pena–Melnyk, and Tarrant

AN ACT concerning

Sexual Supplement Safety Act

FOR the purpose of prohibiting, except on a valid prescription of a certain authorized prescriber, a person from marketing, selling, offering for sale, or distributing a certain aphrodisiac drug product; providing criminal penalties for a violation of this Act; defining a certain term; and generally relating to aphrodisiac drug products.

BY adding to
Article – Criminal Law
Section 5–711
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 288 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Kelly, Kramer, Krebs, McDonough, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sossi, Stocksdale, and Walkup

AN ACT concerning

Criminal Procedure – Child Sexual Offenders – Monitoring With Global Positioning Satellite Tracking Technology

FOR the purpose of requiring that on conviction for a certain sexual offense involving a minor victim, a person who has not previously been convicted of a certain sexual offense be monitored constantly with global positioning satellite tracking technology during any periods of probation and parole; requiring that on conviction for a certain sexual offense involving a minor victim, a person who has been convicted on a prior occasion not arising out of the same incident of a certain sexual offense be monitored constantly with global positioning satellite tracking technology for life and pay the costs of the monitoring; and generally relating to monitoring of child sexual offenders.

BY adding to
Article – Criminal Law
Section 3–313.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 289 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Carter, Conaway, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway,

Jennings, Kach, Kelly, Kramer, Krebs, McComas, Miller, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Correctional Services – Child Sexual Offenders – Diminution Credits and Parole

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a minor; providing that an inmate who is serving a sentence for committing a certain sexual crime against a minor is not eligible for parole consideration and may not be granted parole at any time during the inmate's sentence; providing for the application of this Act; and generally relating to the elimination of diminution credits and parole eligibility for persons serving sentences for committing certain sexual crimes against children.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 7–301(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 290 – Delegates Pena–Melnyk, Montgomery, Benson, Costa, Donoghue, Frush, Hecht, Hubbard, Kipke, Krebs, Kullen, McDonough, Nathan–Pulliam, Oaks, Riley, Tarrant, and V. Turner

AN ACT concerning

Licensed Physicians – Treatment of Lyme Disease – Discipline

FOR the purpose of authorizing certain licensed physicians to prescribe or dispense certain treatment for certain individuals with Lyme disease if certain requirements are met; altering certain circumstances when the State Board of Physicians may initiate certain disciplinary actions and professional misconduct proceedings against certain licensed physicians; defining certain terms; providing for the enforcement of this Act; providing for the application of this

Act; and generally relating to discipline for licensed physicians who provide treatment for Lyme disease.

BY adding to
Article – Health Occupations
Section 14–508
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 291 – Delegate King

AN ACT concerning

Maryland Locksmiths Act – Revisions – Definitions and Records Inspection

FOR the purpose of altering the definition of "fixed business address" as it relates to the Maryland Locksmiths Act to include a business location outside Maryland where a licensed locksmith conducts a business and is available at certain times; altering the definition of "local law enforcement unit" as it relates to the Maryland Locksmiths Act to include only in–State police departments and sheriffs that are designated by certain entities based on the address of a licensed locksmith for certain purposes; requiring licensed locksmiths to make certain records available for inspection by the Department of Labor, Licensing, and Regulation under certain circumstances; and generally relating to the revision of definitions and records requirements of the Maryland Locksmiths Act.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12.5–101 and 12.5–302
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 292 – Delegate Morhaim

AN ACT concerning

Health Insurance – Uniform Consultation Referral Form – Electronic Transmission

FOR the purpose of authorizing a health care provider to transmit the uniform consultation referral form electronically; and generally relating to the uniform consultation referral form.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–119
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 293 – Delegate Costa

AN ACT concerning

Physical Therapy Offices – Automated External Defibrillators – Training

FOR the purpose of prohibiting persons from practicing physical therapy in the State unless there is certain equipment in certain physical therapy offices and certain staff members who have received certain training are on–site; providing a certain exception; and generally relating to automated external defibrillators in physical therapy offices and the training of staff members.

BY adding to
Article – Health Occupations
Section 13–405
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 294 – Delegates Nathan–Pulliam, Benson, Costa, Gutierrez, Howard, Hubbard, Jones, Lee, Montgomery, Pena–Melnyk, Reznik, and V. Turner

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 had 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 had certain immunizations administered to the child; making a technical change; and generally relating to immunizations for school children.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–403(a)(2) and (3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 295 – Delegate O'Donnell

AN ACT concerning

Natural Resources – Incidental Taking Permit for Endangered Puritan Tiger Beetle – Requirements

FOR the purpose of requiring the Secretary of Natural Resources to issue a permit to an applicant that authorizes an incidental taking of the endangered Puritan Tiger Beetle under certain circumstances; requiring the Secretary to adopt certain regulations relating to an incidental taking permit for the endangered Puritan Tiger Beetle; and generally relating to an incidental taking permit for the endangered Puritan Tiger Beetle.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–2A–05.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 296 – Delegates Stull, Bartlett, Beitzel, Cane, G. Clagett, Elliott, Elmore, Hecht, Jameson, Kullen, Myers, and Riley

AN ACT concerning

State Government – State Soil – Sassafras Soil

FOR the purpose of designating Sassafras sandy loam as the State soil.

BY adding to
Article – State Government
Section 13–322

Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 297 – **Delegates Stull, Bates, G. Clagett, Elmore, Hecht, Jameson, Jenkins, Miller, Norman, Riley, and Stifler**

AN ACT concerning

Police Training Commission – Membership – Inclusion of Maryland Police Training Directors Association

FOR the purpose of adding the President of the Maryland Police Training Directors Association to the membership of the Police Training Commission.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–203
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 298 – **Delegates Morhaim, Nathan–Pulliam, and Stein**

AN ACT concerning

Office of Student Financial Assistance – Service Obligation – Waiver

FOR the purpose of requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to grant a waiver from the remaining service obligation component of certain scholarships under certain circumstances; requiring the Office to adopt certain regulations; and generally relating to the waiver of a service obligation commitment by the Office of Student Financial Assistance.

BY adding to
Article – Education
Section 18–206
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 299 – **Delegate Malone**

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 when 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 a certain term; and generally relating to distracted driving.

BY adding to
Article – Transportation
Section 21–901.3
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 300 – Delegates Krebs, Boteler, Eckardt, Elliott, Frank, George, Haddaway, Impallaria, McComas, McDonough, Miller, Myers, Norman, Riley, Serafini, Shank, Shewell, Smigiel, and Sossi

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; altering the determination of the maximum annual benefit under the Social Security Act for purposes of determining a certain offset for a certain subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain individuals for certain retirement income.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 301 – Delegates O'Donnell, Bohanan, Kullen, Proctor, Vallario, and Wood

AN ACT concerning

Calvert County and St. Mary's County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Calvert County to hunt deer on private property on certain Sundays with a bow and arrow; authorizing a person in Calvert County and St. Mary's County to hunt deer on private property on certain Sundays in the deer firearms season; and generally relating to deer hunting on private property on Sundays in Calvert County and St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 302 – Delegates Nathan–Pulliam, Eckardt, Elmore, and V. Turner

AN ACT concerning

State Board of Nursing – Membership – Nominations for Vacancies

FOR the purpose of adding a currently practicing nurse who has practiced acute care nursing for at least a certain number of years to the State Board of Nursing; adding certain degrees that qualify an individual for the nurse administrator member of the Board; requiring the registered nurse member of the Board who is certified in advanced practice nursing to rotate among certain specialties; authorizing certain professional nursing organizations to submit certain lists from which the Governor can appoint certain Board members; authorizing certain licensed nurses to submit certain petitions from which the Governor can appoint certain Board members; requiring that certain petitions have a certain number of signatures; requiring the Board to notify certain licensed nurses and professional nursing organizations of certain vacancies on the Board; providing that members appointed to the Board reflect certain diversity of the State; clarifying the term limitations for a member of the Board who is appointed after

a term has begun; and generally relating to membership and nominations for the State Board of Nursing.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–202(a), (b), and (i)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 303 – Delegates Smigiel, Aumann, Carter, Costa, Eckardt, Elmore, Frank, George, Haddaway, Kelly, McDonough, Miller, Shewell, Sossi, and Walkup

AN ACT concerning

Natural Resources – Oyster Harvest – Closure of State Waters

FOR the purpose of requiring the Department of Natural Resources to keep certain waters of the State open for oyster harvesting unless the Department makes certain determinations or except as required by law; requiring the Department to manage certain waters of the State to support, promote, and enhance oyster harvesting opportunities to a certain extent; requiring the Department to manage certain waters of the State to prevent any net loss of waters available for oyster harvesting or of available oyster harvest authorizations; requiring the Department to submit to the General Assembly a certain annual report; and generally relating to closures of certain waters of the State to oyster harvesting.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–215(b)(6) and (c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–215(h)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 4–215.5
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 304 – Delegates Jones, Conway, Hixson, Holmes, McIntosh, O'Donnell, Ross, and Schuh

EMERGENCY BILL

AN ACT concerning

Education – Maintenance of Effort Requirement – Process and Factors

FOR the purpose of altering the date by which a county governing body must make a request to the State Board of Education for a waiver from the maintenance of effort requirement; clarifying the maintenance of effort requirement for which a county may apply for a waiver; requiring the State Board of Education to consider certain factors when making a decision whether to grant a waiver; altering the date by which the State Board of Education must inform the county governing body whether the waiver application has been granted or denied; making this Act an emergency measure; and generally relating to the maintenance of effort requirement for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 305 – Delegates Davis, Burns, Love, Manno, Taylor, and Vaughn

AN ACT concerning

Insurance – Domestic Reinsurers

FOR the purpose of specifying a certain assessment fee payable by certain domestic reinsurers to the Maryland Insurance Commissioner; exempting certain domestic reinsurers from a certain requirement to have an office in the State; requiring certain domestic reinsurers to keep certain assets in the State; authorizing certain domestic reinsurers to keep certain records outside the State under certain circumstances; defining a certain term; and generally relating to domestic reinsurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 2–502 and 4–115

Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 306 – Delegates Smigiel, Aumann, Bates, Beitzel, Boteler, Bromwell, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jennings, Kach, Krebs, McComas, McConkey, McDonough, Miller, Norman, O'Donnell, Schuh, Serafini, Shank, Shewell, Sossi, Stifler, Stocksdale, Stull, and Weir

AN ACT concerning

Crimes – Death Penalty – Murder of a Child During a Sexual Offense

FOR the purpose of requiring the court or a jury, in determining whether to impose the death penalty in a case in which the defendant is convicted of murder in the first degree, to first consider that the victim was a child who was murdered while the defendant was committing or attempting to commit a sexual offense against the child; and generally relating to the death penalty.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–303
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 307 – Cecil County Delegation

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 $11,300,000 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 Appropriations.

House Bill 308 – Delegate Costa

AN ACT concerning

Physical Therapist Assistants – Direct Supervision

FOR the purpose of authorizing physical therapist assistants to practice limited physical therapy only under the direct supervision of licensed physical therapists; defining a certain term; and generally relating to the direct supervision of physical therapist assistants by licensed physical therapists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–310 and 13–404
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 309 – Delegates Sophocleus, Barkley, G. Clagett, Costa, DeBoy, Elmore, George, Love, McConkey, McDonough, Minnick, Nathan–Pulliam, Shewell, Stocksdale, and Walker

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 2009 Supplement)

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

House Bill 310 – Delegates Frank, Aumann, Bates, Beitzel, Boteler, Eckardt, Elliott, Haddaway, Jenkins, Krebs, McComas, McConkey, Myers, Norman, O'Donnell, Shank, Shewell, Stifler, Stocksdale, and Stull

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; 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–602
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 311 – Delegates Sophocleus, Barkley, DeBoy, Dumais, Elmore, George, Hecht, Heller, Impallaria, Love, McConkey, McDonough, Montgomery, Shewell, and Stocksdale

AN ACT concerning

Health – Duty to Report Death – Requirement and Penalties

FOR the purpose of requiring certain individuals who have personal knowledge of the death of another or who have personally discovered the body of another individual to provide certain notice of the death within a certain time period to a law enforcement officer, physician, 9–1–1 system, or medical examiner under certain circumstances; providing for the application of this Act; establishing

certain penalties; and generally relating to the duty to report the death of certain individuals under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 5–101
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 5–203
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 312 – Delegates Krebs, Aumann, Bates, Beitzel, Boteler, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, James, Jenkins, Jennings, Kach, McComas, McConkey, McDonough, Miller, Minnick, Norman, Riley, Robinson, Schuh, Serafini, Shank, Shewell, Smigiel, Sossi, Stocksdale, Weir, and Wood

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 shall be in effect even if the federal estate tax is not in effect on the date of the decedent's death; 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, without amendments,
Article – Tax – General
Section 7–309(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–309(b)(1), (2), and (3)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 313 – Delegate Costa

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 conditions 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 2009 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 314 – Delegates Smigiel, Aumann, Bates, Boteler, Conaway, Dwyer, Eckardt, Elmore, George, Haddaway, Kach, Kelly, Kramer, Krebs, McComas, McDonough, Miller, Norman, Schuh, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stull, and Walkup

AN ACT concerning

Criminal Procedure – Wiretapping – Evidence of Sexual Offense Against or Sexual Abuse of a Child

FOR the purpose of authorizing a wire, oral, or electronic communication that is intercepted showing evidence of a sexual offense in the first or second degree if the victim is under a certain age or the sexual abuse of a minor if the victim is under a certain age to be received in evidence in a criminal proceeding against a defendant being prosecuted for the offense.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings
Section 10–405
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 315 – Delegates Sophocleus, DeBoy, Eckardt, and George

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 2009 Supplement)

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

House Bill 316 – Delegates Sophocleus, Beidle, Bronrott, DeBoy, Eckardt, Frank, George, Hecht, Jones, Kaiser, Love, Niemann, Robinson, Shewell, and Stocksdale

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(dd)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 317 – Delegates Holmes, Aumann, Barkley, Benson, Bobo, Cane, Carr, Davis, Doory, Elmore, Glenn, Griffith, Gutierrez, Healey, Hecht, Hixson, Howard, Ivey, Jennings, Kullen, McConkey, Montgomery, Murphy, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Ross, Smigiel, Sophocleus, Sossi, Tarrant, F. Turner, Valderrama, Vaughn, Waldstreicher, Walker, and Weir

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 the Fund's 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 Executive Director of the Fund, in consultation with the Commissioner and 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 each year; requiring the Executive Director of the Fund to submit on or before a certain date each year a certain report to the Commissioner; authorizing the Commissioner to make a certain determination under certain circumstances; requiring the Commissioner to retain a certain actuary and to hold a certain hearing under certain circumstances; requiring the Commissioner to make a certain determination on certain dates; requiring a premium finance company, in the event of a cancellation of a certain insurance policy, 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 under certain circumstances; 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; making a certain technical correction; 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 2009 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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 318 – Delegates Sophocleus, Dwyer, and McConkey

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers

FOR the purpose of repealing a certain provision of law authorizing a secondhand precious metal object dealer to transact business for a certain period of time at a certain event; providing that a license to do business as a dealer may be used only to benefit the licensee; authorizing only licensed dealers to make certain advertisements; requiring a certain advertisement to include certain information; requiring dealers to retain the original copy of a certain record at a certain location; authorizing a dealer to request a certain extension; requiring the Secretary of Labor, Licensing, and Regulation to distribute certain information to licensed dealers or post the information on the Department of Labor, Licensing, and Regulation website; and generally relating to regulation of secondhand precious metal object dealers.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–206, 12–207(f), 12–208, 12–301(a), and 12–304(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 12–303
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation

Section 12–401(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 319 – Delegates Kullen, Eckardt, Bartlett, Beidle, Benson, Bohanan, G. Clagett, Dumais, Gaines, Gutierrez, Haddaway, Hecht, James, Jameson, Jenkins, Krebs, Love, Montgomery, Murphy, Nathan–Pulliam, Norman, O'Donnell, Pena–Melnyk, Reznik, and Wood

AN ACT concerning

State Board of Nursing – Nurse Practitioners – Certification Requirements and Authority to Practice

FOR the purpose of altering certain requirements for certification as a nurse practitioner; requiring the State Board of Nursing to waive certain education requirements under certain circumstances; authorizing the State Board of Nursing to establish continuing education or competency requirements for the renewal of a certificate to practice as a nurse practitioner; authorizing the State Board of Nursing to waive certain requirements for applicants who are licensed or certified to practice as a nurse practitioner in another state or country; prohibiting the use of certain titles, descriptions, and abbreviations except under certain circumstances; authorizing a nurse practitioner who is certified in another state to practice in this State under certain circumstances; providing that a temporary practice letter issued to an individual authorized to practice as a certified nurse practitioner in another state authorizes the holder to practice in this State while the letter is effective; repealing language that prohibits the State Board of Nursing from issuing a temporary practice license unless it received a certain written agreement; repealing a requirement that the State Board of Physicians approve the scope of practice of a certified nurse practitioner issued a temporary practice letter; altering certain requirements for the standards of quality of care that a health maintenance organization is required to provide to its members; defining certain terms; altering certain definitions; requiring the Department of Health and Mental Hygiene to repeal certain regulations by a certain date; and generally relating to the certification and the scope of practice of nurse practitioners in the State.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–101, 8–302, 8–315, and 8–508
Annotated Code of Maryland
(2009 Replacement Volume)

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

Section 19–705.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 320 – Delegate Beitzel

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; authorizing the circuit court of a certain jurisdiction to place a severed mineral interest into trust under certain circumstances, to appoint a trustee for the trust, and to order or authorize the trustee to take certain actions on behalf of the trust; authorizing a person vested in certain property to institute proceedings to create a trust and to appoint a trustee; authorizing a certain trustee to file a petition containing certain elements to terminate the trust and to convey title to a severed mineral interest under certain circumstances; requiring the court to enter an order requiring the trustee to convey the title to a severed mineral interest to a certain party under certain circumstances; requiring the trustee to take certain actions if the court issues the order; providing that certain surface owners are entitled to certain proceeds after the conveyance of the severed mineral interest by the trustee; requiring the court to terminate the trust and discharge the trustee after receiving a certain report from the trustee; providing that a certain lease will remain in force and effect following certain events unless it has previously expired by its own terms; requiring certain provisions to be administered in accordance with the Maryland Rules; requiring certain notice, forms, and hearing procedures to be in accordance with the Maryland Rules; 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 15–1206 to be under the new subtitle "Subtitle 12. Maryland Dormant Mineral Interests Act"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 321 – Queen Anne's County Delegation

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 not to exceed $150,000, 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 322 – Delegates Reznik, Ali, Barkley, Barve, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Haynes, Healey, Heller, Hixson, Howard, Hucker, Ivey, Kaiser, Kramer, Lee, Manno, Mizeur, Montgomery, Murphy, Olszewski, Pena–Melnyk, Rice, Ross, Tarrant, Taylor, Valderrama, and Waldstreicher

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Elective Franchise – Registration and Voting at Polling Places

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 or on a certain day before election day at a certain polling place; 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 Ways and Means.

House Bill 323 – Delegates Morhaim and Hammen

AN ACT concerning

Health Occupations – Licensure of Physician Assistants

FOR the purpose of requiring an individual to be licensed rather than certified by the State Board of Physicians before the individual may practice as a physician assistant; repealing certain language prohibiting a physician assistant from practicing within the scope of certain health occupations; requiring hospitals, related institutions, alternative health care systems and employers to report to the State Board certain changes in the terms of employment of physician assistants; making certain exceptions for alcohol– or drug–impaired physician assistants; authorizing the State Board to impose a certain civil penalty for failure to make a certain report; repealing the Physician Assistant Advisory Committee within the State Board and certain provisions of law relating to the Committee; repealing certain obsolete language; limiting the scope of practice of physician assistants to certain medical acts; repealing the authority of the State Board to review and approve certain delegation agreements; requiring physicians to file completed delegation agreements with the State Board in order to supervise physician assistants; authorizing physician assistants to perform certain functions that are delegated by primary or alternate supervising physicians; requiring primary or alternate supervising physicians to provide certain supervision; requiring primary supervising physicians to execute certain delegation agreements and file certain agreements with the State Board; repealing a requirement that certain patients be seen by supervising physicians within a certain number of appointments or days; authorizing certain physicians to delegate certain medical acts to physician assistants under certain circumstances; requiring the State Board to set a certain fee in a certain manner; authorizing physician assistants to practice in accordance with certain delegation agreements; authorizing primary or alternate supervising physicians to delegate dispensing of certain controlled dangerous substances, prescription drugs, or medical devices under certain circumstances; altering certain circumstances when primary or alternate supervising physicians may delegate prescribing and administering of certain controlled dangerous substances, prescription drugs, and medical devices to physician assistants; authorizing physician assistants to prepare and dispense starter dosages of certain drugs under certain circumstances; establishing certain qualifications for licensure of physician assistants; making a certain exception; authorizing the State Board to place certain licensees on inactive

status; requiring licensees to keep licenses for inspection at their primary place of business and notify the State Board of certain changes; authorizing the Physician Assistant Rehabilitation Board to request the State Board to direct physician assistants to submit to certain examinations under certain circumstances; repealing certain language relating to entities with whom the State Board contracts under the Physician Assistant Rehabilitation Program; altering certain provisions relating to the discipline of physician assistants; adding certain grounds for the discipline of physicians; authorizing certain physician assistants to respond to a need for medical care without supervision or with any available supervision under certain emergency circumstances; exempting physicians who supervise physician assistants under certain emergency circumstances from certain requirements; authorizing the State Board to assess a certain civil penalty under certain circumstances; repealing certain definitions; altering certain definitions; making certain stylistic and technical changes; and generally relating to the licensure of physician assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 15–101, 15–102, 15–103, 15–205, 15–206, 15–301, 15–302, 15–302.2, 15–303, 15–304, 15–305, 15–306, 15–307, 15–308, 15–309, 15–310, 15–311, 15–312, 15–313, 15–314, 15–315, 15–401, 15–402, and 15–403
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing
Article – Health Occupations
Section 15–201, 15–202, 15–203, 15–204, and 15–302.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 15–308.1 and 15–316
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 324 – Delegates Kullen, Benson, Bohanan, Costa, Donoghue, Elliott, Jameson, Jenkins, Kipke, Krebs, McDonough, Nathan–Pulliam, Oaks, Pena–Melnyk, Reznik, Tarrant, V. Turner, and Wood

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, computed tomography scan services, and radiation therapy 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
(2009 Replacement Volume)

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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 325 – Delegate Donoghue

AN ACT concerning

State Board of Physical Therapy Examiners – Licensure and Regulation

FOR the purpose of authorizing the State Board of Physical Therapy Examiners to send license renewal notices by electronic mail; altering the maximum amount of a certain penalty; altering certain definitions; and generally relating to the licensure and regulation of physical therapists and physical therapist assistants.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 13–101, 13–311, and 13–407
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 326 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Creation of a State Debt – Prince George's County – Community Forklift Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $450,000, the proceeds to be used as a grant to the Board of Directors of the Sustainable Community Initiatives, 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 Appropriations.

House Bill 327 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Estates – Disqualification – Conviction for Unlawfully Obtaining Property of Vulnerable Adult or Elderly Individual

FOR the purpose of altering the extent to which a person convicted of a certain prohibition against unlawfully obtaining property from a certain victim shall be disqualified from inheriting, taking, enjoying, receiving, or otherwise benefitting from the estate, insurance proceeds, or property of the victim; providing that a certain defendant has a certain burden of proof; making a clarifying change; providing for the application of this Act; and generally relating to a certain disqualification concerning the estate, insurance proceeds, or property of a certain victim under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–801
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Estates and Trusts
Section 9–113

Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 328 – **Delegates Carter, Conaway, McConkey, and Vallario**

AN ACT concerning

Estates and Trusts – Guardianship – Payment of Expenses After Death of Ward

FOR the purpose of requiring that, after the death of a minor or disabled person for whom a guardian of the property has been appointed, the guardian of the property of the minor or disabled person pay from the estate all commissions, fees, and expenses shown on the court–approved final guardianship account and retain the balance of the estate for delivery to an appointed personal representative of the decedent or other person entitled to it; and generally relating to guardianship of the property of a minor or disabled person.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 13–214(c)(3)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 329 – **Delegates Carter, Conaway, McConkey, and Vallario**

AN ACT concerning

Estates and Trusts – Elective Share – Extension of Time for Making Election

FOR the purpose of authorizing a surviving spouse, within the period provided for making an election to take an elective share of the deceased spouse's estate, to file with the court a petition for an extension of time, with a copy given to the personal representative; repealing the limitation that the court may only grant an extension before the expiration of the time in which to make the election; and generally relating to the election by a surviving spouse to take an elective share of the deceased spouse's estate.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 3–206
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 330 – Delegates Rice, Dumais, Feldman, Gutierrez, Montgomery, and Taylor

AN ACT concerning

Creation of a State Debt – Montgomery County – Ivymount School Annex Building

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 Ivymount 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 Appropriations.

House Bill 331 – Delegates Simmons, Barkley, Kramer, Levi, McComas, Montgomery, Shank, and Valderrama

AN ACT concerning

Family Law – Final Protective Order – Global Positioning Monitoring System

FOR the purpose of authorizing a judge to order a respondent to wear or carry a global positioning monitoring system device as part of a final protective order if the judge finds by clear and convincing evidence that the respondent presents a present risk of abuse to the petitioner; requiring the Department of State Police to monitor a respondent ordered to wear or carry a global positioning monitoring system device under this Act; requiring a judge to describe specifically the locations that the respondent has been ordered to remain away from and the minimum distances that the respondent shall maintain from the locations; requiring a respondent to pay the costs associated with monitoring; requiring the Department of State Police, in consultation with the Administrative Office of the Courts, to adopt certain regulations; defining a certain term; and generally relating to final protective orders and global positioning monitoring systems.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Family Law
Section 4–506.2
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 332 – Delegate Simmons

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Orphans' Court Judges – Qualifications

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the legislature to prescribe additional qualifications for certain Orphans' Court judges; prohibiting the qualifications from being more stringent than the qualifications required for certain other judges; making certain stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 40

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

House Bill 333 – Delegates Walker and Oaks

AN ACT concerning

State Government – Sickle Cell Anemia Awareness Month

FOR the purpose of requiring the Governor to proclaim the month of September to be "Sickle Cell Anemia Awareness Month".

BY adding to
Article – State Government
Section 13–503
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 334 – **Delegates Walker and Ivey**

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 and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 335 – **Delegate Walker**

AN ACT concerning

State Board of Education – Financial Literacy Curriculum – Graduation Requirement

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to
Article – Education
Section 7–205.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 336 – **Delegates Simmons and Kramer**

AN ACT concerning

Family Law – Grounds for Divorce

FOR the purpose of authorizing a court to grant a limited or an absolute divorce on the ground of voluntary separation if the parties are not engaging in sexual relations under certain circumstances; and generally relating to the grounds for a limited or an absolute divorce.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 7–102 and 7–103
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 337 – Delegates Carter, Conaway, McConkey, and Vallario

AN ACT concerning

Real Property – Effect of Deed Granting Property from Trust or Estate

FOR the purpose of providing that a grant of property by deed from a certain trust has the same effect as if the grantee had received the property from a certain trustee; providing that a grant of property by deed from a certain estate has the same effect as if the grantee had received the property from a certain personal representative; providing for the application of this Act; and generally relating to grants of property by deed from certain trusts or estates.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 2–122
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 338 – Delegates Sossi, Eckardt, Elmore, Haddaway, Miller, Smigiel, and Stocksdale

AN ACT concerning

Upper Shore Community Mental Health Center – Early Retirement

FOR the purpose of providing certain employees of Upper Shore Community Mental Health Center with the opportunity to receive an early retirement allowance under certain circumstances; requiring that certain documents be completed by

a certain date; requiring that a certain reduction be made to the retirement allowances of certain employees of Upper Shore Community Mental Health Center; providing for the termination of this Act; and generally relating to employees of Upper Shore Community Mental Health Center receiving an early retirement allowance.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 23–402
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 339 – Caroline County Delegation

AN ACT concerning

Caroline County – Orphans' Court Judges – Pensions

FOR the purpose of removing Caroline County from the list of counties that are excepted from the requirement to pay a certain pension to each judge of the Orphans' Court under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(y)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 340 – Cecil County Delegation

AN ACT concerning

Cecil County – Board of Electrical Examiners and Licensing of Electricians

FOR the purpose of repealing certain provisions of the Cecil County Code of Public Local Laws relating to the appointment of the Board of Electrical Examiners, the adoption of rules and bylaws for the Board, the compensation of Board members, the meetings of the Board, the licensing and supervision of electricians by the Board, the reports and fees of the Board, penalties, and the electrical standards; and generally relating to the Cecil County Board of Electrical Examiners and the licensing of electricians in Cecil County.

BY repealing

The Public Local Laws of Cecil County
Section 99–1 through 99–22
Article 8 – Public Local Laws of Maryland
(1989 Edition and July 2009 Supplement, as amended)

Read the first time and referred to the Committee on Economic Matters.

House Bill 341 – Delegates Nathan–Pulliam, Ali, Benson, Burns, Cane, Gutierrez, Haynes, Jones, Lee, Morhaim, V. Turner, and Walker

AN ACT concerning

Department of Legislative Services – Fiscal Notes – Minority Health Impact Assessment

FOR the purpose of requiring fiscal notes for certain legislation to include certain information regarding the fiscal impact of the legislation on the health of minority populations; and generally relating to including a minority health impact assessment in certain fiscal notes.

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–1505(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1505(e)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 342 – Delegate O'Donnell

AN ACT concerning

Public Officials – Chauffeured Transportation Services

FOR the purpose of providing that public officials may not request the Department of State Police to provide chauffeured transportation services for them for any purpose; providing that public officials may not request the Department to provide an officer or employee of the Department to provide chauffeured transportation services for them for any purpose; providing that public officials may not require employees under their control to perform chauffeured

transportation services for any purpose by using certain vehicles; providing that a certain provision of this Act does not apply to the Governor and the Lieutenant Governor; providing for certain circumstances under which the prohibitions of this Act do not apply; providing that members of the General Assembly may not request the use of the personnel and vehicles assigned by the Department to the Legislative Security Force for chauffeured transportation services, subject to certain exceptions; defining a certain term; and generally relating to the provision of chauffeured transportation services for public officials.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–106
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 8–504
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 343 – Delegate O'Donnell

AN ACT concerning

Public Benefits – Requirement of Proof of Lawful Presence

FOR the purpose of requiring adults to provide proof of lawful presence in the United States before receiving certain public benefits; requiring State units and political subdivisions that provide certain public benefits to verify the lawful presence of certain persons in the United States; providing for certain exceptions; requiring certain applicants for certain public benefits to produce certain types of identification; requiring certain applicants for certain public benefits to execute a certain affidavit; authorizing State units and political subdivisions to adopt certain modifications to certain requirements under certain circumstances; prohibiting State units and political subdivisions from providing certain public benefits to certain persons; making it a misdemeanor to knowingly make a certain false, fictitious, or fraudulent statement or affidavit; providing certain penalties; requiring State units and political subdivisions to verify an applicant's lawful presence through a certain federal program; allowing a certain affidavit to be presumed to be proof of lawful presence under certain circumstances; requiring certain reports; defining certain terms; and

generally relating to requiring proof of a person's lawful presence before receipt of certain public benefits.

BY adding to
Article – State Government
Section 10–1301 through 10–1307 to be under the new subtitle "Subtitle 13. Proof of Lawful Presence to Receive Public Benefits"
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 344 – Delegates Mizeur, Lafferty, Anderson, Aumann, Barkley, Barnes, Barve, Benson, Bobo, Bohanan, Bromwell, Bronrott, Carr, G. Clagett, Costa, DeBoy, Donoghue, Doory, Dumais, Feldman, Frick, Frush, Gaines, Glenn, Griffith, Gutierrez, Guzzone, Hammen, Haynes, Healey, Hecht, Heller, Hixson, Howard, Hubbard, Hucker, Impallaria, Ivey, Kach, Kaiser, Kipke, Krebs, Kullen, Lee, Levi, Love, Manno, Mathias, McDonough, McHale, Minnick, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnyk, Pendergrass, Ramirez, Reznik, Rice, Riley, Robinson, Rosenberg, Ross, Schuler, Smigiel, Stein, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Maryland Open Government Act

FOR the purpose of requiring the order of bills to be heard at a certain bill hearing to be made available on the General Assembly website at a certain time under certain circumstances; requiring that certain individuals be allowed to sign up on the General Assembly website during a certain time period to present testimony on a bill; requiring certain bill hearings to be broadcast on the General Assembly website under certain circumstances; requiring the result of certain votes taken on a bill in a standing committee, and the actions of each member of the committee on the bill, to be made available on the General Assembly website at a certain time; prohibiting a fee from being charged to access information or services provided on the General Assembly website; altering the lobbyist registration fee; requiring a meeting of the Board of Public Works to be broadcast on the Board's website under certain circumstances; requiring certain broadcasts of Board meetings to be archived on the Board's website; requiring the Board to publish a list of certain proposed actions to be considered by the Board on the Board's website a certain time period before it meets; requiring the Board to accept public comment on certain proposed actions for a certain time period before a Board meeting; and generally relating to public access to information concerning the General Assembly and the Board of Public Works.

BY renumbering
Article – State Government
Section 2–1506
to be Section 2–1506.3
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 2–1506, 2–1506.1, 2–1506.2, and 2–1804
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–703(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–703(e)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 10–601 and 10–602 to be under the new subtitle "Subtitle 6. Public Access"
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 345 – Delegate Hucker

AN ACT concerning

State Government – State Designations – Review, Evaluation, and Recommendation by the State Archivist

FOR the purpose of authorizing the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations under certain circumstances; requiring the State Archivist to review, evaluate, and make recommendations to the General Assembly regarding State designations

under certain circumstances; and generally relating to recommendations and advice regarding State designations.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1007
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 346 – Delegate Hucker

AN ACT concerning

Advisory Committee on the Naming of State Facilities, Roads, and Bridges – Repeal

FOR the purpose of repealing the Advisory Committee on the Naming of State Facilities, Roads, and Bridges and other related provisions of law; and generally relating to the naming of State facilities, roads, and bridges.

BY repealing
Article – State Government
Section 2–10A–09
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 347 – Delegates Serafini, Bates, Beitzel, Jenkins, Miller, Myers, Niemann, Shank, Shewell, and F. Turner

AN ACT concerning

Criminal Law – Foreclosed Residential Property – Malicious Destruction of Property and Acts of Graffiti

FOR the purpose of prohibiting an owner, former owner, tenant, or occupant of certain residential property that is in foreclosure proceedings or has been sold in a foreclosure sale from committing certain acts of graffiti on the residential property or willfully and maliciously destroying, injuring, or defacing the residential property or the fixtures of the residential property; establishing penalties for a violation of this Act; requiring the court to order a person who violates this Act by an act of graffiti, in addition to other penalties, to pay

restitution, perform community service, or both; requiring that certain notices sent to occupants of residential property in foreclosure contain a certain paragraph informing the occupants of the provisions of this Act; defining certain terms; and generally relating to a prohibition against acts of graffiti on or the willful and malicious destruction of or injury to foreclosed residential property or its fixtures.

BY adding to
Article – Criminal Law
Section 6–301.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 7–105.9(g)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

House Bill 348 – Delegates Pena–Melnyk, Barnes, Frush, Healey, and Ross

AN ACT concerning

Public Institutions of Higher Education – New Design and Substantial Exterior Modification – Notice and Consultation

FOR the purpose of requiring certain institutions of higher education to make certain efforts to provide certain notice to and consult with certain communities under certain circumstances; and generally relating to providing notice and consulting with communities before designing a new structure or substantially modifying the exterior of an existing structure.

BY adding to
Article – Education
Section 15–113
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 349 – Delegates Carr and Bronrott

AN ACT concerning

Maryland Efficiency Standards Act – Televisions

FOR the purpose of adding televisions to the list of products regulated under the Maryland Efficiency Standards Act; requiring the Maryland Energy Administration to adopt certain regulations establishing minimum efficiency standards and compliance test methods for televisions; prohibiting, on or after a certain date, the sale or offer for sale in the State of a certain television unless the efficiency of the television meets or exceeds certain minimum efficiency standards; defining certain terms; providing for the application of this Act; and generally relating to the Maryland Efficiency Standards Act.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–2006(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–2006(a)(16) through (33), (b), and (e) through (n)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–2006(a)(16), (26) through (28), and (30), (e), and (h)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 350 – Delegates Hucker, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and V. Turner

AN ACT concerning

Education – Early Learning Challenge Fund – Application for Grants

FOR the purpose of requiring the State Department of Education to apply for grants from the Early Learning Challenge Fund; requiring the Department to take certain actions before submitting an application; requiring the application to contain certain information; making this Act subject to a certain contingency; and generally relating to the application for grants from the Early Learning Challenge Fund.

Read the first time and referred to the Committee on Ways and Means.

House Bill 351 – Delegates Carr, Hucker, Ali, Anderson, Aumann, Barnes, Bronrott, Cardin, Dumais, Frush, Gaines, Gutierrez, Guzzone, Hecht, Holmes, Hubbard, Ivey, Lee, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Ramirez, Reznik, Ross, Schuler, Taylor, and V. Turner

AN ACT concerning

Chesapeake Bay Restoration Consumer Retail Choice Act of 2010

FOR the purpose of prohibiting a store from providing disposable carryout bags unless the bags meet certain requirements; requiring a store to charge and collect a certain fee for each disposable carryout bag the store provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; prohibiting a store from advertising or stating certain information under certain circumstances; requiring a store to include certain information on certain receipts; providing that the sales and use tax does not apply to a certain amount of money retained by a store under certain circumstances; requiring the operator of a store to remit a certain amount of money to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; requiring the Department of the Environment to conduct certain public information and outreach campaigns in accordance with certain requirements; altering the uses of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; requiring the Secretary of Natural Resources to provide certain funds to the Department of the Environment and the Department of Labor, Licensing, and Regulation for certain purposes; defining certain terms; providing for a delayed effective date; and generally relating to carryout bags and the restoration of the Chesapeake Bay.

BY adding to
Article – Business Regulation
Section 19–103
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–02(e) and (f)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Environmental Matters.

House Bill 352 – Delegates Kaiser, Barkley, Cardin, Carr, Feldman, Frick, Healey, Hecht, Ivey, Manno, Montgomery, Morhaim, Olszewski, Shewell, Stukes, and F. Turner

AN ACT concerning

Education – Maryland Data Warehouse Council

FOR the purpose of establishing the Maryland Data Warehouse Council; providing for the membership and duties of the Council; specifying that the Council is an advisory body only and is not empowered to make final decisions regarding policy; providing for the leadership and staffing of the Council; requiring the Council to hold a certain number of meetings each year; requiring the Council to establish an advisory panel; specifying the Council's goals; requiring the Council to make an annual report to the Governor on certain matters and to publish a list of written reports available from the Council; and generally relating to the Maryland Data Warehouse Council.

BY adding to
Article – Education
Section 1–301 through 1–309 to be under the new subtitle "Subtitle 3. Maryland Data Warehouse Council"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 36)

ADJOURNMENT

At 10:28 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, January 28, 2010.

Annapolis, Maryland
Thursday, January 28, 2010

The House met at 10:03 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Tanya Thornton Shewell of Carroll County.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 37)

The Journal of January 27, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Malone – personal – family
Del. Mizeur – traffic
Del. Schuler – personal
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 353 – Delegates Carter, Oaks, and Rosenberg

AN ACT concerning

Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting License

FOR the purpose of authorizing a Class BWLT beer, wine, and liquor tasting license to be issued by the Board of Liquor License Commissioners for Baltimore City in a certain precinct of the 41st Legislative District of Baltimore City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–403.2(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–403.2(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 354 – Delegates Ivey, Anderson, Barnes, Barve, Conaway, Dumais, Kramer, Lee, Ramirez, Rosenberg, Simmons, Valderrama, Vallario, and Walker

AN ACT concerning

Public Safety – Possession of Ammunition for Firearms – Penalties

FOR the purpose of prohibiting a person from possessing ammunition for a firearm if the person previously was convicted of certain crimes; providing penalties for a violation of this Act; defining certain terms; and generally relating to the possession of ammunition for firearms.

BY adding to
Article – Criminal Law
Section 4–110
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–622(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 355 – Dorchester County Delegation

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester Center for the Arts Performance Hall

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 for the Dorchester 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 Appropriations.

House Bill 356 – Delegates Cane, Elmore, Howard, Malone, Morhaim, and Stull

AN ACT concerning

Forest Product Operators – Standards, Procedures, and Enforcement

FOR the purpose of establishing an application process for a forest product operator's license, including required demonstration of compliance with certain workers' compensation laws and payment of a certain fee; providing for the term of a forest product operator's license; establishing certain standards and requirements that apply to a forest product operator license holder; repealing certain obsolete provisions of law governing inspections of woodlands by district forestry boards and leases on woodlands for timber harvesting purposes; authorizing the Department of Natural Resources to suspend or revoke the license of a forest product operator under certain circumstances; providing for notice of, an administrative hearing for, and judicial review of the suspension or revocation of a forest product operator's license; authorizing the recovery of court costs and reasonable attorney's fees in certain civil actions brought against a forest product operator; authorizing the Department to adopt certain regulations; making certain stylistic changes; and generally relating to forest product operators.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–608
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 357 – Dorchester County Delegation

AN ACT concerning

Natural Resources – Land Acquisition – Notification and Approval

FOR the purpose of requiring the Secretary of Natural Resources to provide certain information about certain proposed land purchases by the Department of Natural Resources to certain counties under certain circumstances; prohibiting the State from acquiring land for open space purposes in Dorchester County

unless the County Council of Dorchester County approves the purchase; and generally relating to the acquisition of land by the Department of Natural Resources and the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 1–104(k) and 5–910
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 358 – Delegate Anderson (By Request – Baltimore City Administration) and Delegates Ivey, Levi, Rice, and Walker

AN ACT concerning

Criminal Law – Violation of Restriction Against Possession of Firearms – Penalties

FOR the purpose of expanding a certain prohibition against the possession of regulated firearms by a person convicted of a certain crime of violence or drug–related crime to apply to all firearms; increasing the maximum term of imprisonment that may be imposed for a violation of this Act; creating a certain exception regarding eligibility of a certain person for parole; and generally relating to restrictions against possession of firearms.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–133(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–143
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 359 – Delegates James, Riley, Ali, Barkley, Boteler, Burns, DeBoy, Elmore, Hixson, Kach, Kipke, Lafferty, Love, McDonough, Minnick, Mizeur, Montgomery, Robinson, Rudolph, Shewell, Sophocleus, Sossi, Stocksdale, Stukes, F. Turner, and Wood

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 certain solicitation documents to establish the degree of participation based on certain information; providing that certain provisions of this Act do not apply in certain circumstances; requiring a unit to award certain procurement contracts to certain bidders or offerors under certain circumstances; requiring the Board of Public Works to adopt certain regulations to implement this Act; requiring the Board to establish certain tracking and reporting procedures; requiring the Board to report annually on a certain program to the Legislative Policy Committee; establishing certain prohibited acts and certain penalties for certain violations; providing that certain provisions of law relating to protests do not apply to certain acts or omissions by certain procurement agencies under certain circumstances; requiring the Department of Business and Economic Development to use certain resources to implement a certain program; and generally relating to procurement participation by service–disabled veteran business enterprises.

BY adding to
Article – State Finance and Procurement
Section 14–601 through 14–605 to be under the new subtitle "Subtitle 6. Service–Disabled Veteran Business Enterprise Participation"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 15–202
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 360 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Franklin Entrepreneurial and Apprenticeship 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 Druid Heights Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a

requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 361 – **Delegates Haynes, Kirk, and Stukes**

AN ACT concerning

Creation of a State Debt – Baltimore City – Sphinx Club

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

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

House Bill 362 – **Delegates Griffith, Feldman, Ali, Barkley, Barnes, Barve, Benson, Bohanan, Bronrott, Carr, Davis, Dumais, Frick, Frush, Gaines, Gilchrist, Gutierrez, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Kaiser, Kramer, Lee, Levi, Levy, Manno, Mizeur, Montgomery, Niemann, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Simmons, Taylor, V. Turner, Valderrama, Vallario, Vaughn, and Walker**

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 Appropriations.

House Bill 363 – **Delegates Haynes, Kirk, and Stukes**

AN ACT concerning

Creation of a State Debt – Baltimore City – Baltimore Leadership School for Young Women

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 Foundation for the Baltimore Leadership School for Young Women, 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 Appropriations.

House Bill 364 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Creation of a State Debt – Baltimore City – Garrett–Jacobs Mansion Ballroom

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

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

House Bill 365 – Delegates Anderson, G. Clagett, Conaway, DeBoy, Frank, Glenn, Ivey, Kelly, Levi, O'Donnell, Ramirez, Schuler, Shank, V. Turner, Valderrama, and Waldstreicher

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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–203
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 366 – Delegates Krebs, Aumann, Bates, Beitzel, Boteler, Dwyer, Eckardt, Elliott, Frank, George, Haddaway, Jenkins, Kach, Kipke, McConkey, Miller, Minnick, Norman, Riley, Robinson, Serafini, Shank, Shewell, Smigiel, Sossi, Stocksdale, Weir, and Wood

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 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 367 – Delegates Krebs, Bates, Boteler, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Jenkins, Kipke, McComas, Miller, Norman, Robinson, Shewell, Smigiel, Sossi, Stocksdale, and Wood

AN ACT concerning

Transportation Trust Fund – Dedicated Highway Funds

FOR the purpose of providing that certain taxes, fees, charges, and revenues deposited into the Transportation Trust Fund may be used only for certain purposes; repealing certain obsolete provisions; repealing certain provisions relating to the transfer of certain funds from the Transportation Trust Fund to a special fund; and generally relating to dedicated highway funds deposited into the Transportation Trust Fund.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 3–216
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 368 – Chair, Appropriations Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Human Services – Local Departments of Social Services – Audits

FOR the purpose of altering the frequency of financial and compliance audits of the local departments of social services; specifying that the Office of the Inspector General in the Department of Human Resources is required to conduct the audits; and generally relating to audits of the local departments.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 3–602
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 369 – Delegates Reznik, Ali, and Barkley

AN ACT concerning

Creation of a State Debt – Montgomery County – Cinnamon Woods Environmental and Safety Lighting Upgrade

FOR the purpose of authorizing the creation of a State Debt not to exceed $125,000, the proceeds to be used as a grant to the Board of Directors of the Cinnamon Woods Homes Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing

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

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

House Bill 370 – **Delegates Rosenberg and Feldman**

AN ACT concerning

Labor and Employment – Payment of Wages

FOR the purpose of requiring employers that pay employees at least once in every 2 weeks or twice in each month to pay the regular full wages to the employees on all paydays that fall within any given year; and generally relating to the payment of wages to employees.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–502(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 371 – **Delegates Nathan–Pulliam, Benson, Boteler, Burns, Donoghue, Elliott, Kipke, Oaks, Robinson, Tarrant, and V. Turner**

AN ACT concerning

Stem Cell Research Fund – Sickle Cell Disease – Funding

FOR the purpose of requiring a certain percentage of a certain appropriation to the Stem Cell Research Fund to be designated for research using adult stem cells to treat adults with sickle cell disease beginning in a certain fiscal year; and generally relating to the Stem Cell Research Fund and sickle cell disease.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–434
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 372 – **Delegates Barnes, Frush, Manno, and Pena–Melnyk**

AN ACT concerning

Business Occupations and Professions – Plumbers – Lead–Free Materials

FOR the purpose of prohibiting certain plumbing materials containing more than a certain amount of lead from being used in the installation or repair of plumbing intended to dispense water for human consumption; prohibiting the sale of certain plumbing materials containing more than a certain amount of lead; requiring the State Board of Plumbing to adopt certain regulations; defining certain terms; providing for a delayed effective date; and generally relating to the lead content of materials used in plumbing.

BY adding to
Article – Business Occupations and Professions
Section 12–101(h–1) and (q), 12–605.1, and 12–605.2
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–205(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 12–605(a)(1)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 373 – Delegates Bobo, Bronrott, Dumais, Gilchrist, Hecht, Hubbard, Kaiser, Murphy, and F. Turner

AN ACT concerning

Campaign Finance – Affiliated Business Entities – Attributions of Contributions

FOR the purpose of requiring that certain campaign finance contributions be attributed to one business entity contributor under certain circumstances; defining a certain term; and generally relating to the attribution of certain campaign finance contributions.

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

Section 13–226(e)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 374 – Delegates Glenn, Anderson, Carter, Conaway, Robinson, and Stukes

AN ACT concerning

Baltimore City – Board of School Commissioners – Selection of Members – Local Referendum

FOR the purpose of altering the membership of the Baltimore City Board of School Commissioners; providing for the appointment of certain members of the board by the Governor and by the Mayor of Baltimore City; providing for the election of certain members of the board; providing for the reimbursement of a member's expenses under certain circumstances; specifying qualifications and requirements for certain members of the board; specifying the terms of members of the board; providing for the removal of certain members of the board under certain circumstances; specifying certain powers and duties of the board; providing for the termination of the term of certain members of the board; submitting this Act to a referendum of the legally qualified voters of Baltimore City; and generally relating to the Baltimore City Board of School Commissioners and the selection of members.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108.1, 3–114(a) and (b), and 4–303
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–306.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 8–802
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 375 – Garrett County Delegation

AN ACT concerning

Garrett County – Orphans' Court Judges

FOR the purpose of correcting certain incorrect cross–references to the Public Local Laws of Garrett County; making certain stylistic changes; and generally relating to the Orphans' Court judges for Garrett County.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(m)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 376 – Delegates Norman, DeBoy, Frank, Harrison, McComas, Riley, Shewell, Stifler, Stukes, and Stull

AN ACT concerning

Traffic Citations – Notice of Defendant's Right to Elect to Stand Trial – Presence of Police Officer

FOR the purpose of requiring a certain traffic citation to include a notice to the person charged that the person may elect to stand trial for the offense; requiring a person who elects to stand trial for a certain offense and desires the presence at trial of the police officer who issued the citation to notify the District Court by returning a copy of the citation to the District Court within the time allowed for payment of the fine and providing certain information in the appropriate space on the citation; prohibiting a court from dismissing a certain offense on the grounds that the police officer who issued the citation was not present at trial unless the person electing to stand trial for the offense sent a certain notification to the District Court; making technical corrections; and generally relating to traffic citations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–201
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 26–204(b)(2)

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 377 – Delegates McConkey, Barnes, Costa, Love, and Schuh

AN ACT concerning

Anne Arundel County – Property Tax Payment Deferral – Amounts

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 amounts, restrictions, and income eligibility requirements for the payment deferral; requiring the payment of certain deferred property taxes under certain circumstances; 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; 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 10–204.6
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 378 – Delegates Kaiser, Ali, Barkley, Barnes, Bates, Bobo, Bronrott, Carr, Feldman, Frick, Frush, Gilchrist, Gutierrez, Hecht, Holmes, Howard, Hubbard, Hucker, Ivey, Jennings, Jones, Lafferty, Lee, Manno, Montgomery, Morhaim, Murphy, Olszewski, Pena–Melnyk, Reznik, Rice, Riley, Rosenberg, Ross, Schuler, Simmons, Stukes, and Walker

AN ACT concerning

Election Law – Ballot Issue Committee – Additional Campaign Finance Report

FOR the purpose of requiring a ballot issue committee to file a campaign finance report on or before a certain date preceding a general election; and generally relating to the filing of an additional campaign finance report by a ballot issue committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–309
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 379 – Delegates Rosenberg, Feldman, and Frick

AN ACT concerning

Consumer Protection – Transparency in Consumer Arbitrations Act

FOR the purpose of requiring certain arbitration organizations to collect, publish, and make available to the public certain information relating to certain binding arbitrations to which a consumer is a party; requiring the information to be reported beginning on a certain day and to be updated at certain intervals thereafter; requiring the information to be made available to the public in a certain manner; providing that the information may be considered in making a certain determination; providing that an arbitration organization is not liable for collecting, publishing, or distributing certain information; providing that failure to comply with certain provisions of this Act may not be the sole reason to refuse to enforce a certain award, may constitute an unfair or deceptive trade practice under the Maryland Consumer Protection Act under certain circumstances, and may be considered as a factor in making a certain determination about a consumer arbitration agreement; authorizing a consumer or the Attorney General to seek an injunction to prohibit an arbitration organization from taking certain actions; providing that an arbitration organization is liable to a certain person for certain attorney's fees and costs under certain circumstances; defining certain terms; and generally relating to consumer arbitrations.

BY adding to
Article – Commercial Law
Section 14–3801 through 14–3805 to be under the new subtitle "Subtitle 38. Transparency in Consumer Arbitrations Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 380 – Delegate Simmons

AN ACT concerning

Election Law – Campaign Contributions by Persons Engaged in Gaming Activity in the State

FOR the purpose of providing that certain persons that make campaign contributions to certain campaign finance entities may not receive a license or other permit to conduct certain gaming activities in the State for a certain period of time after making the contribution; requiring that the license or permit of certain persons that are authorized to conduct certain gaming activities in the State be suspended for a certain period of time if the person makes a campaign contribution to certain campaign finance entities; defining certain terms; attributing the campaign contributions of certain persons to certain other persons for certain purposes; and generally relating to campaign contributions by persons engaged in or seeking a license or other permit to conduct gaming activity in the State.

BY adding to
Article – Election Law
Section 13–237
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 381 – Delegates Manno and Rosenberg

AN ACT concerning

Workplace Religious Freedom Act

FOR the purpose of authorizing employees of certain employers to use certain leave for observance of religious beliefs under certain circumstances; establishing that an employer is not required to pay certain premium wages or benefits under certain circumstances; providing that an employee who uses leave under this Act must comply with the terms of a collective bargaining agreement or employment policy; providing that an employer may require an employee without paid leave to use leave without pay or work a certain number of hours; providing for a certain exemption under certain circumstances; establishing certain criteria for determining a certain hardship; prohibiting an employer from taking certain actions against an employee who exercises certain rights, files a complaint, testifies against, or assists in a certain action; authorizing an employee to take certain civil action against an employer in a certain manner for a violation of this Act; authorizing a court to allow certain costs against an employer for a certain recovery in a certain action; prohibiting an employee from making certain groundless or malicious complaints or from taking certain actions in bad faith; authorizing the Commissioner of Labor and Industry to conduct a certain investigation; defining certain terms; providing for the

application of this Act; and generally relating to the Workplace Religious Freedom Act.

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–606(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–101(b), 3–704(b)(2) and (3), (c), and (f), and 3–802(a)(1) and (3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–102 and 3–103
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 3–803
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 382 – Delegates Manno, Ali, Barnes, Frush, Hucker, Ivey, Kelly, Kramer, Krebs, Miller, Pena–Melnyk, Reznik, Serafini, Taylor, and Valderrama

AN ACT concerning

Income Tax – Credit for Long–Term Care Premiums

FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long–term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long–term care insurance purchased after a certain date; providing for the application of this Act; providing for a delayed effective date; and generally relating to a certain income tax credit for eligible long–term care insurance premiums.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–718

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 383 – Delegates Krebs, Barkley, Bates, Boteler, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Jenkins, Kipke, McComas, Miller, Norman, Reznik, Robinson, Shewell, Smigiel, Sossi, Stocksdale, and Wood

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 and 2009 Supplement)

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

House Bill 384 – Delegates James and Riley

AN ACT concerning

Task Force to Study Financial Matters Relating to Long–Term Care Facilities – Extension

FOR the purpose of extending the termination date of the Task Force to Study Financial Matters Relating to Long–Term Care Facilities; altering certain dates by which certain reports are required to be submitted; and generally relating to the Task Force to Study Financial Matters Relating to Long–Term Care Facilities.

BY repealing and reenacting, with amendments,
Chapter 672 of the Acts of the General Assembly of 2008
Section 1 and 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 385 – Delegates Ali, Bobo, Cane, Holmes, Serafini, and Shewell

AN ACT concerning

Smartphone Safety Act

FOR the purpose of prohibiting a person from using a wireless communication device to engage in certain activities while operating a subway vehicle, light rail vehicle, or motor vehicle that is in motion; authorizing a person to use a wireless communication device to engage in certain activities while operating a subway vehicle, light rail vehicle, or a motor vehicle that is in motion; repealing certain provisions of law relating to text messaging devices; defining certain terms; and generally relating to the use of a wireless communication device while operating a subway vehicle, light rail vehicle, or motor vehicle.

BY adding to
Article – Transportation
Section 7–708
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124(a)(3)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 386 – Delegates Rosenberg and Haynes

AN ACT concerning

Family Law – Child Support Enforcement – Performance Incentive Model Office

FOR the purpose of requiring the Secretary of Human Resources to establish performance incentive model offices; requiring the Secretary to establish a

certain performance incentive program; providing that a performance incentive model office may conduct a conciliation conference; authorizing the Secretary to adopt regulations; defining certain terms; requiring the Secretary to report to certain committees of the General Assembly on or before certain dates; and generally relating to child support.

BY adding to
Article – Family Law
Section 10–119.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 387 – Delegates Stull, Bates, Beitzel, Cane, G. Clagett, Elliott, Elmore, Hecht, Jameson, Jenkins, Malone, Miller, Norman, Riley, and Stifler

AN ACT concerning

Maryland Teacher Scholarships – Service Obligation – Definition

FOR the purpose of expanding the types of employment that qualify as permissible service obligations under the Maryland Teacher Scholarships program by altering a certain definition; providing for the application of this Act; and generally relating to the service obligation of recipients of Maryland Teacher Scholarships.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–2201
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 388 – Delegates Simmons, Bronrott, DeBoy, Krebs, Montgomery, Riley, and Smigiel

AN ACT concerning

Criminal Law – Manslaughter by Vehicle or Vessel – Criminal Negligence

FOR the purpose of making it a misdemeanor for a person to cause the death of another as a result of the person's driving, operating, or controlling a vehicle or vessel in a criminally negligent manner; establishing the circumstances under which a person is considered to act in a criminally negligent manner for

purposes of this Act; establishing that it is not an offense under this Act for a person to cause the death of another as a result of the person's driving, operating, or controlling a vehicle or vessel in a negligent manner; establishing certain penalties; stating the intent of the General Assembly with respect to the interpretation of a certain term; defining a certain term; and generally relating to criminally negligent manslaughter by vehicle or vessel.

BY adding to
Article – Criminal Law
Section 2–210
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 389 – Delegates Taylor, Carr, Hixson, Hucker, Kaiser, and Montgomery

AN ACT concerning

Creation of a State Debt – Montgomery County – Maydale Nature Center

FOR the purpose of authorizing the creation of a State Debt in the amount of $55,000, the proceeds to be used as a grant to the Board of Directors of The Friends of Maydale Nature 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 Appropriations.

House Bill 390 – Delegate Beitzel

AN ACT concerning

Garrett County – County Commissioners – Commercial Grade Wind Turbines

FOR the purpose of authorizing the County Commissioners of Garrett County to enact ordinances regulating the setback of commercial wind turbine structures in Garrett County and setting a fee for decommissioning a certain commercial wind turbine structure 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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 391 – Delegates Lafferty, Frank, and Aumann

AN ACT concerning

Baltimore County – Towson Commercial Revitalization District – Alcoholic Beverages Licenses – Restaurants

FOR the purpose of lowering in the Towson Commercial Revitalization District in Baltimore County the minimum amount of capital investment required for certain restaurants for which certain alcoholic beverages licenses may be transferred and new licenses issued; altering the food sales and seating capacity requirements for certain restaurants; reducing the time by a certain amount that an applicant for transfer must wait under certain circumstances; and generally relating to alcoholic beverages licenses for restaurants in Baltimore County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–204.3(a) and (b)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–204.3(d)(3) and (5) and (f)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 8–204.3(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 8–204.3(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 18 – Senators Raskin, Stone, Colburn, DeGrange, Exum, ~~and Glassman~~ Glassman, Edwards, Klausmeier, Frosh, Gladden, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, and Simonaire

EMERGENCY BILL

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Benefits to Employees of Dealers

FOR the purpose of repealing certain provisions relating to a manufacturer, distributor, or factory branch providing certain benefits, payments, or gifts to an employee of a vehicle dealer; providing that an incentive payment, a reimbursement payment, cash, a gift, or a thing of value to be given by a manufacturer, distributor, or factory branch to an employee of a dealer may be given directly to the employee or to the dealer to be distributed to the employee in a certain manner; requiring a manufacturer, distributor, or factory branch to make certain information available to a dealer about an incentive payment, a reimbursement payment, cash, a gift, or a thing of value totaling more than a certain amount that is given directly to an employee of the dealer; providing for the application of this Act; making this Act an emergency measure; and generally relating to manufacturers, distributors, and factory branches.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 15–212.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 38)

ADJOURNMENT

At 10:25 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, January 29, 2010.

Annapolis, Maryland
Friday, January 29, 2010

The House met at 11:06 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Roger Manno of Montgomery County.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 39)

The Journal of January 28, 2010 was read and approved.

EXCUSES:
Del. Barnes – funeral
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Gutierrez – NCSL Task Force Meeting
Del. Heller – illness
Del. Hixson – NCSL Task Force Meeting
Del. Jameson – NCSL Task Force Meeting
Del. King – illness
Del. Schuler – personal
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 392 – Delegates Vaughn, Barkley, Bobo, Bronrott, Gutierrez, Hecht, Heller, Hucker, James, Jameson, Kaiser, Kirk, Kramer, Krysiak, Kullen, Lee, Levy, Manno, Minnick, Reznik, and Waldstreicher

AN ACT concerning

Commercial Law – Debt Settlement Services

FOR the purpose of prohibiting a person from offering, providing, or attempting to provide debt settlement services in the State except as allowed under this Act; prohibiting a debt settlement services provider from receiving certain funds or payments or imposing certain fees or charges on a consumer, except for certain fees for certain services, until a debt settlement services agreement is executed

and the debt settlement services are completed; limiting to a certain amount the fee that a debt settlement services provider may charge for debt settlement services; prohibiting a debt settlement services provider from charging a fee for certain services or to rescind a debt settlement services agreement; prohibiting a debt settlement services provider from making a certain representation, requiring or advising a consumer to stop making certain payments, or requiring a consumer to make a certain contribution; requiring that a debt settlement services agreement be signed and dated by the debt settlement services provider and the consumer and include certain information and disclosures; requiring that an advertisement for debt settlement services include certain disclosures; providing that a violation of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; providing for the application of this Act; establishing a certain short title; defining certain terms; and generally relating to debt settlement services and debt settlement services providers.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxvi)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxvii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxviii); and 14–3801 through 14–3811 to be under the new subtitle "Subtitle 38. Debt Settlement Services Act"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 393 – Delegates Love, Barnes, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena–Melnyk, and Schuh

AN ACT concerning

Anne Arundel County – Motorcycle Dealers – Sunday Operations

FOR the purpose of authorizing in Anne Arundel County a motorcycle dealer to sell, barter, deliver, give away, show, or offer for sale a motorcycle or a certificate of

title for a motorcycle on Sunday; and generally relating to motorcycle dealers in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 18–101
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 394 – Delegates Dumais, Eckardt, and Kullen

AN ACT concerning

Juvenile Services – Programming and Services for Females

FOR the purpose of requiring the Department of Juvenile Services to serve children in the juvenile services system with programming that provides females, on a regional basis, with certain services substantially equivalent to those offered to males; and generally relating to juvenile services.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 9–238.1
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

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

House Bill 395 – Delegate Barve

AN ACT concerning

Maryland Business Tax Reform Commission – Reporting Requirements

FOR the purpose of repealing a requirement that the Maryland Business Tax Reform Commission submit an interim report of its findings and recommendations to the Governor and General Assembly by a certain date; altering the due date for the Commission to submit a final report; and generally relating to the Maryland Business Tax Reform Commission.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–110
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 396 – Delegates Montgomery, Kaiser, and Taylor

AN ACT concerning

Creation of a State Debt – Montgomery County – Sandy Spring Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed $140,000, the proceeds to be used as a grant to the Board of Trustees of the Sandy Spring 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 Appropriations.

House Bill 397 – Washington County Delegation

AN ACT concerning

Courts and Judicial Proceedings – Local Government Tort Claims Act – Washington County Community Action Council

FOR the purpose of adding the Washington County Community Action Council, Inc., to the list of entities included in the definition of "local government" for the purposes of the Local Government Tort Claims Act; providing for the application of this Act; and generally relating to the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 398 – Allegany County Delegation and Garrett County Delegation

AN ACT concerning

Environment – Oil and Gas Drilling – Wells

FOR the purpose of reducing the distance from the boundary of a property from which wells may be drilled for the production or underground storage of gas or oil;

defining a certain term; repealing language rendered duplicative by this Act; and generally relating to gas and oil wells.

BY repealing and reenacting, without amendments,
Article – Environment
Section 14–102(a) and (b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 14–102(o)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 14–112
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 399 – Washington County Delegation

AN ACT concerning

Washington County – Alcoholic Beverages – Beer Tasting License

FOR the purpose of establishing a beer tasting license in Washington County; authorizing the issuance of the license only to certain persons; specifying that the license allows the consumption of beer for tasting purposes only; requiring the Board of License Commissioners to regulate certain conditions under which a tasting may be held; specifying a license fee; authorizing the Board to adopt certain regulations; making a certain technical change; and generally relating to alcoholic beverages in Washington County.

BY adding to
Article 2B – Alcoholic Beverages
Section 8–902
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(a)
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 400 – Delegate Beitzel

AN ACT concerning

Garrett County – Wine Festival License – Qualifications – Hearing and Notice

FOR the purpose of altering the requirements for a wine festival license in Garrett County to allow certain additional applicants to be issued the license; requiring that the Board of License Commissioners hold a hearing before a license is issued; requiring that the Board publish a certain notice before a certain time; and generally relating to alcoholic beverages licenses in Garrett County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–308.2
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 401 – Allegany County Delegation

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 $600,000, 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 Appropriations.

House Bill 402 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Collection Agencies – Application and Renewal Fees

FOR the purpose of authorizing the State Collection Agency Licensing Board to adopt certain regulations and to set by regulation collection agency license application fees, renewal fees, and investigation fees; requiring the fees to be reasonable and set in a manner to produce funds that are sufficient to cover the direct and indirect costs of regulating collection agency licensees; requiring the Board to publish a certain fee schedule; providing that certain fees remain in effect until certain other fees take effect; and generally relating to the regulation of collection agencies.

BY adding to
Article – Business Regulation
Section 7–207 and 7–302.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 7–302
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 403 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Office of Cemetery Oversight – Preneed Trust Account – Underfunding

FOR the purpose of authorizing the Director of the Office of Cemetery Oversight to require the correction of any underfunding, including interest, due to a preneed trust account.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–710
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 404 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Labor and Employment – Wage Payment and Collection – Order to Pay Wages

FOR the purpose of providing for an administrative procedure for the Commissioner of Labor and Industry on receipt of a complaint for failure to pay wages that do not exceed a certain amount; authorizing the Commisioner to issue an order to pay wages under certain circumstances; authorizing an employer to request a de novo hearing on the order to pay wages; providing that the order to pay wages becomes a final order under certain circumstances; authorizing the Commissioner to enforce payment in District Court under certain circumstances; and generally relating to wage payment and collection.

BY renumbering
Article – Labor and Employment
Section 3–507.1
to be Section 3–507.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 3–507.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 405 – Chair, Economic Matters Committee (By Request – Departmental – Workers' Compensation Commission)

AN ACT concerning

Workers' Compensation – Covered Employees and Employers – Corporate or Limited Liability Company Officer

FOR the purpose of authorizing an officer of a close corporation, as defined under the laws of the jurisdiction where the corporation is incorporated, to elect to be exempt from workers' compensation coverage; clarifying that members of certain limited liability companies may elect to be exempt from workers' compensation coverage; requiring the State Workers' Compensation Commission to adopt certain regulations; and generally relating to exemptions from workers' compensation coverage requirements.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–206
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 406 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Real Estate Licensees – Services Provided Through Teams

FOR the purpose of requiring a team of licensed associate real estate brokers and licensed real estate salespersons that provides real estate brokerage services to designate a team leader; establishing qualifications for the team leader; establishing certain duties of the team leader, the team members, the real estate broker, and the branch office manager; authorizing the designation of intracompany agents under certain circumstances; prohibiting the name of a team from containing certain terms; regulating the contents of certain advertising; requiring team members to conduct business from certain offices; defining a certain term; and generally relating to the provision of real estate brokerage services.

BY adding to
Article – Business Occupations and Professions
Section 17–543 through 17–548 to be under the new part "Part V. Provision of Real Estate Brokerage Services Through a Team"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 407 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Public Accountancy – Disciplinary Authority

FOR the purpose of clarifying the authority of the State Board of Public Accountancy to impose disciplinary action against an applicant or licensee as a result of a sanction by a regulatory entity established by law; authorizing the Board to impose a certain civil penalty against permit holders under certain circumstances; and generally relating to the disciplinary authority of the State Board of Public Accountancy.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions

Section 2–315 and 2–410
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 408 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Commission of Real Estate Appraisers and Home Inspectors – Administrative Sanctions – Civil Penalty

FOR the purpose of authorizing the State Commission of Real Estate Appraisers and Home Inspectors to consider certain factors before granting, denying, renewing, suspending, or revoking a home inspector license or reprimanding a licensee when the applicant or licensee has been convicted of a certain crime; authorizing the Commission to impose a civil penalty instead of, or in addition to, the imposition of an administrative sanction against a licensed home inspector under certain circumstances; and generally relating to the State Commission of Real Estate Appraisers and Home Inspectors.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 16–701.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 409 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Home Improvement Commission – Guaranty Fund Jurisdiction

FOR the purpose of prohibiting the Maryland Home Improvement Commission from making an award from the Home Improvement Guaranty Fund in excess of a certain amount paid to the contractor against whom the claim is filed; altering the conditions under which a claim against the Fund can be made so as to authorize an owner to make a claim only if the owner or an immediate relative of the owner resides, as a principal or vacation residence, in the home as to which the claim is made; and generally relating to the Home Improvement Guaranty Fund.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 8–405(e) and (f)(2)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 410 – Delegates Hixson, Boteler, Bronrott, Cane, G. Clagett, DeBoy, Doory, Dumais, Frick, Gilchrist, Glenn, Healey, Hecht, Ivey, Kaiser, King, Love, Minnick, Mizeur, Montgomery, Niemann, Ramirez, Rice, Shewell, Sophocleus, Sossi, Stocksdale, and Wood

EMERGENCY BILL

AN ACT concerning

Education – Statewide Maintenance of Effort Waiver

FOR the purpose of waiving the maintenance of effort requirement for the counties and Baltimore City for a certain fiscal year; providing for the calculation of certain levels of appropriations by the counties and Baltimore City for a certain fiscal year; making this Act an emergency measure; and generally relating to the maintenance of effort requirement for primary and secondary education.

Read the first time and referred to the Committee on Ways and Means.

House Bill 411 – Delegate Kach

AN ACT concerning

Statewide Advisory Commission on Immunizations – Membership, Sunset Extension, and Study of HPV Vaccine

FOR the purpose of adding a consumer member to the Statewide Advisory Commission on Immunizations; extending the termination date of the Commission; requiring the Commission to study the safety of the human papillomavirus (HPV) vaccine; requiring the Commission to include certain components in the study, determine the need for certain information and certain communication, make certain recommendations, and report the results of its study; and generally relating to the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–214

Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 337 of the Acts of the General Assembly of 2002, as amended by Chapter 200 of the Acts of the General Assembly of 2005, as amended by Chapter 504 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 412 – Delegate Feldman

AN ACT concerning

Real Estate Investment Trusts – Miscellaneous Provisions

FOR the purpose of clarifying that a real estate investment trust may provide by its declaration of trust that holders of one or more classes or series of shares have exclusive voting rights on an amendment that would alter only the contract rights of those shareholders; providing that, without action by the shareholders, the majority of the entire board of trustees may amend the declaration of trust in any respect in which the charter of a corporation may be amended, unless prohibited in the declaration of trust in a certain manner; authorizing the board of trustees of certain real estate investment trusts to amend the declaration of trust, without shareholder action, to effect a certain reverse share split, unless prohibited in the declaration of trust in a certain manner; requiring a certain real estate investment trust to give certain notice of a certain reverse share split to certain shareholders within a certain time after the effective date of the reverse share split; authorizing a real estate investment trust to file a certain certificate of notice for record with the State Department of Assessments and Taxation; providing that a trustee of a real estate investment trust is not required to authorize or direct the filing of a certificate of notice; providing that a real estate investment trust is not required to file a certificate of notice; providing that a certificate of notice shall be executed in a certain manner; defining certain terms and altering a certain definition; and generally relating to real estate investment trusts.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 8–101, 8–203(a) and (c), and 8–501
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Corporations and Associations

Section 8–503
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 413 – Delegates Hixson, Bartlett, Barve, Beidle, Bobo, Boteler, Bronrott, Carr, G. Clagett, DeBoy, Frank, Frush, George, Gilchrist, Glenn, Gutierrez, Hammen, Hecht, Heller, Hucker, Ivey, Kaiser, Kirk, Krysiak, Kullen, Lafferty, Lee, Levi, Love, Mathias, McHale, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, O'Donnell, Olszewski, Proctor, Reznik, Robinson, Rosenberg, Schuler, Shewell, Simmons, Sophocleus, Sossi, Tarrant, F. Turner, V. Turner, Valderrama, Vallario, Waldstreicher, and Weir

AN ACT concerning

Education – Instruction of Blind and Visually Impaired Students – Use of Braille

FOR the purpose of requiring the State Board of Education to establish standards for the mastery of braille for instruction in certain subjects for blind and visually impaired students on or before a certain date; requiring the State Board and the Professional Standards and Teacher Education Board to review and, as appropriate, modify certain certification and recertification requirements for certain teachers; and generally relating to the use of braille for instruction of blind and visually impaired students.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–408
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 414 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Jaycees Field of Dreams

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 Greater Waldorf Jaycee 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 Appropriations.

House Bill 415 – Delegates Barnes and Ross

AN ACT concerning

Education – Character Education Fund

FOR the purpose of establishing the Character Education Fund in the State Department of Education; requiring the Governor to include a certain amount in the State budget each fiscal year for the Fund; establishing the grant eligibility requirements for the Fund; requiring the Department to adopt certain criteria for approving character education programs, decide whether to approve a proposed character education program by certain dates, make certain grant awards to county boards of education with approved character education programs by certain dates and in certain amounts, devote a certain amount of the Fund to certain activities, and establish certain reporting requirements; requiring the Department to report to the Governor and the General Assembly on or before certain dates; defining a certain term; and generally relating to the Character Education Fund in the State Department of Education.

BY adding to
Article – Education
Section 7–120
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 416 – Delegates Haddaway, Aumann, Boteler, Bromwell, Eckardt, Elliott, Elmore, Frank, George, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Health Insurance – Definition of Bona Fide Wellness Program

FOR the purpose of clarifying that certain bona fide wellness programs include a program that requires membership and routine exercise at a health club or fitness center; and generally relating to health insurance and bona fide wellness programs.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–509

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 417 – Delegates Rosenberg, Cardin, and Haynes

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Baltimore City – Orphans' Court Judges – Qualifications

FOR the purpose of proposing an amendment to the Maryland Constitution to prescribe different qualifications for judges of the Orphans' Court for Baltimore City; requiring judges of the Orphans' Court for Baltimore City to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; making certain technical changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article IV – Judiciary Department
Section 40

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

House Bill 418 – Delegate Beitzel

AN ACT concerning

Garrett County – Noncertificated Public School Employees – Service Fees

FOR the purpose of authorizing the Garrett County Board of Education to negotiate with certain employee organizations a reasonable service fee to be charged to nonmember noncertificated employees for representing the employees in certain matters; prohibiting certain nonmember noncertificated employees from being charged a service fee under certain circumstances; and generally relating to service fees for nonmembers of certain employee organizations in Garrett County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–504
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 419 – Delegates Hucker, Bartlett, Doory, Frick, Gutierrez, Hixson, Ivey, Kaiser, Montgomery, Murphy, Myers, Olszewski, Rice, Ross, Stukes, and V. Turner

AN ACT concerning

Early Child Care and Education Enhancement Program – Annual Report

FOR the purpose of requiring the State Department of Education to include in a certain annual report certain information relating to the Judith P. Hoyer Early Child Care and Education Enhancement Program and the participating agencies and programs; and generally relating to reporting requirements of the State Department of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–217
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Secretary of Agriculture – Mosquito Control – Enforcement Authority

FOR the purpose of authorizing the Secretary of Agriculture to issue and serve a mosquito abatement order on certain persons under certain circumstances; authorizing the Secretary to enter on and inspect private property for certain purposes; authorizing the Secretary to bring action for injunctive relief under certain circumstances; establishing a certain penalty for any person who violates a mosquito abatement order issued by the Secretary; and generally relating to mosquito abatement by the Department of Agriculture.

BY adding to
Article – Agriculture
Section 5–406 through 5–409
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 421 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Department of Agriculture – Advertising Agricultural Products as Locally Grown – Regulatory Authority

FOR the purpose of authorizing the Secretary of Agriculture to adopt standards to regulate the advertising of certain agricultural products; prohibiting a person from advertising or identifying certain agricultural products in violation of certain standards; and generally relating to the advertising of agricultural products as locally grown.

BY adding to
Article – Agriculture
Section 10–1701 and 10–1702 to be under the new subtitle "Subtitle 17. Advertising or Identifying Agricultural Products as Locally Grown"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 422 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Department of the Environment – Lead Paint Renovation Training – Regulatory Authority

FOR the purpose of authorizing the Department of the Environment to adopt certain regulations governing the performance of certain renovation activities in certain buildings; authorizing the Department to exempt activities and buildings from regulation; defining certain terms; providing for the application of certain provisions of law; and generally relating to performance of lead paint renovation activities.

BY repealing and reenacting, with amendments,
Article – Environment
Section 6–1001 through 6–1004
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 6–1002.1

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 6–1005
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 423 – Delegate Sossi

AN ACT concerning

Life and Health Insurance Guaranty Corporation – Maximum Liability

FOR the purpose of altering, for certain life insurance death benefits, certain health insurance benefits, and the present value of certain annuity benefits, the maximum amounts of certain contractual obligations of certain impaired insurers or certain insolvent insurers for which the Life and Health Insurance Guaranty Corporation may become liable under certain circumstances; and generally relating to the liability of the Life and Health Insurance Guaranty Corporation for contractual obligations of impaired insurers and insolvent insurers.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 9–407(j)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 424 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Crimes – Indecent Exposure and Possession of Child Pornography – Offender Registration

FOR the purpose of providing that the possession of a certain digital image showing an actual child under a certain age in certain circumstances is a criminal offense; repealing a certain provision that provides that it is an affirmative defense to a certain violation if a person takes reasonable steps to destroy a certain visual

representation; altering the definition of "offender" to require a person to register on a certain offender registry if they are ordered to register by the court and if the person has been convicted of the offense of indecent exposure if the offense occurred in the presence of an individual under a certain age or a certain offense relating to the possession of certain visual representations; and generally relating to indecent exposure and child pornography.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 11–107 and 11–207
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–208
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(h)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 425 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Vehicle Laws – Races and Speed Contests – Enforcement and Penalties

FOR the purpose of authorizing a police officer to arrest without a warrant a person who participates in a certain race or speed contest under certain circumstances; altering the penalty for a conviction of participating in a certain race or speed contest; and generally relating to the prohibition against participating in certain races or speed contests.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1116
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 26–202(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 27–101(dd)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 426 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Juvenile Law – Confidentiality of Records – Access by Division of Pretrial Detention and Services

FOR the purpose of establishing an exception to a provision providing for the confidentiality of juvenile records by authorizing the Division of Pretrial Detention and Services to access certain juvenile records under certain circumstances; and generally relating to juvenile records.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–27
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 427 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Courts and Judicial Proceedings – Prisoner Litigation Act – Definition of "Civil Action"

FOR the purpose of altering the definition of "civil action" for purposes of the Prisoner Litigation Act; and generally relating to the Prisoner Litigation Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings

Section 5–1001
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 428 – Delegate Beitzel

AN ACT concerning

Creation of a State Debt – Garrett County – Oakland B&O Museum

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 Town Council of the Town of Oakland 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 Appropriations.

House Bill 429 – Delegate Oaks

AN ACT concerning

Baltimore City – Alcoholic Beverages Establishments – Weekend Closing Hours

FOR the purpose of extending the hours on certain days when alcoholic beverages may be sold for on–premises consumption in certain licensed establishments that have been issued certain permits or are in a certain area of Baltimore City; extending the hours on certain days when alcoholic beverages may be consumed on the premises of certain licensed establishments in a certain area of Baltimore City; and generally relating to the sale of alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 8–203(a) and (d)(1) and 11–305(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–203(d)(3), 11–303(b), and 11–305(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 430 – Delegates Pena–Melnyk, Benson, Costa, Glenn, Holmes, Howard, Montgomery, Nathan–Pulliam, Oaks, Riley, Robinson, and V. Turner

AN ACT concerning

State Procurement – Purposes and Policies

FOR the purpose of expanding the purposes and policies of the State procurement law; and generally relating to the purposes and policies of the State procurement law.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 11–101(o)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–201
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 431 – Delegates Waldstreicher, Benson, Bromwell, Costa, Donoghue, Elliott, Hixson, Hubbard, Kach, Kipke, Krebs, Kullen, McConkey, Mizeur, Montgomery, Morhaim, Myers, Nathan–Pulliam, Pena–Melnyk, Reznik, and Vallario

AN ACT concerning

Medical Review Committees – Subpoenas – Medical Records for Mental Health Services

FOR the purpose of requiring a medical review committee to notify a certain patient within a certain period of time that the medical review committee is issuing a subpoena for certain medical records for mental health services in response to a certain complaint; and generally relating to the issuance of subpoenas by medical review committees for medical records for mental health services.

BY adding to

Article – Health Occupations
Section 1–401(h)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 432 – Delegates Robinson, Anderson, Oaks, Rosenberg, and Tarrant

AN ACT concerning

Baltimore City – Alcoholic Beverages – Bottle Club Registrations – Transfer

FOR the purpose of prohibiting the Board of License Commissioners for Baltimore City under certain conditions from approving an application for the registration of an establishment used as a bottle club; allowing a person to renew or extend the registration of a certain establishment used as a bottle club; making the registration of a bottle club nontransferable; and generally relating to the registration of establishments used as bottle clubs in Baltimore City.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 20–102
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 433 – Delegates Barnes, Frush, and Pena–Melnyk

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 $500,000, 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; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 434 – Delegates Barnes, Anderson, Conaway, Dwyer, Kelly, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher

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 Judiciary.

House Bill 435 – Delegates Kach and Jones

AN ACT concerning

Health Insurance – Reimbursement of Physicians – Services Outside of Office Hours, by Telephone, or Online

FOR the purpose of requiring health insurance carriers to reimburse physicians a bonus payment for services provided in the office at certain times; requiring health insurance carriers to reimburse physicians a separate payment for an evaluation and management service delivered in a certain manner under certain circumstances; defining a certain term; and generally relating to reimbursement of physicians by health insurance carriers.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–134
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 436 – Delegates Barnes, Anderson, Conaway, Dwyer, Kelly, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher

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 2009 Supplement)

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

House Bill 437 – Delegates Kach and Olszewski

AN ACT concerning

State Government – General Assembly – Posting of Bill and Revised Fiscal Note on Website

FOR the purpose of requiring, in the case of a bill that will have a fiscal impact on the State or on local governments and for which a revised fiscal note has been prepared, that the third reading version of the bill and the revised fiscal note be posted on the General Assembly website for a certain period of time before a vote on final passage of the bill may be taken in the house of origin; excluding Sundays from the calculation of a certain period of time; providing for the application of this Act; and generally relating to the posting of bills and fiscal notes on the General Assembly website.

BY renumbering
Article – State Government
Section 2–1506
to be Section 2–1506.1

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 2–1506
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 438 – Delegate Barnes

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 21–1128 and 27–115
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 439 – Delegates Kaiser, Cardin, Ivey, Olszewski, Rice, Stukes, and Walker

EMERGENCY BILL

AN ACT concerning

Education – Innovative School Scheduling Models – Low–Performing and At–Risk Public Schools

FOR the purpose of requiring the State Board of Education to explore the use of certain school scheduling models in certain schools; requiring the State Board to encourage certain county boards of education to use certain school scheduling

models in certain schools; requiring the State of Maryland to include the funding of certain scheduling models in certain schools as part of the State's application to the United States Department of Education for the Race to the Top Fund; making this Act an emergency measure; and generally relating to the use of innovative school scheduling models in low–performing and at–risk public schools.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–103(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 7–103.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 440 – Delegate Kaiser

EMERGENCY BILL

AN ACT concerning

Education – Teachers – National Board Certified Teacher Pilot Program

FOR the purpose of requiring certain teachers to have certain certification under certain circumstances; altering certain reporting dates; requiring the State to include the funding of a certain pilot program as part of the State's application to the United States Department of Education for the Race to the Top Fund; repealing, as of a certain date, provisions establishing a certain pilot program; providing for a delayed effective date for certain provisions of this Act; making this Act an emergency measure; and generally relating to the National Board Certified Teacher Pilot Program.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–118
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Education
Section 6–118

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

House Bill 441 – Delegates Frick, Lee, Bronrott, Ali, Barkley, Barve, Carr, Dumais, Feldman, Gilchrist, Heller, Hixson, Hucker, Kaiser, Kramer, Manno, Mizeur, Montgomery, Reznik, Rice, Simmons, Taylor, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – JFGH Activity 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 Jewish Foundation for Group Homes, 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 Appropriations.

House Bill 442 – Delegates Jones, Boteler, Burns, Howard, Nathan–Pulliam, and Stukes

AN ACT concerning

Election Law – Use of Campaign Funds for Meeting and Conference Expenses

FOR the purpose of including a disbursement to pay the costs for travel, lodging, meals, and registration expenses to attend certain meetings or conferences as an allowable expenditure of funds from a campaign account under the State election law; and generally relating to the use of campaign funds to pay expenses for a candidate's or an elected official's attendance at certain meetings and conferences.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(o) and 13–218
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

Section 1–101(aa)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 443 – Delegates Ivey, Vallario, Bartlett, Cardin, Elmore, Frick, George, Gilchrist, Howard, Kaiser, Murphy, Myers, Olszewski, Rice, Shank, Stukes, F. Turner, and Walker

AN ACT concerning

Inheritance Tax – Exemption – Spouses of Predeceasing Descendants

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 surviving spouse of a deceased child or of a deceased lineal descendant of a child of the decedent; 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 surviving spouse of a deceased child or a deceased lineal descendant of a child of the decedent.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7–203(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 444 – Delegate Cardin

AN ACT concerning

Election Law – Citizens Who Have Not Lived in the United States – Right to Vote

FOR the purpose of providing that a citizen who has not lived in the United States but has a parent who is a resident of the State is a resident of the State for purposes of voter registration; prohibiting an individual from being considered a resident of the State if the individual has established a domicile outside the State; authorizing an individual to register to vote and vote in the county in the State where a parent resides if the individual meets certain requirements; and generally relating to enfranchising certain citizens who have not lived in the United States.

BY repealing and reenacting, with amendments,

Article – Election Law
Section 3–102
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 445 – Delegates Weir, Ali, Aumann, Beitzel, Boteler, Carr, Glenn, Holmes, Hucker, Minnick, Myers, Olszewski, Serafini, Shewell, Stein, and Stull

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
(2009 Replacement Volume and 2009 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–101.1 and 13–610

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 446 – Delegates Stein, Cardin, Glenn, Lafferty, Morhaim, Olszewski, and Weir

AN ACT concerning

Telephone Companies – Distribution of Telephone Directories – Customer Opt Out

FOR the purpose of requiring a telephone company to provide customers with an opportunity to opt out of receiving telephone directories distributed by, or on behalf of, the telephone company; requiring the Public Service Commission to adopt regulations to carry out this Act; and generally relating to telephone companies and the distribution of telephone directories.

BY adding to
Article – Public Utility Companies
Section 8–206
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 447 – Delegates Stein, Cardin, Glenn, Lafferty, Morhaim, and Weir

AN ACT concerning

Tax Expenditure Report – Internet

FOR the purpose of requiring the Secretary of Budget and Management to post on the website of the Department of Budget and Management a certain tax expenditure report.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–118
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 448 – Delegates Carter and Vallario

AN ACT concerning

Estates and Trusts – Maryland International Wills Act

FOR the purpose of providing for the execution of an international will; establishing certain requirements for an international will; authorizing certain persons to supervise the execution of international wills; providing for a certain certificate; providing for the revocation of an international will; providing for the construction of this Act; defining certain terms; and generally relating to international wills.

BY adding to
Article – Estates and Trusts
Section 4–601 through 4–609 to be under the new subtitle "Subtitle 6. Maryland International Wills Act"
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 449 – Delegate Carter

EMERGENCY BILL

AN ACT concerning

Estates and Trusts – Construction of References in Will or Trust to Federal Estate Tax or Generation–Skipping Transfer Tax

FOR the purpose of establishing that certain provisions in a will or trust of a decedent who dies between certain dates shall be deemed to refer to the federal estate tax or generation–skipping transfer tax laws on a certain date; providing for the application and construction of certain provisions of this Act; authorizing a personal representative or any interested person to bring a certain proceeding to construe certain provisions in a will or other instrument; requiring that a certain proceeding be commenced within a certain time; making this Act an emergency measure; and generally relating to the construction of certain provisions in wills and trusts.

BY adding to
Article – Estates and Trusts
Section 11–110
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 450 – Delegates Carter, Rosenberg, and Tarrant

AN ACT concerning

Baltimore City – 40th and 41st Districts Park Heights Neighborhood – Alcoholic Beverages Establishments – Opening Hours

FOR the purpose of altering the time at which establishments issued certain alcoholic beverages licenses in a Residence District or near a school in the 40th or 41st Legislative District in Baltimore City in the urban renewal area covered under "The Park Heights Neighborhood Master Plan" may begin selling alcoholic beverages; making certain technical corrections; and generally relating to alcoholic beverages licensees in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–102(a) and (c) 8–203(a), (b), and (d)(1), 11–302(b)(1) and (d)(1), and 11–303(d)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–102(g) 8–203(d)(3), 11–302(a), (b)(2), (d)(2), and (j) and 11–303(a), (b), and (d)(2)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 11–302(j) and 11–303(g)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 451 – Delegate Elmore

AN ACT concerning

Somerset County – Alcoholic Beverages – Sales to Underage Drinkers – Local Caterer's License Created

FOR the purpose of authorizing the Somerset County Board of License Commissioners to issue a local caterer's license in the county only to the holders of certain Class B restaurant or hotel (on–sale) licenses; providing that a caterer's license issued

under this Act authorizes the holder to provide certain alcoholic beverages at catered events held off the premises of the restaurant or hotel; requiring the holder of a local caterer's license to provide food as well as alcoholic beverages; authorizing the holder of a caterer's license issued under this Act to exercise the privileges of the license that are allowed for the underlying Class B license; adding Somerset County to the list of counties that do not bar the Board of License Commissioners from proceeding administratively against the holder of any alcoholic beverages license in the county for selling or providing alcoholic beverages to a person under the age of 21 or to a person who was visibly under the influence of alcoholic beverages, even though the holder of the license had been granted probation before judgment for either of those violations; and generally relating to alcoholic beverages in Somerset County.

BY adding to
Article 2B – Alcoholic Beverages
Section 6–714
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 12–108(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–108(f)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 452 – Washington County Delegation

AN ACT concerning

Washington County – Office of the County Attorney

FOR the purpose of authorizing the County Commissioners of Washington County to employ one or more County Attorneys; requiring the salaries for a County Attorney to be set in the annual county budget; authorizing the County Commissioners to employ attorneys; authorizing the Office of the County Attorney to perform certain duties; authorizing the Office of the County Attorney, under certain circumstances, to hire temporarily special counsel to perform certain duties; repealing language made obsolete by this Act; and

generally relating to legal services for the County Commissioners of Washington County.

BY adding to
The Public Local Laws of Washington County
Section 1–113
Article 22 – The Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–204
Article 22 – The Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 453 – Washington County Delegation

AN ACT concerning

Washington County – Emergency Communications Center – 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 Washington County Emergency Communications Center; and generally relating to the Washington County Emergency Communications Center.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 3–702(a) and (c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–702(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 454 – Washington County Delegation

AN ACT concerning

Washington County – Aid to Manufactories

FOR the purpose of repealing obsolete provisions of law pertaining to limitations on the authority of the County Commissioners of Washington County to provide aid to certain factory businesses in Washington County; and generally relating to aid to factories in Washington County.

BY repealing
The Public Local Laws of Washington County
Section 1–107
Article 22 – Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 455 – Delegates McConkey, Anderson, Holmes, Kach, Kirk, and Wood

AN ACT concerning

Task Force to Study the Residential Property Foreclosure Process

FOR the purpose of establishing the Task Force to Study the Residential Property Foreclosure Process; providing for the membership of the Task Force; providing for the designation of the chair of the Task Force; providing for the staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; providing for the duties of the Task Force; requiring the Task Force to report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Residential Property Foreclosure Process.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 456 – Delegates Ramirez, Barnes, Anderson, Carr, Dumais, Levi, Niemann, Schuler, Simmons, Vaughn, and Waldstreicher

AN ACT concerning

Mortgage Foreclosure Bankruptcy Exemption

FOR the purpose of authorizing an individual to claim a certain exemption in a certain bankruptcy proceeding; providing that the exemption may be for a certain amount in an individual's interest in owner–occupied, residential real property; prohibiting an individual from claiming the exemption under certain conditions; limiting the exemption to apply to claims by unsecured creditors; prohibiting both a husband and wife from claiming the exemption in the same proceeding;

making conforming changes; and generally relating to debtor exemptions in bankruptcy proceedings.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 457 – Delegates Glenn, Anderson, Carter, Conaway, Robinson, Stukes, and Tarrant

AN ACT concerning

Crimes – Elder Abuse or Neglect – 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 or neglect 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 2009 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 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 5–202(g)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 458 – Washington County Delegation

AN ACT concerning

Washington County – County Contributions to Private or Cooperative Public Improvement Projects

FOR the purpose of increasing the maximum amount of certain contracts for certain public improvements into which the County Commissioners of Washington County are authorized to enter without advertising for bids; and generally relating to contracts for public improvements in Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–106.1
Article 22 – Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 459 – Delegates Healey, Bronrott, Eckardt, Feldman, Morhaim, and Smigiel

AN ACT concerning

State Licensing Agencies – Justification Statements Required for Fee Increases Proposed by Regulations

FOR the purpose of requiring units of State government, when adopting by regulation increases or decreases in fees for licenses to practice any business activity, business or health occupation, or business or health profession licensed or otherwise regulated under State law, to submit to the Joint Committee on Administrative, Executive, and Legislative Review certain information explaining or justifying the reasons for the proposed increase or decrease; and generally relating to regulations proposed by units of State government that license and regulate various occupations, professions, and business activities.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–110
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 460 – Delegates McConkey, Beidle, Holmes, Niemann, Norman, and Weir

AN ACT concerning

Real Property – Condominium Bylaws – Surcharge on Assessments

FOR the purpose of authorizing condominium bylaws to include a provision establishing a certain surcharge on the assessments for common expenses for a certain unit under certain conditions; providing for the applicability of the surcharge; and generally relating to authorizing a surcharge on the assessments for common expenses on a condominium unit.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11–104(a) and (b)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–104(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 461 – Delegates Cardin, Bobo, Carr, Feldman, Hammen, Kaiser, Morhaim, and Stein

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, except under certain circumstances; requiring a driver of a vehicle to yield the right–of–way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder under certain circumstances; 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
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 462 – Delegates Kaiser, McIntosh, and Mizeur

AN ACT concerning

Education – Discrimination Prohibited – Protected Classes

FOR the purpose of conforming provisions of law relating to discrimination in the employment of teachers in the public schools in the State to other provisions of State law governing discrimination in employment; and generally relating to protected classes of employees under provisions of law governing discrimination in the employment of teachers in the public schools in the State.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–104
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 463 – Delegates Kaiser, Hucker, Frush, Glenn, Manno, McIntosh, Montgomery, Ramirez, Riley, Robinson, F. Turner, Vallario, and Weir

AN ACT concerning

Human Relations – Employment Discrimination Based on Family Responsibilities – Prohibitions

FOR the purpose of altering the equal employment opportunity policy of the State to assure equal opportunity regardless of family responsibilities; prohibiting an employer from failing or refusing to hire, discharging, or otherwise discriminating against an individual because of family responsibilities; prohibiting an employer from limiting, segregating, or classifying employees or prospective employees based on family responsibilities; prohibiting an employment agency from failing or refusing to refer an individual for employment or otherwise discriminating against an individual because of family responsibilities; prohibiting an employment agency from classifying or referring an individual for employment because of family responsibilities; prohibiting a labor organization from excluding or expelling an individual from its membership or otherwise discriminating against an individual because of family responsibilities; prohibiting a labor organization from limiting, segregating, or

classifying its membership or taking certain other actions in a manner that would deprive or tend to deprive an individual of employment opportunities based on family responsibilities; prohibiting certain persons from discriminating against an individual in the admission to, or employment in, an established apprenticeship or training program based on family responsibilities; prohibiting certain persons from printing or causing to be printed or published a notice or advertisement related to employment that indicates a preference, limitation, specification, or discrimination based on family responsibilities; authorizing a notice or advertisement to indicate a preference, limitation, specification, or discrimination based on family responsibilities if it is a bona fide occupational qualification for employment; and generally relating to prohibitions on employment discrimination based on family responsibilities.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–602 and 20–606
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 464 – The Speaker (By Request – Administration) and Delegates Frick, Doory, Bartlett, Beidle, Bobo, Bronrott, Cardin, Carr, Elmore, Haddaway, Hecht, Levy, Love, Manno, Mathias, Niemann, Reznik, Ross, Shewell, and Stein

AN ACT concerning

Maryland Clean Energy Incentive Act of 2010

FOR the purpose of extending a certain credit against the State income tax for electricity produced by certain facilities from certain qualified energy resources until a certain date; extending the period in which the Maryland Energy Administration may issue certain qualifying certifications; and generally relating to a certain income tax credit for electricity produced from qualified energy resources.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–720
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Economic Matters.

House Bill 465 – The Speaker (By Request – Administration) and Delegates Hucker, Anderson, Barve, Benson, Carter, Frick, Frush, Gutierrez, Guzzone, Hixson, Hubbard, Lafferty, Manno, McHale, McIntosh, Mizeur, Montgomery, Murphy, Nathan–Pulliam, Olszewski, Ramirez, Simmons, Tarrant, Taylor, V. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Collective Negotiations by Family Child Care Providers

FOR the purpose of establishing collective bargaining rights for certain family child care providers who participate in the Maryland Child Care Subsidy Program; requiring that there be only one appropriate bargaining unit for certain family child care providers; authorizing providers to designate an exclusive representative; requiring that certain procedures relating to the election and certification of an exclusive representative, collective bargaining process, and bargaining agreements be governed by certain provisions of the collective bargaining law for State employees; prohibiting the State Labor Relations Board from conducting a certain election within a certain period; requiring an exclusive representative to represent all family child care providers, whether or not they are members of the provider organization; providing for the scope of collective bargaining for family child care providers; authorizing collective bargaining negotiations pertaining to family child care providers to include negotiations relating to the right of an employee organization to receive service fees from nonmembers; providing that certain family child care providers are not required to pay certain fees and are required to make certain other payments; specifying that the certification of certain exclusive representatives under this Act does not prevent provider organizations from appearing before or making proposals to certain State agencies at a public meeting or hearing; prohibiting a provider organization from calling or directing a strike; providing that the provisions of this Act may not alter certain roles and rights of parents with regard to family child care providers; declaring the legislative intent of the General Assembly as it relates to the application of a certain exemption to State and federal antitrust laws; providing for the application and construction of this Act; requiring that a certain provider organization certified as the majority representative in a certain election pursuant to a certain Executive Order shall continue as the exclusive representative of family child care providers without the requirement of an additional election and certification; defining certain terms; declaring that the provisions of this Act are severable; and generally relating to collective bargaining for family child care providers.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–550(d) and 5–552(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Family Law
Section 5–595 through 5–595.6 to be under the new part "Part XI. Collective Negotiations by Family Child Care Providers"
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 466 – The Speaker (By Request – Administration) and Delegates Hixson and Conway

AN ACT concerning

Governor's P–20 Leadership Council of Maryland

FOR the purpose of establishing the Governor's P–20 Leadership Council of Maryland; providing for the membership, tenure, chair, and staffing of the Council; establishing an Executive Committee of the Council; providing for the duties of the Executive Committee and the Council; requiring the Council to submit a certain annual report to the Governor and General Assembly on or before a certain date; and generally relating to the Governor's P–20 Leadership Council of Maryland.

BY adding to
Article – Education
Section 24–701 to be under the new subtitle "Subtitle 7. Governor's P–20 Leadership Council of Maryland"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

House Bill 467 – The Speaker (By Request – Administration) and Delegates Kaiser, Bartlett, Cardin, Elmore, Reznik, and Shewell

AN ACT concerning

Education – Maryland Longitudinal Data System

FOR the purpose of establishing the Maryland Longitudinal Data System as a statewide data system containing certain student data from all levels of education and into the State's workforce; establishing the purpose of the Maryland Longitudinal Data System; establishing the Maryland Longitudinal Data System Center as an independent unit of State government; providing for the organizational placement, location, staffing, and funding of the Center;

providing for the functions and duties of the Center; establishing the Governing Board of the Maryland Longitudinal Data System Center; providing for the membership of the Governing Board; providing for the appointment and terms for certain members of the Governing Board; providing for the duties of the Governing Board; requiring certain agencies and public institutions to make certain efforts to comply with certain requirements for the Maryland Longitudinal Data System; authorizing private institutions of higher education and private secondary schools to provide student data for the Maryland Longitudinal Data System; requiring the Governing Board to issue certain reports; defining certain terms; and generally relating to the establishment of the Maryland Longitudinal Data System.

BY adding to
Article – Education
Section 24–701 through 24–706 to be under the new subtitle "Subtitle 7. Maryland Longitudinal Data System"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Appropriations.

House Bill 468 – The Speaker (By Request – Administration) and Delegates Manno, Elmore, Hecht, Bartlett, Beidle, Bobo, Bronrott, Cardin, Carr, Doory, Levy, Love, Morhaim, Niemann, Reznik, Shewell, and Stein

AN ACT concerning

Off–Shore Wind Generation – Qualified Submerged Renewable Energy Lines

FOR the purpose of exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; requiring a certificate of public convenience for certain energy lines before constructing, installing, or exercising a right of condemnation; requiring the Public Service Commission to conduct certain proceedings and consider certain factors in deciding on a certificate for certain energy lines; defining a certain term; and generally relating to qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1102
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies

Section 7–207 and 7–208
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 469 – The Speaker (By Request – Administration) and Delegates Rosenberg, Hixson, Doory, Cardin, Bartlett, Frick, Kaiser, Ross, F. Turner, Beidle, Bobo, Bronrott, Carr, DeBoy, Haddaway, Hecht, Levy, Love, Malone, Manno, Mathias, Niemann, Reznik, Shewell, and Stein

AN ACT concerning

Motor Vehicle Excise Tax – Tax Credit For Electric Vehicles

FOR the purpose of repealing a certain obsolete credit against the motor vehicle excise tax for certain qualified hybrid vehicles and certain qualified electric vehicles; allowing a credit against the motor vehicle excise tax for certain qualified plug–in electric drive vehicles for a certain period; transferring certain money from the Strategic Energy Investment Fund to the Transportation Trust Fund in a certain fiscal year; requiring the Governor to transfer money from the Strategic Energy Investment Fund to the Transportation Trust Fund in certain fiscal years; and generally relating to a motor vehicle excise tax credit for certain qualified plug–in electric drive vehicles.

BY repealing
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 13–815
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 470 – The Speaker (By Request – Administration) and Delegates Bohanan, Conway, Doory, Beidle, Bobo, Hecht, Levy, Mathias, Reznik, and Shewell

AN ACT concerning

Higher Education Investment Fund – Tuition Stabilization and Funding

FOR the purpose of requiring the Comptroller to continue to distribute certain income tax revenue from corporations to the Higher Education Investment Fund; expanding the authorized uses of the Fund; establishing a Tuition Stabilization Trust Account in the Fund; requiring certain funds to be transferred to the Trust Account under certain circumstances; setting a certain State goal regarding resident tuition and fees at public institutions of higher education; providing that the Trust Account consists of certain money; limiting the authorized use of funds in the Trust Account; and generally relating to funding and authorized uses of the Higher Education Investment Fund.

BY repealing and reenacting, with amendments,
Article – Education
Section 15–106.6
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–613.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 471 – The Speaker (By Request – Administration) and Delegates Hecht, Manno, Beidle, Bobo, Bronrott, Cardin, Carr, DeBoy, Doory, Love, Morhaim, Niemann, Reznik, Ross, Shewell, and Stein

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Energy

FOR the purpose of altering a certain renewable energy portfolio standard in certain years for electricity derived from solar energy; altering certain compliance fees for a shortfall from the requirement for solar energy in meeting a certain standard; providing for the effective date of this Act; and generally relating to the renewable energy portfolio standard and solar energy.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–703 and 7–705(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 472 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Benson, Bobo, Carr, DeBoy, Doory, Dumais, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Hammen, Healey, Hecht, Heller, Holmes, Howard, Hubbard, Kaiser, King, Kirk, Kramer, Lafferty, Levy, Love, Manno, Mathias, Mizeur, Montgomery, Morhaim, Oaks, Pena–Melnyk, Proctor, Reznik, Rice, Rosenberg, Rudolph, Shewell, Stein, Tarrant, Taylor, V. Turner, Vaughn, and Walker

EMERGENCY BILL

AN ACT concerning

Real Property – Residential Property Foreclosure Procedures – Foreclosure Mediation

FOR the purpose of requiring a certain notice of intent to foreclose to include certain information; requiring a certain notice of intent to foreclose to be accompanied by a certain loss mitigation application, instructions for completing the application, certain other information, and a certain envelope; requiring an order to docket or complaint to foreclose to be accompanied by a certain loss mitigation affidavit in a certain form, a certain request for foreclosure mediation, affidavit, and worksheet in a certain form, certain envelopes, and an additional filing fee in a certain amount; requiring the fee to be used for certain purposes; prohibiting the fee from being passed on to the mortgagor or grantor; altering the information required to be included in a certain notice form; requiring the clerk of the court to schedule a case for foreclosure mediation if the defendant in a certain foreclosure action files a certain completed request and affidavit within a certain time; requiring and authorizing certain individuals to be present at a foreclosure mediation; providing that the participants in a foreclosure mediation should address certain options; authorizing the defendant in a certain foreclosure action to file a motion to stay the sale under certain circumstances; providing that a request for foreclosure mediation constitutes good cause for failure to file a motion to stay within a certain time; altering the time after which a foreclosure sale may occur; defining certain terms; making this Act an emergency measure; and generally relating to foreclosure of mortgages and deeds of trust on certain residential property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 473 – The Speaker (By Request – Administration) and Delegates Busch, Vallario, Rosenberg, Ali, Anderson, Barkley, Barnes, Bartlett, Barve, Beidle, Branch, Bromwell, Cardin, Carr, Conway, Davis, DeBoy, Doory, Dumais, Dwyer, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Haddaway, Hammen, Haynes, Healey, Hecht, Hixson, Holmes, Howard, Hubbard, Ivey, Jennings, Jones, Kaiser, Kelly, King, Kirk, Kramer, Lee, Levi, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, McHale, McIntosh, Miller, Montgomery, Morhaim, Murphy, Niemann, O'Donnell, Oaks, Olszewski, Pena–Melnyk, Proctor, Ramirez, Reznik, Rice, Ross, Rudolph, Shewell, Smigiel, Stein, Stifler, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, and Walker

AN ACT concerning

Criminal Procedure – Sexual Offenders – Lifetime Supervision

FOR the purpose of repealing the requirement that the Maryland Parole Commission administer extended sexual offender parole supervision; altering certain provisions relating to extended sexual offender supervision of certain offenders; altering the term for certain extended sexual offender supervision; requiring a sentence for certain persons to include a term of lifetime sexual offender supervision; altering the term of lifetime sexual offender supervision; establishing that lifetime sexual offender supervision is imposed on a defendant for a crime committed on or after a certain date; requiring a certain sentencing court to impose certain conditions of lifetime sexual offender supervision and to advise certain persons of the conditions of lifetime sexual offender supervision; requiring the sentencing court to order a presentence investigation under certain circumstances; authorizing a certain sentencing court to adjust certain conditions of lifetime sexual offender supervision under certain circumstances; establishing a certain offense and penalty for violation of lifetime sexual offender supervision; authorizing certain procedures for violations of lifetime sexual offender supervision; requiring certain judges to hear certain violations and certain petitions; authorizing a certain sentencing court to deny a certain petition under certain circumstances; providing for the discharge of certain persons from lifetime sexual offender supervision under certain circumstances; requiring a certain sentencing court to hear and adjudicate certain petitions; altering the composition of a certain sexual offender management team; requiring certain progress reports of a certain sexual offender management team; authorizing the Department of Public Safety and Correctional Services to adopt certain regulations; making a certain technical correction; deleting certain terms; making certain conforming changes; and generally relating to sexual offender supervision.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–206

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701 and 11–723 through 11–726
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 474 – The Speaker (By Request – Administration) and Delegates Bartlett, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Frush, Gaines, Hammen, Healey, Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Rice, and Stein

AN ACT concerning

Smart, Green, and Growing – Maryland Sustainable Growth Commission

FOR the purpose of repealing the Task Force on the Future for Growth and Development in Maryland; establishing the Maryland Sustainable Growth Commission; establishing the membership and the charge of the Commission; providing for the terms of the members; requiring the Governor to designate the chair and the vice chair of the Commission; authorizing the Commission to adopt rules of procedure; requiring the Commission to submit an annual report of its activities on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to the Maryland Sustainable Growth Commission.

BY repealing
Chapter 381 of the Acts of the General Assembly of 2006, as amended by Chapter 626 of the Acts of the General Assembly of 2007
Section 4

BY adding to
Article – State Finance and Procurement
Section 5–701 through 5–707 to be under the new subtitle "Subtitle 7. Maryland Sustainable Growth Commission"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 475 – The Speaker (By Request – Administration) and Delegates Bartlett, Bobo, Bronrott, Cane, Carr, V. Clagett, Davis, Donoghue, Doory, Eckardt, Elmore, Frush, Gaines, Haddaway, Hammen, Healey,

Jones, Kullen, Lafferty, McIntosh, Morhaim, Nathan–Pulliam, Proctor, Ramirez, Rice, and Stein

AN ACT concerning

Smart, Green, and Growing – The Sustainable Communities Act of 2010

FOR the purpose of stating certain findings and the intent of the General Assembly concerning sustainable communities; providing for the designation of certain areas as sustainable communities eligible for certain programs; altering the criteria to consider a sustainable community area; authorizing the Smart Growth Subcabinet to designate sustainable communities and approve sustainable community plans; abolishing certain boards; authorizing the Secretary of Housing and Community Development to administer the Community Legacy Program and to take certain actions; repealing certain authority for certain political subdivisions to approve a designated neighborhood for certain purposes under certain circumstances; requiring the Department of Transportation to consider sustainable communities during the revisions to the Consolidated Transportation Program; requiring the Department of Transportation to consult with the Smart Growth Subcabinet concerning sustainable communities; altering certain authority of the Secretary of Transportation to designate certain facilities, structures, and uses as transit–oriented development for certain purposes; authorizing the Department of Transportation to exercise certain powers with respect to sustainable communities; requiring the Secretary of Business and Economic Development to receive a recommendation of the Smart Growth Subcabinet prior to designating a BRAC Revitalization and Incentive Zone; altering the membership of the Smart Growth Subcabinet; authorizing the Smart Growth Subcabinet to work on sustainable communities, make certain recommendations, and certify certain local jurisdictions for certain purposes; reestablishing and altering the Maryland Heritage Structure Rehabilitation Tax Credit Program to be the Sustainable Communities Tax Credit Program; providing a certain tax credit for rehabilitation of certain properties; requiring the Director of the Maryland Historical Trust 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; prohibiting the Director from issuing certain credit certificates before a certain date or after a certain date; establishing the Maryland Department of Planning Sustainable Communities Tax Credit Administration Fund; providing for amended tax returns under certain circumstances; authorizing the allocation of the credit in a certain manner; providing for certain determinations by the Comptroller; providing for certain reporting requirements; providing for the recapture of the

credit under certain circumstances; providing for the termination of the Sustainable Communities Tax Credit 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 sustainable communities.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–1304
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY adding to
Article – Housing and Community Development
Section 6–104
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–201, 6–202, 6–204 through 6–211, 6–213, 6–301, 6–303, 6–304, and 6–306
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY repealing
Article – Housing and Community Development
Section 6–203, 6–212, and 6–305
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY adding to
Article – State Finance and Procurement
Section 5–901 through 5–911 to be under the new subtitle "Subtitle 9. Sustainable Communities Tax Credit Program"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1406(b)(12) and (13) and (h)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–1406(b)(14) through(16)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Transportation
Section 2–701 through 2–703 to be under the new subtitle "Subtitle 7. Sustainable Communities"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–101(m)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 6–105.2
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–704.5
Annotated Code of Maryland
(2004 Replacement Volume and 2009 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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means and the Committee on Environmental Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 4 – The Speaker (By Request – Judicial Compensation Commission)

A House 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 Appropriations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 34 – Senator Middleton (Joint Committee on Unemployment Insurance Oversight) and Senators Kelley and Exum

AN ACT concerning

Joint Committee on Unemployment Insurance Oversight – Repeal of Termination Date

FOR the purpose of repealing the termination date of the Joint Committee on Unemployment Insurance Oversight.

BY repealing and reenacting, without amendments,
Article – State Government
Section 2–10A–11
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 50 of the Acts of the General Assembly of 2007
Section 2

BY repealing and reenacting, with amendments,
Chapter 51 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 54 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development) and Senators Garagiola, Klausmeier, and Middleton

AN ACT concerning

Business and Economic Development – Maryland Economic Adjustment Fund

FOR the purpose of altering the approving authority of loans and grants from the Maryland Economic Adjustment Fund; repealing the Maryland Economic Adjustment Financing Committee; altering certain uses of the Fund; altering the priority of uses of the Fund; altering certain requirements of the application for assistance from the Fund; repealing a certain minimum interest rate; and generally relating to the Maryland Economic Adjustment Fund.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–201, 5–202, 5–203(e), 5–205(b), and 5–206
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 55 – Chair, Finance Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Business and Economic Development – Maryland Military Installation Council – Sunset Repeal, Membership, and Terms

FOR the purpose of repealing the termination provision applicable to the Maryland Military Installation Council; removing certain limits on the terms of certain Council members; adding certain members to the Council; altering the membership of the Council; providing for the terms of certain appointed members; removing the requirement for the issuance of a final report by the Council; repealing certain contingent provisions; and generally relating to the Maryland Military Installation Council.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 11–203(a) and (b) and 11–207
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing
Article – Economic Development
Section 11–203(c)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY adding to

Article – Economic Development
Section 11–203(c)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 634 of the Acts of the General Assembly of 2006
Section 3

BY repealing
Chapter 306 of the Acts of the General Assembly of 2008
Section 20 and 24

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 56 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Medicare Supplement Policies – Repeal of Requirement to Offer Plan I

FOR the purpose of repealing a certain requirement that certain carriers make available a Medicare supplement policy plan I to certain individuals if an application for a Medicare supplement policy or certificate is submitted during certain time periods; making conforming changes; and generally relating to health insurance and Medicare supplement policies.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–909(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 40)

ADJOURNMENT

At 11:25 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 1, 2010.

Annapolis, Maryland
Monday, February 1, 2010

The House met at 8:01 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Cheryl D. Glenn of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 41)

The Journal of January 29, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical
Del. Gutierrez – personal
Del. Walkup – medical – fractured knee

MESSAGE TO THE SENATE

February 1, 2010

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 Tuesday, February 2, 2010 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 adopted.

MESSAGE FROM THE SENATE

February 1, 2010

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 Tuesday, February 2, 2010 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 Currie 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 Frosh to escort the Lt. Governor to the House Chamber.

By Order,
William B.C. Addison, Jr.
Secretary of the Senate

Read and ordered journalized.

INTRODUCTION OF BILLS

House Bill 476 – Frederick County Delegation

EMERGENCY BILL

AN ACT concerning

Frederick County – Property Tax Setoff

FOR the purpose of requiring the governing body of Frederick County to grant a property tax setoff to a municipal corporation in an amount no less than the amount granted for a certain tax year and in an amount that increases by a certain percentage under certain circumstances; making this Act an emergency measure; and generally relating to property tax setoff in Frederick County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–305
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 477 – Delegates Barkley, Ali, and Reznik

AN ACT concerning

Creation of a State Debt – Montgomery County – Montgomery Village Martin Roy Park Pavilion

FOR the purpose of authorizing the creation of a State Debt not to exceed $30,000, 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 Appropriations.

House Bill 478 – Delegates Pena–Melnyk, Mizeur, Benson, Carr, Costa, DeBoy, Donoghue, Elliott, Frush, Glenn, Gutierrez, Hixson, Hubbard, Hucker, Kipke, Lafferty, Manno, Montgomery, Nathan–Pulliam, Oaks, Reznik, Rice, Riley, Ross, Stukes, and V. Turner

AN ACT concerning

Health Insurance – Prescription Drugs – Cost–Sharing Obligations

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from imposing a cost–sharing obligation for a prescription drug that exceeds the dollar amount of the cost–sharing obligation for a prescription drug in a certain category; prohibiting a person from making or allowing unfair discrimination between certain individuals in the amount of

the cost–sharing obligation imposed for a prescription drug; defining a certain term; making the provisions of this Act applicable to health maintenance organizations; providing for the application of this Act; and generally relating to health insurance cost–sharing obligations for prescription drugs.

BY adding to
Article – Insurance
Section 15–845 and 27–208(b)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 479 – Delegates Barkley and Bronrott

AN ACT concerning

Motor Fuel Tax – Increase

FOR the purpose of altering the motor fuel tax rates for certain motor fuels; providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods; providing for the payment of certain motor fuel taxes on certain tax–paid motor fuel as of certain dates; and generally relating to the motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 480 – Delegate Malone

AN ACT concerning

Motor Vehicles – Medium Speed Vehicles – Requirements and Prohibitions

FOR the purpose of prohibiting a person from driving a medium speed vehicle on certain highways; prohibiting a person from driving a medium speed vehicle on a highway unless the vehicle displays a certain emblem; establishing certain standards for a certain emblem; prohibiting a motor vehicle dealer from selling a medium speed vehicle unless the dealer permanently affixes a certain emblem to the vehicle and informs the buyer that certain driving restrictions apply; requiring the application for registration of a medium speed vehicle to be submitted electronically; requiring a dealer of medium speed vehicles under certain circumstances to obtain a registration application from the vehicle's owner, collect registration fees, and transmit the application and fees in a certain manner within a certain time period; defining a certain term; and generally relating to requirements and prohibitions for medium speed vehicles.

BY adding to
Article – Transportation
Section 11–132.1 and 21–805.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–403, 15–313, and 21–804
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 481 – Delegates Haynes, Kirk, and Stukes

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2009 – Baltimore City – Kennedy Krieger Institute

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to alter the purpose of a grant for the Kennedy Krieger Institute.

BY repealing and reenacting, with amendments,
Chapter 485 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA01(A)

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

House Bill 482 – Delegates Walker, Anderson, Davis, Doory, Ivey, Oaks, and F. Turner

AN ACT concerning

Higher Education – Maryland Football Act

FOR the purpose of requiring a certain public institution of higher education in the State categorized as a National Collegiate Athletic Association (NCAA) Football Bowl Subdivision (FBS) school to schedule and play a football game at least once every four years against each of certain public institutions of higher education in the State categorized as NCAA Football Championship Subdivision (FCS) schools; specifying where the games may be played; defining certain terms; and generally relating to the Maryland Football Act.

BY adding to
Article – Education
Section 13–704
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 483 – Delegates Dumais, Barkley, Barve, Beidle, Bobo, Bronrott, Carr, G. Clagett, Conway, DeBoy, Doory, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Healey, Hecht, Heller, Hixson, Howard, James, Jameson, Jones, Kaiser, Kullen, Lee, Love, Malone, Manno, Mathias, McHale, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Olszewski, Pendergrass, Reznik, Rice, Robinson, Rudolph, Shewell, Sophocleus, Stocksdale, Taylor, F. Turner, and Waldstreicher

AN ACT concerning

Uniform Power of Attorney Act

FOR the purpose of repealing certain provisions of law relating to durable powers of attorney; establishing the Uniform Power of Attorney Act; establishing certain exceptions to the application of this Act; establishing that a power of attorney created under this Act is durable unless the power of attorney contains a certain provision; requiring a power of attorney to be signed by the principal or a certain other individual; providing that a signature on a power of attorney is presumed to be genuine after a certain acknowledgment; 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 under certain circumstances; 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; establishing the accountability of a certain agent under certain circumstances; establishing that, with certain exceptions, a certain court appointment does not terminate a power of attorney; establishing that a power of attorney is effective under certain circumstances; authorizing a principal in a power of attorney to authorize certain persons to make a certain determination; establishing that a certain power of attorney may become effective on a certain determination by a certain individual; establishing certain circumstances under which a certain person may act as the principal's personal representative for certain purposes; establishing certain circumstances under which a power of attorney terminates; providing that a certain agent's authority remains exercisable, notwithstanding certain circumstances; establishing that the termination of an agent's authority or a power of attorney is not effective as to certain persons under certain circumstances; establishing that certain persons are bound by certain acts; establishing that the incapacity of a certain principal in a power of attorney does not have a certain effect; establishing that the execution of a power of attorney does not revoke a previously executed power of attorney, with certain exceptions; authorizing a principal in a power of attorney to designate a certain number of coagents for certain purposes; authorizing a principal in a power of attorney to make certain designations and grant a certain authority; establishing the authority of a certain successor agent in certain circumstances; limiting the liability of a certain agent for the actions of another agent in certain circumstances; requiring a certain agent with certain knowledge to take certain actions; establishing liability of a certain agent for failure to take certain actions in certain circumstances; establishing the entitlement of a certain agent to a certain reimbursement of expenses 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; authorizing a principal or an interested person to file a certain petition for injunctive relief in a certain court for certain purposes; 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 person that in good faith accepts a certain power of attorney to rely on the power of attorney without liability in certain circumstances; authorizing a certain person to request and rely on a certain certification, translation, or opinion, without further investigation and without liability under certain circumstances; 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 is subject to a certain court order and liability; authorizing a court to award certain expenses in certain circumstances; establishing that this Act does not supersede and is controlled by certain other laws; authorizing a certain agent to perform 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 perform certain acts; establishing that certain language authorizes a certain agent to perform 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 perform certain acts; establishing that certain language in a power of attorney authorizes the agent to perform 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 2009 Supplement)

BY adding to
Article – Estates and Trusts

Section 17–101 through 17–404 to be under the new title "Title 17. Uniform Power of Attorney Act"
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 484 – Delegates Elliott, Aumann, Bartlett, Bates, Beidle, Beitzel, Boteler, Bromwell, Cardin, Dwyer, Eckardt, Elmore, Frush, George, Haddaway, Healey, Heller, Hubbard, Impallaria, Jenkins, Kach, King, Kipke, Krebs, Levy, Love, Mathias, McDonough, Minnick, Morhaim, Murphy, Myers, Olszewski, Schuh, Shank, Shewell, Sossi, Stein, Stocksdale, Stukes, Stull, Waldstreicher, Walker, and Wood

AN ACT concerning

Property Tax – Semiannual Payment Schedule – Small Business Property

FOR the purpose of requiring the governing body of a county or the governing body of a municipal corporation to provide a semiannual payment schedule for State, county, municipal corporation, and special taxing district property taxes on certain real property; defining a certain term; providing for the application of this Act; and generally relating to a semiannual property tax payment schedule for certain real property.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 10–204.3
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 485 – Delegate Malone

AN ACT concerning

Motor Vehicle Equipment – Spare Tire Requirement – Application

FOR the purpose of expanding the requirement that a motor vehicle manufacturer equip certain motor vehicles with a spare tire that conforms with State law to apply to all new motor vehicles sold in the State; creating an exception to the spare tire equipment standard for a motor vehicle equipped with a factory installed tire repair and inflation system; and generally relating to motor vehicle spare tire equipment standards in the State.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 22–405
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–405.3
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 486 – Delegate Serafini

AN ACT concerning

Environment – Water Appropriation or Use Permits – Wells

FOR the purpose of requiring a water appropriation or use permit to include provisions that prohibit the capping or elimination of certain wells and require the installation of a hand pump in certain wells; providing for the application of this Act; and generally relating to required provisions in water appropriation or use permits relating to wells.

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–502
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 487 – Delegate McIntosh (Chair, Environmental Matters Committee)

AN ACT concerning

Environment – State Board of Waterworks and Waste Systems Operators – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Waterworks and Waste Systems Operators 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; clarifying that the Department of the Environment is responsible for the enforcement of certain provisions; 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; repealing obsolete language; and generally relating to the State Board of Waterworks and Waste Systems Operators.

BY repealing and reenacting, with amendments,
Article – Environment
Section 12–101(c)(2), 12–308, 12–402, 12–501, and 12–602
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing
Article – Environment
Section 12–305(c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(67)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 488 – Delegates Jones, Donoghue, and Robinson

AN ACT concerning

Correctional Officers' Retirement System – Membership – Correctional Case Management Specialist

FOR the purpose of altering the membership of the Correctional Officers' Retirement System; clarifying that certain members of the Correctional Officers' Retirement System are eligible to receive a normal service retirement allowance or a deferred vested retirement allowance; requiring the transfer of certain member contributions to the annuity savings fund of the Correctional Officers' Retirement System; providing for a refund of certain member contributions under certain circumstances; providing that certain transfers of credit between the Employees' Retirement and Pension Systems and the Correctional Officers'

Retirement System are not governed by certain provisions of law; and generally relating to membership in the Correctional Officers' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 25–201, 25–401, and 29–302(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 489 – Delegates G. Clagett, Barkley, Hecht, Heller, Howard, Kullen, Reznik, Riley, Robinson, Rosenberg, F. Turner, and Weir

AN ACT concerning

Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions

FOR the purpose of prohibiting a driver of a certain school vehicle from using certain wireless telephones; 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 telephones; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use certain wireless telephones except under certain circumstances; providing that a violation of this Act may be enforced only 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 wireless telephones while driving; defining a certain term; and generally relating to prohibitions against the use of wireless telephones 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
(2009 Replacement Volume)

BY adding to
Article – Transportation
Section 21–1124.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 490 – Delegates O'Donnell, Ali, Anderson, Aumann, Barkley, Barnes, Bartlett, Bates, Beidle, Beitzel, Bohanan, Boteler, Burns, Cane,

Carter, G. Clagett, Conaway, Conway, Costa, DeBoy, Donoghue, Dwyer, Eckardt, Elliott, Elmore, Feldman, Frank, Frush, George, Glenn, Haddaway, Harrison, Healey, Hecht, Impallaria, James, Jameson, Jenkins, Jennings, Kach, Kaiser, Kelly, King, Kipke, Kramer, Krebs, Krysiak, Kullen, Levy, Love, Malone, Manno, Mathias, McComas, McConkey, McDonough, Miller, Minnick, Montgomery, Morhaim, Murphy, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnyk, Ramirez, Reznik, Riley, Robinson, Rudolph, Schuh, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stein, Stifler, Stocksdale, Stukes, Stull, Tarrant, Taylor, F. Turner, Vaughn, Weir, and Wood

AN ACT concerning

Child Protection from Predators Act

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 construction of certain provisions of this Act; 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 2009 Supplement)

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

House Bill 491 – Delegate McConkey

AN ACT concerning

Anne Arundel County – Property Tax Payment Deferral – Eligibility

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; 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 10–204.6
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 492 – Delegates Smigiel, Boteler, Dumais, Elmore, McComas, McDonough, Simmons, Stocksdale, and Vallario

AN ACT concerning

Motor Vehicle Liability Insurance – Personal Injury Protection Coverage – Minimum Benefits

FOR the purpose of altering the minimum amount of certain medical, hospital, and disability benefits that insurers are required to provide under motor vehicle liability insurance policies under certain circumstances; and generally relating to personal injury protection coverage under policies of motor vehicle liability insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–505
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 493 – Delegates G. Clagett, Dwyer, Elmore, Howard, Kullen, and Robinson

AN ACT concerning

Land Use – Development Rights and Responsibilities Agreements

FOR the purpose of altering the time period after which a certain development rights and responsibilities agreement will be void under certain circumstances; providing that a certain local jurisdiction may not enforce certain laws, rules, regulations, or policies governing the use, density, or intensity of certain real

property subject to a certain agreement unless certain circumstances exist; and generally relating to development rights and responsibilities agreements.

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 13.01
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 494 – Delegates Hubbard, Costa, King, Kirk, Kullen, Levy, Love, Minnick, Montgomery, Oaks, and Stein

AN ACT concerning

Infant Formula and Baby Food – Auction Sales – Prohibition – Exception

FOR the purpose of prohibiting a person from selling certain infant formula and baby food at any auction sale unless the person makes a certain notification; authorizing the Secretary of Health and Mental Hygiene to make certain inspections; prohibiting a person from selling certain infant formula and baby food at an auction sale under certain circumstances; and generally relating to auction sales of certain infant formula and baby food.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–1110
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1206
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 495 – Charles County Delegation

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 $500,000, 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 Appropriations.

House Bill 496 – Delegates Pena–Melnyk, Ali, Anderson, Barnes, Barve, Benson, Bobo, Bohanan, Branch, Braveboy, Bronrott, Burns, Busch, Cane, Carr, Carter, Conaway, Costa, Davis, Dumais, Dwyer, Eckardt, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Hammen, Harrison, Haynes, Healey, Heller, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kach, Kaiser, Kipke, Kirk, Kramer, Krysiak, Kullen, Lee, Levi, Levy, Manno, McConkey, McIntosh, Mizeur, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, Oaks, Olszewski, Pendergrass, Proctor, Ramirez, Reznik, Rice, Robinson, Rosenberg, Ross, Schuh, Schuler, Simmons, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

AN ACT concerning

No Representation Without Population Act

FOR the purpose of requiring certain incarcerated individuals to be counted in certain population counts in a certain manner; prohibiting certain incarcerated individuals from being included in certain population counts used for the purpose of creating the legislative districting plan for the General Assembly and certain county legislative districts; and generally relating to population counts of incarcerated individuals and the creation of legislative districts.

BY adding to
Article – State Government
Section 2–2A–01 to be under the new subtitle "Subtitle 2A. Creation of the Legislative Districting Plan"
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 1–111
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 497 – Delegates G. Clagett, Barkley, DeBoy, Hecht, Heller, Howard, Kullen, Robinson, Sophocleus, Stocksdale, and Wood

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 and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 498 – Delegates Taylor, Kaiser, and Montgomery

AN ACT concerning

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

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

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

House Bill 499 – Delegate Malone

AN ACT concerning

Motor Vehicles – Approaching Emergency Vehicles and Personnel

FOR the purpose of requiring drivers approaching an emergency vehicle that is stopped, standing, or parked on a highway and using any visual signals, unless otherwise directed by a police officer or traffic control device, to vacate the lane closest to the emergency vehicle under certain circumstances or to slow to a reasonable and prudent speed that ensures the safety of the emergency services personnel under certain circumstances; and generally relating to the rules of the road when approaching emergency vehicles and personnel.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–405
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 500 – Delegates Waldstreicher, Rosenberg, Anderson, Barnes, Branch, Dumais, Ivey, Lee, Levi, and Valderrama

AN ACT concerning

Child Support Guidelines – Revision

FOR the purpose of revising the schedule of basic child support obligations used to calculate the amount of a child support award under the child support guidelines; defining certain terms; making certain clarifying and conforming changes; and generally relating to child support.

BY adding to
Article – Family Law
Section 12–201(j) and (k)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 12–201(j) and (k) and 12–204(e), (g), (l), and (m)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 501 – Delegate Hammen (Chair, Health and Government Operations Committee)

AN ACT concerning

State Board of Dental Examiners – Sunset Extension and Revisions

FOR the purpose of continuing the State Board of Dental 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; authorizing the solicitation of nominations for certain Board vacancies to be sent by electronic mail; expanding the grounds for discipline for a dentist and dental hygienist; altering certain defined terms; renaming and expanding the services of a certain committee to certain dental professionals; making technical changes; requiring the Board to report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Dental Examiners.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 4–202(b), 4–315(a)(30) and (31) and (b)(16) and (17), 4–501.1, 4–508, and 4–702
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 4–315(a)(32) and (b)(18)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 8–403(b)(16)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 502 – Delegates Bohanan, Jameson, Kullen, O'Donnell, and Wood

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 rifle shooters to hunt deer during daylight hours 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–415(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 503 – Delegates Walker, Davis, Rice, Serafini, and Vaughn

AN ACT concerning

Education – High School Sports – Mandatory Playing Guidelines

FOR the purpose of requiring the State Board of Education, in conjunction with a certain organization, to adopt regulations to establish athletic participation guidelines for students on public high school athletic teams in the State; requiring the guidelines to include certain provisions; and generally relating to mandatory playing guidelines for students on certain high school athletics teams.

BY adding to
Article – Education
Section 7–205.1

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 504 – Delegates Rosenberg, Mizeur, Oaks, Pena–Melnyk, and Reznik

AN ACT concerning

Employment Discrimination – Unlawful Employment Practices – Motivating Factor

FOR the purpose of clarifying that an unlawful employment practice is established when a certain classification is a motivating factor for any employment practice, even though other factors also motivated the practice; providing that a certain Supreme Court ruling is not to be applied in any cases brought under certain provisions of law; and generally relating to unlawful employment practices.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–607
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 505 – Delegate Walker

AN ACT concerning

Student Participation in High School Sports – Academic Requirements

FOR the purpose of requiring the State Board of Education to adopt regulations to establish certain academic performance standards that students in public high schools in the State must meet in order to participate in certain high school athletic competitions; requiring the regulations to include certain provisions; requiring county boards of education to allow certain students to participate in certain high school athletic competitions only in accordance with the regulations of the State Board; and generally relating to academic requirements for student participation in high school sports.

BY adding to
Article – Education
Section 7–205.1
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 506 – Delegates Dumais, Feldman, and Rice

AN ACT concerning

Higher Education – Delegate Scholarships – Summer School

FOR the purpose of repealing a certain provision of law that shortens the term of certain Delegate Scholarships by a certain amount of time; providing that a certain award may not exceed one–half the amount of a certain award in an academic year; and generally relating to using Delegate Scholarships to attend summer school.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–505
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 507 – Delegates Howard, Proctor, and Vaughn

AN ACT concerning

Creation of a State Debt – Prince George's County – Sheriff Road Village 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 Love Affection and Compassion for Neighborhood Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 508 – Delegates Walker, Bartlett, Boteler, Cane, Elmore, George, Ivey, Kaiser, Olszewski, Rice, Ross, Schuh, Stukes, F. Turner, and Valderrama

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits

FOR the purpose of altering the annual interest rate paid on the security deposit of a tenant under a certain residential lease; and generally relating to residential leases and security deposits.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–203(e) and (h)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–203(f) and (g)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 509 – Delegates G. Clagett and DeBoy

AN ACT concerning

State Police Retirement System – Special Disability Retirees – Reemployment

FOR the purpose of providing that only certain disability retirees of the State Police Retirement System are exempt from a temporary suspension of their disability retirement allowance under certain circumstances; prohibiting certain disability retirees of the State Police Retirement System from being rehired by certain employers in certain positions; requiring the Secretary of State Police to provide the Board of Trustees of the State Retirement and Pension System with certain information; providing for a temporary suspension of benefits paid to certain disability retirees under certain circumstances within a certain period of time; providing for the resumption of disability benefits with certain adjustments to the benefits after receipt by the Board of Trustees of certain documentation from the Secretary of State Police; and generally relating to the reemployment of special disability retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–115
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–117.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 510 – Delegates McConkey, Beidle, Costa, Frush, George, and Kipke

AN ACT concerning

Anne Arundel County – Board of Education and School Board Nominating Commission – Open Meetings and Public Records

FOR the purpose of requiring that all actions of the Anne Arundel County Board of Education and the School Board Nominating Commission of Anne Arundel County be taken at a public meeting and that certain records and certain actions be made public; providing that this Act does not prohibit the county board or the Commission from meeting in executive session provided that certain information is contained in a public record; and generally relating to meetings and records of the Anne Arundel County Board of Education and the School Board Nominating Commission of Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–110
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 511 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Annual Financial Report – Filing Date

FOR the purpose of altering the date by which St. Mary's County may file its annual financial report for the fiscal year with the Department of Legislative Services; and generally relating to the annual financial report of St. Mary's County.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 37
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 512 – Delegates Bromwell, Aumann, Boteler, Costa, DeBoy, Eckardt, Frank, Haddaway, Impallaria, Jennings, Kach, King, Levy, McDonough, Minnick, Olszewski, Schuler, and Weir

AN ACT concerning

Video Lottery Terminals – Baltimore–Washington International Thurgood Marshall Airport

FOR the purpose of altering the number of video lottery operation licenses and video lottery terminals that may be awarded by the Video Lottery Facility Location Commission to provide for the award of a video lottery operation license at Baltimore–Washington International Thurgood Marshall Airport under certain conditions; providing that a certain restriction on the number of video lottery operation licenses that may be awarded in a county or Baltimore City is not applicable; requiring that certain proceeds be paid into the Transportation Trust Fund; providing that a bid for a certain video lottery operation license be made by a certain date; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to the operation of video lottery terminals at a certain location in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–05(a), 9–1A–27(a), and 9–1A–36(f), (g), (h), (i), (j), and (p)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 513 – Delegate Bromwell

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Video Lottery Terminals – Expansion to Baltimore–Washington International Thurgood Marshall Airport

FOR the purpose of amending the Maryland Constitution to authorize video lottery terminal gaming at Baltimore–Washington International Thurgood Marshall Airport; altering the number of licenses that the State may issue to operate video lottery terminals; altering the number of video lottery terminals that may

be authorized in the State; 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 XIX – Video Lottery Terminals
Section 1

Read the first time and referred to the Committee on Ways and Means.

House Bill 514 – Delegates Shewell, Dumais, Ali, Anderson, Aumann, Barkley, Barnes, Barve, Bates, Beidle, Beitzel, Benson, Bohanan, Boteler, Branch, Bronrott, Burns, Carr, Carter, G. Clagett, Conway, DeBoy, Dwyer, Eckardt, Elliott, Feldman, Frank, Frick, Frush, Gaines, George, Gilchrist, Haddaway, Harrison, Haynes, Healey, Hecht, Hubbard, Hucker, Ivey, James, Jameson, Jenkins, Jennings, Kach, Kaiser, King, Kipke, Kirk, Krysiak, Kullen, Lafferty, Lee, Levi, Love, Manno, Mathias, McComas, McConkey, McDonough, Montgomery, Morhaim, Murphy, Nathan–Pulliam, Niemann, O'Donnell, Olszewski, Pena–Melnyk, Ramirez, Reznik, Rice, Riley, Robinson, Ross, Rudolph, Shank, Sossi, Stifler, Stocksdale, Stull, Tarrant, Taylor, F. Turner, Valderrama, Vaughn, Waldstreicher, and Weir

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

FOR the purpose of authorizing a State or local law enforcement agency, on process issued by a court of competent jurisdiction, to seize certain property used or intended for use in connection with a violation of the law prohibiting human trafficking; including in the prohibition against human trafficking a prohibition against subjecting a person to involuntary servitude, peonage, debt bondage, or slavery under certain circumstances; creating an Anti–Human Trafficking Fund to be administered by the Executive Director of the Governor's Office of Crime Control and Prevention; specifying the revenue sources for the Fund; providing for certain disbursements from the Fund for certain purposes; authorizing the seizure of certain property with or without a warrant under certain circumstances; requiring the seizing authority that seizes money to take certain actions; requiring the court to direct the defendant to forfeit seized property under certain circumstances; requiring that a forfeiture hearing be held within a certain time; requiring a hearing notice be served to certain owners at a certain time; requiring notice be served in a certain manner under certain circumstances; requiring the seizing authority to return property to a certain person under certain circumstances; specifying that a certain forfeiture is subject to the interest of a certain secured party; authorizing the governing body where the property was seized to take certain actions; requiring certain proceeds to be used for certain expenses; requiring that certain proceeds of the

sale of forfeited property be distributed to the Fund for a certain purpose; defining certain terms; providing for the application of this Act; and generally relating to seizure and forfeiture of property used in connection with a violation of the human trafficking law.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–303
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–910(d) and 11–920; and 13–501 through 13–509 to be under the new subtitle "Subtitle 5. Violations of the Human Trafficking Law"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 515 – Delegates Shewell, Serafini, Ali, Aumann, Bartlett, Bates, Beidle, Boteler, G. Clagett, DeBoy, Eckardt, Elliott, Elmore, Frank, Kach, Kaiser, King, Krebs, McComas, McConkey, McDonough, Murphy, Nathan–Pulliam, Niemann, Norman, Shank, Stocksdale, and Stull

AN ACT concerning

Vehicle Laws – Mandatory Use of Ignition Interlock System Program

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; providing that certain individuals who are convicted of, or granted probation before judgment for, certain alcohol– or drug–related driving offenses must participate in the Program; requiring an individual who has a license with an alcohol restriction under certain circumstances to participate in the Program; requiring a certain notice of suspension or revocation to include information about how an individual can be required to participate in the Program; providing the time periods for which the Administration must require certain individuals to participate in the Program; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring the Administration to suspend, in accordance with the regulations of the Administration, the driver's license of certain individuals who are in violation of the Program; requiring the Administration to establish a certain fee; requiring all individuals required to use an ignition interlock system to be monitored by the Administration and to pay a certain fee; clarifying language; making a

certain conforming change; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–404(c)(2) and 16–404.1(b) and (f)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 516 – Delegate Malone

AN ACT concerning

Hazardous Material Response Team Employees – Death Benefits and Funeral Expenses – Local Government Agencies

FOR the purpose of providing that certain individuals employed as hazardous material response team employees for certain local government agencies are eligible for certain death benefits and funeral expenses under certain circumstances; providing that certain local government agencies may place in reserve each fiscal year a certain amount to pay a certain death benefit and funeral benefit under certain circumstances; and generally relating to benefits for hazardous material response team employees employed by local government agencies.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–202(a), (b), and (d)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 1–202(a–1), (g), and (h)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 1–202(j)

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 517 – Delegates Simmons, Barkley, Frank, Kelly, Kramer, Krebs, Montgomery, and Shank

AN ACT concerning

Criminal Law – Narcotic Drugs – Enhanced Penalties

FOR the purpose of adding conspiracy to distribute certain narcotic drugs and the commission of a certain crime in another state as predicates for a certain enhanced penalty for certain offenses relating to narcotic drugs; and generally relating to narcotic drugs and enhanced penalties.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–608
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 518 – Delegates Simmons, Barkley, Dumais, Frank, Kelly, Kramer, Krebs, Montgomery, Shank, and Smigiel

AN ACT concerning

Criminal Law – Proceeds from Drug Crimes – Misdemeanor

FOR the purpose of establishing that a person is guilty of a misdemeanor if the person violates the law prohibiting a person, with the intent to promote a drug crime or with the intent to conceal or disguise the nature, location, source, ownership, or control of proceeds of a drug crime, from taking certain actions with respect to the proceeds derived from a drug crime in circumstances in which the proceeds that are derived from the drug crime are less than a certain amount; providing penalties for a violation of this Act; and generally relating to proceeds from drug crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–623
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 519 – Delegates Simmons, Barve, Bronrott, Frick, Gilchrist, and Lee

AN ACT concerning

Creation of a State Debt – Montgomery County – Garrett Park Community 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 Garrett Park Nursery 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 Appropriations.

House Bill 520 – Delegates Stukes, Anderson, Boteler, George, Glenn, Howard, Kaiser, Myers, Olszewski, Rice, and Walker

AN ACT concerning

Transportation – Transit Vehicle Operators – Prohibition on Use of Wireless Communication Devices

FOR the purpose of prohibiting a person from using a certain wireless communication device while operating a transit vehicle; defining a certain term; establishing a certain penalty; and generally relating to the use of certain wireless communication devices by persons who operate transit vehicles.

BY adding to
Article – Transportation
Section 7–705.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 521 – Delegates George, Beidle, V. Clagett, Dwyer, Kipke, Love, McConkey, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Trapping – Rabies Vector Species

FOR the purpose of authorizing the owner or lessee of real property in Anne Arundel County to use a trap to capture certain rabies vector species in a certain area of the real property without a license or permit; requiring the owner or lessee to provide certain notice to Anne Arundel County Animal Control related to certain trapping activity; requiring Anne Arundel County Animal Control, on receiving certain notice, to take custody of certain rabies vector species under certain circumstances; authorizing the governing body of Anne Arundel County to impose certain reasonable restrictions on certain trapping activities for a certain purpose; defining certain terms; and generally relating to trapping in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–406 and 10–414
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 522 – Delegates Manno and Hecht

AN ACT concerning

Public Service Commission – Report on the State's Long–Term Energy Needs

FOR the purpose of requiring, on or before a certain date, and periodically thereafter, the Public Service Commission to submit a certain report to the Governor and the General Assembly related to analyzing and meeting the State's long–term energy needs; requiring the Commission to solicit and consider input from certain parties in developing the report required under this Act; requiring the report to contain certain information and to make a certain recommendation; requiring the Commission to provide an opportunity for public comment and a public hearing on the report; authorizing the Commission to hire an outside consulting firm to meet the requirements of this Act; authorizing the Commission to impose a certain special assessment on electric companies and electricity suppliers during certain fiscal years subject to certain limitations for a certain purpose; altering the factors that the Commission is required to consider before making a final decision on an application for a certificate of public convenience and necessity; and generally relating to the Public Service Commission and long–term energy needs.

BY adding to
Article – Public Utility Companies
Section 7–201.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–207(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–207(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 523 – Delegates Shank, Aumann, Bates, Beitzel, Costa, Dwyer, Elliott, Elmore, Frank, George, Haddaway, Jenkins, Jennings, Kelly, Kipke, Krebs, McComas, Miller, Myers, Norman, Schuh, Serafini, Shewell, Smigiel, Sossi, Stocksdale, and Stull

AN ACT concerning

Justice's Law

FOR the purpose of increasing the maximum penalty for first degree child abuse resulting in death of the victim; increasing the maximum penalty for a subsequent conviction of child abuse resulting in death of the victim; and generally relating to child abuse.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–601
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 524 – Delegate Manno

AN ACT concerning

Maryland Organic Transition Investment Pilot Program – Funding and Extension of Sunset

FOR the purpose of authorizing the Governor, in certain fiscal years, to include in the State budget an appropriation for the Organic Agriculture Development Fund for certain purposes; repealing a certain prohibition on the interpretation of

certain provisions of law; extending the termination date of the Maryland Organic Transition Investment Pilot Program; and generally relating to the Maryland Organic Transition Investment Pilot Program.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 10–14A–04
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing
Chapter 554 of the Acts of the General Assembly of 2009
Section 2

BY repealing and reenacting, with amendments,
Chapter 554 of the Acts of the General Assembly of 2009
Section 3

Read the first time and referred to the Committee on Environmental Matters.

House Bill 525 – The Speaker (By Request – Administration) and Delegates Ali, Anderson, Beidle, Beitzel, Benson, Bobo, Cardin, Carr, Doory, Dumais, Feldman, Frush, Gaines, Gutierrez, Guzzone, Hammen, Healey, Hecht, Heller, Hixson, Howard, Hubbard, Hucker, Jones, Kaiser, King, Kramer, Lafferty, Levy, Love, McIntosh, Montgomery, Niemann, Pena–Melnyk, Pendergrass, Proctor, Reznik, Rice, Rosenberg, Rudolph, Taylor, V. Turner, Vaughn, and Walker

AN ACT concerning

Maryland False Health Claims Act of 2010

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 who initiated the action; authorizing the State to elect not to intervene and proceed with the action; authorizing the person that initiated the action to proceed if the State elects not to intervene; authorizing the court to limit the participation of

the person who 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 who 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 a person from taking retaliatory action against an employee, contractor, or agent under certain circumstances; authorizing an employee, contractor, or agent to file a civil action against a person who takes retaliatory action against the employee, contractor, or agent 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; requiring certain persons to report certain information annually to the General Assembly; 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 2–611 to be under the new subtitle "Subtitle 6. False Claims Against State Health Plans and State Health Programs"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Judiciary and the Committee on Appropriations.

House Bill 526 – Delegates Shewell, Ali, Aumann, Bartlett, Boteler, Eckardt, Elliott, Frank, Krebs, McComas, McDonough, Murphy, Niemann, Schuh, Serafini, Sophocleus, Sossi, Stocksdale, and Weir

AN ACT concerning

Vehicle Laws – Required Insurance – Minimum Amounts for Vehicles of Drunk Drivers

FOR the purpose of increasing the minimum amounts of required security for the payment of certain claims for bodily injury or death or for the damage or destruction of the property of others for a motor vehicle owned by an individual who has been convicted of, or granted probation for, certain alcohol–related driving offenses; 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–902(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 527 – Delegate V. Clagett

AN ACT concerning

Natural Resources – Abandoned Vessel – Definition

FOR the purpose of altering the period after which a vessel left at certain locations without certain consent is considered abandoned; and generally relating to abandoned vessels.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–721(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 528 – Delegates Stukes, Howard, Anderson, Boteler, Glenn, Nathan–Pulliam, Rice, F. Turner, and Walker

AN ACT concerning

Transit Vehicles – Prohibited Acts – Use of Obscene Language

FOR the purpose of prohibiting certain persons from using obscene language in certain transit vehicles; providing for a certain penalty; and generally relating to the use of obscene language in certain transit vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(n) and (p)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 7–705
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 529 – Delegates Stukes, Glenn, Howard, and Morhaim

AN ACT concerning

Maryland Transit Administration – Audio Recording Devices on Vehicles Used for Transit Service

FOR the purpose of requiring the Maryland Transit Administration to install and activate a certain audio recording device on certain vehicles; requiring the Administration to post a certain notice on each vehicle equipped with an audio recording device; limiting, to certain persons and only for certain purposes, the review of any audio recording that is made on a vehicle used to provide transit service; requiring the Administration, in cooperation with the Office of the Attorney General, to adopt certain regulations; and generally relating to audio recording devices on vehicles used to provide transit service.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(l) and (n)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 7–705.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 530 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County – Correctional Officers' Bill of Rights

FOR the purpose of adding St. Mary's County to provisions of law relating to the Correctional Officers' Bill of Rights; and generally relating to the Correctional Officers' Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1002
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 5 – The Speaker (By Request)

A House Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

FOR the purpose of rejecting certain items included in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, that address certain proposed changes to salaries, in–district travel, out–of–state travel, and the Legislative Pension Plan for members of the General Assembly; providing that the salaries for the President of the Senate, the Speaker of the House of Delegates, and members of the General Assembly and provisions addressing out–of–state travel remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 6, 2006, and transmitted to the General Assembly on January 11, 2006; providing that the allowance for in–district travel and the provisions of the Legislative Pension Plan addressing optional forms of allowance shall remain at the levels set by the Resolution of the General Assembly Compensation Commission dated January 11, 2002, and transmitted to the General Assembly on January 11, 2002; providing that provisions of the Legislative Pension Plan addressing military service credit as provided in the Resolution of the General Assembly Compensation Commission dated January 5, 2010, and transmitted to the General Assembly on January 12, 2010, shall be void; and generally relating to recommendations of the General Assembly Compensation Commission.

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Joseph F. Vallario, Jr., Chairman, JUD
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 386	APP

Read and ordered journalized.

LEGISLATIVE EVALUATION COMMITTEE REPORTS

HOUSE ECONOMIC MATTERS COMMITTEE REPORT ON THE
STATE BOARD OF BARBERS AND THE STATE BOARD OF COSMETOLOGISTS
(HOUSE BILL 197)

(See Exhibit D of Appendix II)

Journalized.

HOUSE ENVIRONMENTAL MATTERS COMMITTEE REPORT ON THE
STATE BOARD OF WATERWORKS AND WASTE SYSTEMS OPERATORS
(HOUSE BILL 487)

(See Exhibit E of Appendix II)

Journalized.

HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE REPORT ON THE
STATE BOARD OF DENTAL EXAMINERS
(HOUSE BILL 501)

(See Exhibit F of Appendix II)

Journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 42)

ADJOURNMENT

At 8:23 P.M. on motion of Delegate Barve the House adjourned until 10:30 A.M. on Tuesday, February 2, 2010.

Annapolis, Maryland
Tuesday, February 2, 2010

The House met at 10:34 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Donna Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 127 Members present.

(See Roll Call No. 43)

The Journal of February 1, 2010 was read and approved.

EXCUSES:
Del. Barnes – business – court
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Hubbard – business
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 531 – Delegates Reznik, Morhaim, and Pena–Melnyk

AN ACT concerning

Task Force to Study the Procurement of Health, Education, and Social Services by State Agencies – Extension

FOR the purpose of altering the membership of the Task Force to Study the Procurement of Health and Social Services by State Agencies; expanding the scope of the Task Force to include education and renaming the Task Force; extending certain reporting and termination provisions relating to the Task Force; and generally relating to the Task Force to Study the Procurement of Health, Education, and Social Services by State Agencies.

BY repealing and reenacting, with amendments,
Chapter 438 of the Acts of the General Assembly of 2008
Section 1 and 2

BY repealing and reenacting, with amendments,
Chapter 439 of the Acts of the General Assembly of 2008
Section 1 and 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 532 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Statewide Advisory Commission on Immunizations – Sunset Extension

FOR the purpose of extending the termination date of the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Chapter 337 of the Acts of the General Assembly of 2002, as amended by Chapter 200 of the Acts of the General Assembly of 2005 and Chapter 504 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 533 – Delegates Norman, Guzzone, Bates, and Riley

AN ACT concerning

Business Occupations and Professions – State Board of Plumbing – Membership

FOR the purpose of altering the membership of the State Board of Plumbing to require that one member be from the area that consists of Carroll and Howard counties and one member be from the area that consists of Cecil and Harford counties; and generally relating to the membership of the State Board of Plumbing.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 12–202(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 534 – Delegates Waldstreicher, Anderson, Barnes, Benson, Carr, Carter, Dumais, Frick, Gilchrist, Gutierrez, Hecht, Hucker, Ivey, Kramer, Lee, Levi, Manno, Mizeur, Pena–Melnyk, Pendergrass, Ramirez, Rosenberg, Ross, Schuler, Simmons, Smigiel, F. Turner, V. Turner, and Valderrama

AN ACT concerning

Domestic Violence – Protective Order – Extension

FOR the purpose of authorizing a court to extend the term of a protective order for a certain period of time under certain circumstances; requiring the court to provide certain notice and a hearing before extending the term of a protective order; requiring the court to consider certain factors in determining the period of extension of a protective order; and generally relating to an extension of a protective order.

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–506(i) and (j)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–507
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 535 – Cecil County Delegation

AN ACT concerning

Cecil County – Alcoholic Beverages – Entertainment Facility License

FOR the purpose of creating in Cecil County a Class EF (entertainment facility) beer, wine and liquor license; authorizing a license holder to sell beer, wine, and liquor, from one or more outlets in a certain entertainment facility, for consumption anywhere in the entertainment facility only; requiring a facility for which a license is issued to have a certain amount of capital investment; authorizing the Board of License Commissioners to issue one or more licenses for the same facility; specifying that the license authorizes the playing of music and dancing; specifying the hours of sale and a certain license fee; and generally relating to alcoholic beverages licenses in Cecil County.

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(i)(4)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 536 – Chair, Health and Government Operations Committee (By Request – Departmental – Aging)

AN ACT concerning

Department of Aging – Long–Term Care Ombudsman Program

FOR the purpose of repealing certain powers and duties of the Secretary of Aging; repealing certain provisions of law relating to the Maryland Long–Term Care Ombudsman Program and the Maryland Long–Term Care Ombudsman; reestablishing the Long–Term Care Ombudsman Program in the Department of Aging; specifying the purpose of the Program; establishing the Office of the Long–Term Care Ombudsman in the Department; providing for the appointment of the State Long–Term Care Ombudsman; establishing certain powers and duties of the Secretary, the State Long–Term Care Ombudsman, and designated ombudsmen; establishing the qualifications of entities qualified to be designated as local long–term care ombudsman entities; requiring that an ombudsman have access to certain facilities, documents, and records; requiring the Secretary to adopt certain regulations; making it a misdemeanor, subject to a certain penalty, to willfully interfere with an ombudsman's performance of an official duty or to retaliate or make reprisals against certain persons; and generally relating to the Long–Term Care Ombudsman Program.

BY repealing
Article – Human Services
Section 10–212 and 10–213
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY adding to
Article – Human Services
Section 10–901 through 10–911 to be under the new subtitle "Subtitle 9. Long–Term Care Ombudsman Program"
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 537 – Delegates Frush, Pena–Melnyk, Barnes, and Gaines

AN ACT concerning

Public Utility Companies – University of Maryland, College Park Bus Service – Motor Carrier Permit Exemption – Removal of Sunset

FOR the purpose of removing the sunset applicable to a certain motor carrier permit exemption relating to bus service provided by the University of Maryland, College Park; and generally relating to bus service provided by the University of Maryland, College Park to its students and to the residents of a certain municipal corporation.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 9–201
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Chapter 346 of the Acts of the General Assembly of 2008
Section 2

BY repealing and reenacting, with amendments,
Chapter 346 of the Acts of the General Assembly of 2008
Section 3

BY repealing and reenacting, without amendments,
Chapter 347 of the Acts of the General Assembly of 2008
Section 2

BY repealing and reenacting, with amendments,
Chapter 347 of the Acts of the General Assembly of 2008
Section 3

Read the first time and referred to the Committee on Economic Matters.

House Bill 538 – Delegates James and Riley

AN ACT concerning

Property Tax – 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; repealing certain obsolete provisions; providing for the

application of this Act; and generally relating to the valuation and assessment of real property for property tax purposes.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 1–402(9) and (11), 2–203, 8–103, 8–104, and 8–401
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 539 – Delegates James and Riley

AN ACT concerning

Creation of a State Debt – Harford County – The Citizens Care and Rehabilitation 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 Citizens Care and Rehabilitation Center Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 540 – Delegates Stukes, Haynes, and Kirk

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 Appropriations.

House Bill 541 – Delegates Reznik, Ali, Bobo, Boteler, Feldman, Guzzone, Kipke, Kullen, Montgomery, Rice, F. Turner, and V. Turner

AN ACT concerning

Health Occupations – Wellness Practitioners – Exemption from Licensure as Physicians

FOR the purpose of providing that the provisions of the Maryland Medical Practice Act do not prohibit certain individuals who provide certain complementary and alternative health services from practicing in the State; authorizing a wellness practitioner to practice in the State if the wellness practitioner has not had a license restricted, suspended, or revoked without subsequent reinstatement, has not been convicted of certain crimes or adjudicated to be mentally incompetent, and does not take certain actions as a wellness practitioner or otherwise; requiring certain wellness practitioners to develop certain disclosure statements that include certain information and certain statements; requiring certain wellness practitioners to require certain individuals to sign and acknowledge receipt of certain statements; requiring certain wellness practitioners to retain certain documents for a certain period of time; providing for the application of this Act; defining certain terms; and generally relating to wellness practitioners and the provision of complementary and alternative health services.

BY adding to
Article – Health Occupations
Section 14–103
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 542 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Kamp A–Kom–Plish Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $80,000, the proceeds to be used as a grant to the Board of Directors of the Melwood Horticultural Training 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 Appropriations.

House Bill 543 – Delegates Frank, Aumann, Bates, Boteler, Eckardt, George, Haddaway, Jenkins, Jennings, Krebs, McComas, McConkey, Morhaim, Myers, Norman, O'Donnell, Ramirez, Shank, Shewell, Simmons, Smigiel, Sossi, Stifler, and Stull

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 certain 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 and 2009 Supplement)

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

House Bill 544 – Delegates Frank, Aumann, George, Jennings, McComas, Olszewski, Shank, Smigiel, and Stifler

AN ACT concerning

Sex Offenders – Homeless and Temporary Residents – Registration and Reporting Requirements

FOR the purpose of requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local

law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include any county where the registrant habitually lives or intends to habitually live; making certain conforming changes; defining certain terms; altering certain terms; and generally relating to sex offender registration and reporting requirements.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701, 11–705, 11–706, 11–708 through 11–710, 11–717, and 11–718
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 545 – **Delegates Hubbard, Levi, and Holmes**

AN ACT concerning

Creation of a State Debt – Prince George's County – Bowie Interfaith Pantry

FOR the purpose of authorizing the creation of a State Debt not to exceed $25,000, the proceeds to be used as a grant to the Board of Directors of the Bowie Interfaith Pantry and Emergency Aid Fund, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 546 – **Delegate Malone**

AN ACT concerning

Public Safety – Explosives – Definition

FOR the purpose of altering the defined term "explosives", as that term applies to provisions relating to manufacturer's or dealer's explosives licenses or licenses to possess certain explosives, to include certain combinations of components under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 11–101(a) and 11–105(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 11–101(c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 547 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Board of Elections – Membership

FOR the purpose of altering the number of regular members of the Wicomico County Board of Elections; requiring the members of the local board to be of certain political parties; requiring that a vacancy on the local board be filled in a certain manner; making a conforming change; providing for a delayed effective date; and generally relating to the membership of the Wicomico County Board of Elections.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 2–201
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 2–204(a)(23) and (b)(1) and (2)(i)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 2–204(b)(2)(ii)7.
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 548 – Delegates Hubbard, Holmes, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Thomas Johnson Middle School Sign Board

FOR the purpose of authorizing the creation of a State Debt not to exceed $25,000, the proceeds to be used as a grant to the Thomas Johnson Middle School PTA 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 Appropriations.

House Bill 549 – Delegate King

AN ACT concerning

Maryland Perfusion Act

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of perfusion; providing that this Act does not limit the rights of certain individuals to practice certain occupations; authorizing the Board to set certain fees; establishing the Perfusion 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; requiring that on or before a certain date an individual be licensed by the Board before the individual may practice perfusion; providing that certain licensing provisions do not apply to students practicing perfusion under certain circumstances; providing for the educational requirements for a license to practice perfusion; waiving certain education requirements under certain circumstances until a certain date; authorizing certain individuals to petition the Board for an extension to a certain waiver; requiring the Board to determine whether to grant a certain waiver on a case–by–case basis; providing for the scope of a license to practice perfusion; providing for the issuance, expiration, and renewal of certain licenses; 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 perfusionists; prohibiting certain acts; providing for certain criminal penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; providing for the waiver of certain licensure requirements under certain circumstances; requiring that initial

perfusionist members of the Committee apply for and receive a license within a certain period of time; specifying the terms of the initial members of the Committee; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to the regulation and licensure of perfusion.

BY renumbering
Article – State Government
Section 8–403(b)(46) through (68), respectively
to be Section 8–403(b)(47) through (69), respectively
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 14–5E–01 through 14–5E–27 to be under the new subtitle "Subtitle 5E. Perfusionists"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 8–403(b)(46)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 550 – Delegates Norman, George, Jennings, McComas, and McConkey

AN ACT concerning

School Bus Seat Belt Corrective Language Act

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; 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 551 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Beer Tasting – Workers in Licensed Establishments

FOR the purpose of creating in Wicomico County a beer tasting (BT) license and a beer/wine tasting (BWT) license; specifying to whom the licenses may be issued; providing for license fees, applications, renewals, and issuance procedures; setting certain maximum limits on the amounts of individual servings and open containers and bottles of beer and wine at certain events; specifying certain restrictions and notice requirements on certain beer or wine events; authorizing the Board of License Commissioners to adopt certain regulations; authorizing a person of a certain age who has a valid work permit to be employed for certain purposes at premises that are licensed to sell alcoholic beverages in Wicomico County; making certain stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–101(a)(1) and (x)(1), 6–401(a)(1) and (x)(1), and 12–302(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–101(x)(5)(i), 6–401(x)(6), and 8–412
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 12–302(b)(13)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 552 – Wicomico County Delegation

AN ACT concerning

Wicomico County – Alcoholic Beverages – Micro–Brewery Licenses

FOR the purpose of authorizing a Class 7 micro–brewery licensee in Wicomico County to sell beer at retail to customers for consumption off the licensed premises in refillable containers that are sealed by the licensee at the time of each refill; and generally relating to micro–brewery licensees in Wicomico County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 2–208(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–208(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 553 – Wicomico County Delegation

AN ACT concerning

Dorchester and Wicomico Counties – Alcoholic Beverages – Pub–Brewery and Micro–Brewery Licenses

FOR the purpose of authorizing the State Comptroller to issue a certain number of Class 6 pub–brewery licenses and Class 7 micro–brewery licenses to certain persons for locations in an enterprise zone in Dorchester County; expanding the location for Class 7 micro–brewery licenses in Wicomico County to include any enterprise zone in Wicomico County; repealing a certain restriction concerning

micro–brewery licenses; making certain technical corrections; and generally relating to pub–brewery and micro–brewery licenses in Dorchester County and Wicomico County.

BY repealing
Article 2B – Alcoholic Beverages
Section 12–104(e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 12–104(e)(5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 554 – Delegates Jones, Aumann, Bohanan, Dumais, Griffith, Gutierrez, Kramer, Lafferty, Lee, Montgomery, Myers, Niemann, Rudolph, and Sophocleus

AN ACT concerning

Residential Child Care Facilities – Incident Reporting – Interagency Workgroup

FOR the purpose of establishing a certain interagency workgroup to develop a certain uniform incident reporting system and to adopt certain regulations; requiring the interagency workgroup to make a certain report on or before a certain date; and generally relating to an interagency workgroup on residential child care facilities and incident reporting.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 555 – Delegates Reznik, Barkley, Barve, Feldman, Gilchrist, Howard, Kaiser, Oaks, Rice, and Riley

AN ACT concerning

Political Subdivisions – Electronic Legal Notices Option

FOR the purpose of authorizing a county or municipality to satisfy a requirement to publish certain legal notices in a newspaper of general circulation by posting the notices on its website; requiring a county or municipality that chooses to post notices on the Internet to publish a certain notice in a newspaper of general

circulation in the county or municipality and to offer a certain mail service to provide paper copies of notices; requiring the mail service to be paid for by the county or municipality for a certain period; authorizing a county or municipality to charge a certain fee for the mail service after a certain period; providing that the mail subscription shall be for a certain period of time and may be renewed; and generally relating to publication of legal notices by counties and municipalities.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 1–111
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–308(b)(2) and (c)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 6 – Delegate Hubbard

A House Joint Resolution concerning

Comprehensive Federal Clean Energy Jobs and Climate Legislation

FOR the purpose of requesting that the United States Congress pass and the President of the United States sign comprehensive federal clean energy jobs and climate legislation that meets certain criteria; and generally relating to federal clean energy jobs and climate legislation.

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

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 44)

RECESS

At 10:47 A.M. on motion of Delegate Barve the House recessed until 11:45 A.M. on Tuesday, February 2, 2010.

AFTER RECESS
Annapolis, Maryland
Tuesday, February 2, 2010

At 11:49 A.M. the House resumed its session and pledged Allegiance to the Flag.

Prayer by Delegate Donna M. Stifler of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 45)

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Walkup – medical – fractured knee

JOINT SESSION

Delegates Frick and Haddaway escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

QUORUM CALL

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

(See Senate Roll Call No. 101A)

Speaker Busch called for the House roll.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See House Roll Call No. 46)

A majority of both the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators McFadden, Jacobs and Frosh and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Kasemeyer, Kittleman and Currie and Delegates Rice, Ivey and Frank escorted the Chief Executive to the Speaker's Rostrum.

Speaker Busch presented the Chief Executive of Maryland, Governor Martin O'Malley.

The Chief Executive addressed the General Assembly.

STATE OF THE STATE ADDRESS

REMARKS OF GOVERNOR MARTIN O'MALLEY

(See Exhibit G of Appendix II)

Senators Kasemeyer, Kittleman and Currie and Delegates Rice, Ivey and Frank escorted the Chief Executive from the Chamber.

Senators McFadden, Jacobs and Frosh and Delegates Valderrama, Haynes and Beitzel escorted the Lieutenant Governor from the Chamber.

Senator Kasemeyer moved the Chief Executive's remarks be journalized.

The motion was adopted.

Senator Kasemeyer moved the Senate be adjourned.

The motion was adopted.

Delegate Barve moved the Chief Executive's remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 138 Members present.

(See Roll Call No. 47)

ADJOURNMENT

At 12:49 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 3, 2010.

Annapolis, Maryland
Wednesday, February 3, 2010

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anne Healey of Prince George's County.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 48)

The Journal of February 2, 2010 was read and approved.

EXCUSES:
Del. Beidle – funeral
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Holmes – illness
Del. McDonough – illness
Del. Schuler – business
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 556 – Prince George's County Delegation

AN ACT concerning

Education – Prince George's County Board of Education – Bonding Authority

PG 424–10

FOR the purpose of authorizing the Prince George's County Board of Education to issue bonds for the acquisition, development, or improvement of public school facilities in the Prince George's County Public School System; establishing the rights and duties associated with the bonding authority; requiring passage of a certain resolution by the governing body of Prince George's County before bonds may be issued; providing for the construction and severability of a portion of this Act; submitting this Act to a referendum of the legally qualified voters of

Prince George's County; and generally relating to the Prince George's County Public School System.

BY adding to
Article – Education
Section 4–401 through 4–407 to be under the new subtitle "Subtitle 4. Prince George's County"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 557 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Rent Stabilization – Residential Rental Units for the Elderly

PG 421–10

FOR the purpose of authorizing the governing body of Prince George's County to provide, by law, for rent stabilization for rental units for the elderly in Prince George's County; specifying certain provisions of law for which the governing body of Prince George's County may provide; and generally relating to rent stabilization for residential rental units for the elderly in Prince George's County.

BY adding to
Article – Housing and Community Development
Section 17–108
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 558 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Entertainment Permit

PG 315–10

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue a certain entertainment permit to holders of Class B licenses; specifying that the permit allows the holder to impose a cover charge,

offer facilities for patron dancing, and provide entertainment during a certain period; requiring an applicant for a permit to submit certain evidence to the Board; requiring a holder of a permit to implement a certain security plan and prohibit underage individuals on the premises; providing for an annual permit fee; requiring the Board to adopt certain regulations; and generally relating to entertainment permits in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(r)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(r)(18)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 559 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Winery Special Event Permits – Farmers' Markets

PG 304–10

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Prince George's County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 560 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Labor and Employment – Minors of Age 13

PG 303–10

FOR the purpose of authorizing a minor of a certain age in Prince George's County to be employed or allowed to be employed; and generally relating to the minimum age a minor is allowed to work in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 3–209
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 561 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Prohibition on Issuing Licenses to Fast Food Style Restaurants in Locations with a High Index of Health Disparities

PG 415–10

FOR the purpose of requiring the Maryland Office of Minority Health and Health Disparities to develop a process for mapping health disparities in a certain county; requiring the Office to use certain information, define certain boundaries, and identify and use certain information and means to map health disparities; prohibiting the issuance of certain licenses to certain restaurants in certain locations of a certain county; and generally relating to prohibiting the issuance of licenses to restaurants in locations with a high index of health disparities.

BY adding to
Article – Health – General
Section 20–1008 and 21–305(g)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 562 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Surcharge on Divorce Petitions – Distribution to the Family Crisis Center of Prince George's County

PG 423–10

FOR the purpose of altering a certain surcharge on certain costs and charges in certain civil cases; specifying a certain surcharge on divorce petitions filed in Prince George's County; requiring a certain surcharge to be distributed to the Family Crisis Center of Prince George's County; and generally relating to surcharges on divorce petitions filed in Prince George's County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–202
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 563 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Public School Construction – Planning and Design – State Funding

PG 409–10

FOR the purpose of requiring the Board of Public Works to include planning and design as an eligible public school construction or capital improvement cost for Prince George's County; requiring the Board of Public Works to adopt certain regulations; providing for the termination of this Act; and generally relating to public school construction in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Education
Section 5–301(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 5–307.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 564 – Prince George's County Delegation

EMERGENCY BILL

AN ACT concerning

Prince George's County – Restrictions on Campaign Fund–Raising Activities by Members of the Board of Community College Trustees

PG 408–10

FOR the purpose of prohibiting members of the Board of Community College Trustees for Prince George's County from engaging in certain campaign fund–raising activities on behalf of certain persons; providing certain exceptions; prohibiting a member of the Board of Community College Trustees from being a candidate for a public office while serving on the Board; defining certain terms; making this Act an emergency measure; and generally relating to restrictions on campaign fund–raising activities by members of the Board of Community College Trustees for Prince George's County.

BY renumbering
Article – Education
Section 16–414.1
to be Section 16–414.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 16–414.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 565 – Prince George's County Delegation

AN ACT concerning

Prince George's County – City of Laurel – Tax Rebate for Local Bus Service

PG 406–10

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 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 566 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Community Association Property Management Services – Registration

PG 419–10

FOR the purpose of requiring, in Prince George's County, that the Office of Community Relations establish a certain registry of entities providing certain community association management services for condominiums, homeowners associations, or cooperative housing corporations located in the county; requiring certain entities to register with the registry; requiring an entity to register annually by a certain date and pay a certain fee; requiring the Office to provide the registration form and collect a certain fee; requiring the annual fee to be a certain amount; requiring certain information to be included in the registration form; authorizing the Office to make certain information available to the public under certain conditions; making a willful violation of this Act a misdemeanor subject on conviction to a certain penalty; defining certain terms; providing for the application of this Act; and generally relating to the registration of entities providing community association property management services in Prince George's County.

BY adding to
Article – Real Property
Section 14–130

Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 567 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – License Fees

PG 305–10

FOR the purpose of altering the fees for certain alcoholic beverages licenses in George's County; repealing a certain alcoholic beverages license in Prince George's County; increasing the percentage of alcohol by volume in wine for consumption purposes allowed under a certain wine tasting license in Prince George's County; and generally relating to alcoholic beverages in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 3–101(r), 3–201(r)(1), 3–301(r), 3–401(r), 5–101(r), 5–201(r)(2) and (4)(ii), 5–301(r), 5–401(r), 6–101(r), 6–201(r)(2)(i)1., (ii)2., and (iii)2., (3)(i), (5)(ii), (6)(ii), (8)(ii), (9)(ii), (10)(ii), (11)(ii), (12)(ii), (13)(ii), (14)(ii), (15)(iii), (16)(iii), and (17)(iii), 6–301(r)(2)(ii), (3)(ii), (4)(ii), (5)(ii), (6)(ii), and (7)(ii), 7–101(b)(11)(i), (d)(11)(i), and (x), 8–409(a), 8–505(b)(5), 8–702(e)(1), and 8–1001(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 5–201(r)(1) and (4)(i) and (iii), 6–201(r)(1)(i), (2)(i)2., (ii)1., and (iii)1., (5)(i), (6)(i), (8)(i), (9)(i), (10)(i), (11)(i), (12)(i), (13)(i), (14)(i), (15)(i), (16)(ii), and (17)(i), 6–301(r)(1), (2)(i), (3)(i), (4)(i), (5)(i), (6)(i), and (7)(i), 7–101(b)(11)(ii) and (d)(11)(ii), 8–702(b) and (c), and 8–1001(b) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 6–201(r)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 568 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Board of Education – Member Candidacy for Other Public Office

PG 425–10

FOR the purpose of repealing a provision prohibiting a member of the Prince George's County Board of Education from being a candidate for a public office other than a position on the county board while serving on the county board; and providing for the effective date of this Act.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–1002
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapters 348 and 349 of the Acts of the General Assembly of 2008)

Read the first time and referred to the Committee on Ways and Means.

House Bill 569 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Speed Monitoring Systems – Chillum Road and Sargent Road

PG 307–10

FOR the purpose of authorizing the placement of speed monitoring systems on certain highways in Prince George's County; and generally relating to speed monitoring systems in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–809(a)(5)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–809(b)

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 570 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Extinguishment of Licenses

PG 306–10

FOR the purpose of requiring the Prince George's County Board of License Commissioners to declare an alcoholic beverages license to be extinguished under certain circumstances; specifying that an extinguished license may not be replaced by the Board and that an extinguished license counts as one in a certain list of licenses; providing an exception to a certain licensing restriction; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–102(a) and 9–217(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 9–217(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 9–217(b–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 571 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages Licenses – Waterfront Entertainment Retail Complex

PG 316–10

FOR the purpose of authorizing the Board of License Commissioners for Prince George's County to issue a special Class D beer and wine license for an establishment in a certain waterfront entertainment retail complex; specifying the hours and days of sale; specifying that the license holder need not meet any food requirements; specifying that beer and wine may be sold on or off the premises; authorizing the Board to issue a Class D beer and wine license to an individual or entity that holds a certain event in a certain location; authorizing the license holder to sell beer and wine for consumption on or off the licensed premises; specifying the days and hours of sale; specifying that the event may not last longer than a certain time; providing that a holder of the licenses is not prevented from holding a certain other license; authorizing the Board to adopt certain regulations; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–401(r) and 7–101(b)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 572 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Charitable Gaming – Poker Events

PG 314–10

FOR the purpose of authorizing certain qualified organizations in Prince George's County to hold poker events in which the public may play poker card games; limiting the number of poker events that a qualified organization may hold; requiring that a qualified organization obtain a permit from the County Department of Environmental Resources before holding a poker event; specifying that the conditions under which a permit for a poker event is issued shall be the same with certain exceptions that apply to a charitable gaming permit under the County Code; and generally relating to charitable gaming in Prince George's County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–1901(a) and (c) and 13–1902(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–1912
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 573 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Alcoholic Beverages – Class A/Class 4 Light Wine Licenses

PG 312–10

FOR the purpose of authorizing a Class A light wine license to be issued in Prince George's County; exempting a winery that applies for a certain license from certain quotas; and generally relating to alcoholic beverages licenses in Prince George's County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 4–201(a) and (c)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 574 – Prince George's County Delegation

AN ACT concerning

Prince George's County – National Harbor – Alcoholic Beverages – Restriction on License Holder

PG 308–10

FOR the purpose of prohibiting the issuance of a certain Class C beer, wine and liquor license for use in the National Harbor in Prince George's County to the same organization for a certain number of consecutive years; and generally relating to alcoholic beverages in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages

Section 7–101(x)(1), (2), and (3)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(x)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 575 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Maryland Department of Transportation – Study of Rail Transit System for Southern Prince George's County

PG 401–10

FOR the purpose of requiring the Maryland Department of Transportation to conduct a study to determine the technical feasibility and economic viability of constructing a Metro rail, light rail, or monorail transit system in southern Prince George's County in the MD 201/I–295 corridor, from Indian Head to certain Metro rail stations near the border of the District of Columbia; requiring the Department to solicit input from certain persons as it conducts the study; requiring the Department to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the Department to comply with this Act using existing resources; providing for the termination of this Act; and generally relating to a study by the Maryland Department of Transportation regarding a rail transit system for southern Prince George's County.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 576 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George's County and Montgomery County Delegation – Development Permits – Expedited Review for Qualifying Redevelopment Projects

PG/MC 115–10

FOR the purpose of requiring Prince George's County to approve or disapprove applications for certain development permits for certain qualifying redevelopment projects and to provide applicants with certain notice of the approval or disapproval within a certain amount of time; requiring the district council for Prince George's County to define a certain term by ordinance for a certain purpose; requiring the district council to require a certain project to incorporate a certain minimum number of certain environmentally responsible design elements; requiring the district council to set forth certain procedures by ordinance; defining certain terms; and generally relating to redevelopment in the portion of the Maryland–Washington Regional District located in Prince George's County.

BY adding to
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–128
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 577 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George's County – Task Force to Study the Maryland–National Capital Park and Planning Commission in Prince George's County

PG/MC 108–10

FOR the purpose of establishing a Task Force to Study the Maryland–National Capital Park and Planning Commission in Prince George's County; providing for the membership, appointment, responsibilities, and staffing of the Task Force; requiring the Task Force to submit certain reports to certain persons by certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Maryland–National Capital Park and Planning Commission in Prince George's County.

Read the first time and referred to the Committee on Environmental Matters.

House Bill 578 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Human Resources

PG/MC 105–10

FOR the purpose of repealing a requirement that the Washington Suburban Sanitary Commission submit changes of certain rules or regulations to the Secretary of Budget and Management; repealing a provision stating that failure of the Secretary to act within a certain time period on receipt of a certain rule or regulation constitutes approval; repealing a requirement that the Commission file a certain list of positions and salaries with the Secretary; repealing a requirement that the Commission submit for approval certain position classifications to the Secretary; repealing provisions requiring the Secretary to approve or disapprove certain changes; repealing certain provisions relating to competitive examinations held by the Commission; clarifying that certain honorably discharged veterans shall receive a certain credit in certain competitive selection processes; and generally relating to the human resources practices of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 11–102, 11–103, and 11–105
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing
Article 29 – Washington Suburban Sanitary District
Section 11–104, 11–106, and 11–107
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 579 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Customer Notices

PG/MC 104–10

FOR the purpose of authorizing the Washington Suburban Sanitary Commission to enter a certain building or premises at certain times to post a certain notice on the entry door of the building or premises under certain circumstances; and generally relating to customer notices of the Washington Suburban Sanitary Commission.

BY adding to
Article 29 – Washington Suburban Sanitary District

Section 18–110
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 580 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Task Force on the Reassignment of Functions of the Washington Suburban Sanitary Commission to Montgomery County and Prince George's County

PG/MC 113–10

FOR the purpose of establishing a Task Force on the Reassignment of Functions of the Washington Suburban Sanitary Commission to Montgomery County and Prince George's County; providing for the membership of the Task Force; providing for the election of the chair of the Task Force; providing for the staffing of the Task Force; providing that the members of the Task Force may not receive compensation but are entitled to a certain reimbursement; providing for the duties of the Task Force; requiring the Task Force to report certain findings and recommendations to the Governor and Montgomery County and Prince George's County delegations to 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 Reassignment of Functions of the WSSC to Montgomery County and Prince George's County.

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 18–110
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 581 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Maryland–Washington Regional District – Boundaries – City of Laurel

PG/MC 107–10

FOR the purpose of altering a certain provision of law to provide that the boundaries of the Maryland–Washington Regional District include all of Prince George's County except the City of Laurel as its boundaries are defined as of a certain date; and generally relating to the boundaries of the Maryland–Washington Regional District.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 7–103
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 582 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Prince George's County – Issuance of Alcoholic Beverages Licenses and Park Permits – Notification

PG/MC 112–10

FOR the purpose of requiring the Prince George's County Board of License Commissioners to notify certain county officials of certain information when the Board issues a special Class C beer, wine and liquor license; requiring an administrative official who issues a use and occupancy permit in Prince George's County to notify promptly certain county officials when the Commission official issues a certain permit that allows entertainment to be held in the county under certain circumstances; and generally relating to alcoholic beverages licenses and park permits in Prince George's County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(d)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(d)(11)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission

Section 8–119
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 583 – Frederick County Delegation

AN ACT concerning

Frederick County – Adult Detention Center – Fees

FOR the purpose of altering certain medical and dental fees for individuals incarcerated in the Frederick County Adult Detention Center; establishing a processing fee, incarceration fee, and general educational development administrative fee for certain individuals in the Center; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–203(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 11–712(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 11–712(e) and (f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 584 – Delegates Ross, Hucker, Ali, Barnes, Benson, Carr, Holmes, Ivey, Kaiser, Manno, Mizeur, Niemann, Pena–Melnyk, Ramirez, Valderrama, and Waldstreicher

AN ACT concerning

Corporate Income Tax – Combined Reporting

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; altering certain requirements for certain corporations to file certain statements with the Comptroller; 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; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY adding to
Article – Tax – General
Section 10–402.1
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–804.1 and 10–811
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 585 – Delegate V. Clagett

AN ACT concerning

Health Insurance – Mandated Benefits – Dental Implants

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for certain procedures under certain circumstances from excluding or denying coverage for dental implant surgery and devices; making the provisions of this Act applicable to health benefit plans issued to small employers, notwithstanding certain provisions of law; making the provisions of this Act applicable to health maintenance organizations; making certain conforming changes and clarifications; and generally relating to health insurance coverage for dental implants.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–821
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 586 – Delegates Ross, Gaines, and Healey

AN ACT concerning

Creation of a State Debt – Prince George's County – SEED Recreation Center

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

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

House Bill 587 – Delegates Jones, Aumann, Bohanan, Branch, Burns, Cane, Carr, Conway, Davis, DeBoy, Doory, Dumais, Eckardt, Gaines, Glenn, Griffith, Haddaway, Hammen, Haynes, Howard, Lafferty, Levy, Love, McIntosh, Nathan–Pulliam, Proctor, and F. Turner

AN ACT concerning

Creation of a State Debt – Maryland Affordable Housing Trust

FOR the purpose of authorizing the creation of a State Debt in the amount of $2,000,000, the proceeds to be used as a grant to the Board of Trustees of the Maryland Affordable Housing Trust, 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 Appropriations.

House Bill 588 – Delegates Norman, Elmore, Frank, George, Kach, Kipke, McComas, McConkey, Riley, Smigiel, Sossi, Stocksdale, and Stull

AN ACT concerning

Rules of the Road – Duty to Remain at the Scene of an Accident – Penalties

FOR the purpose of increasing the maximum penalty for certain offenses relating to a driver's duty to remain at the scene of an accident; and generally relating to a driver's duty to remain at the scene of an accident.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 27–101(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 27–101(dd)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 589 – Delegates Norman, Boteler, Dwyer, Frank, George, Haddaway, Jenkins, Kach, Kipke, Krebs, McComas, McConkey, Riley, Schuh, Stocksdale, and Stull

AN ACT concerning

Criminal Procedure – Court Costs – Payment for Foreign Language Interpreter

FOR the purpose of altering the definition of "costs" in a criminal case to include a certain amount for services and expenses paid to a foreign language interpreter appointed for a defendant; authorizing a court to charge a defendant who is found guilty of a crime and who was appointed a foreign language interpreter during the prosecution of the case with certain costs for the services and expenses of the interpreter under certain circumstances; exempting a defendant represented by the Office of the Public Defender from being charged the costs of the interpreter; making stylistic changes; and generally relating to the payment for a foreign language interpreter in a criminal case.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 7–501, 7–502, and 9–114
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 590 – **Delegates Ross and Ivey**

EMERGENCY BILL

AN ACT concerning

Recordation Taxes and State Transfer Tax – Debt Forgiven in "Short Sale"

FOR the purpose of clarifying that for the purposes of recordation taxes and the State transfer tax, the consideration payable for an instrument of writing to which the tax applies does not include the amount of any debt forgiven or assumed by a person other than the grantee; making this Act an emergency measure; and generally relating to recordation taxes and State transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 12–103(a) and 13–203(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 591 – **Delegates George, Aumann, Bartlett, Bates, Boteler, Bromwell, Costa, Eckardt, Elliott, Frank, Impallaria, James, Jennings, Kach, Kelly, King, Kipke, Krebs, Levy, McConkey, McDonough, Miller, Myers, Norman, Schuh, Serafini, Shank, Shewell, Sossi, Stifler, Stocksdale, Stull, and Wood**

EMERGENCY BILL

AN ACT concerning

Unemployment Insurance – Charging and Taxation

FOR the purpose of altering the unemployment insurance charging and taxation system; altering the standard rate of contribution that certain employing units are required to pay; requiring the Department of Labor, Licensing, and Regulation to make a certain notification to employing units; making this Act an emergency measure; providing for the termination of this Act; and generally relating to the unemployment insurance charging and taxation system.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–612

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 592 – **Queen Anne's County Delegation**

AN ACT concerning

Queen Anne's County – Property Tax Credit – Foster Parent

FOR the purpose of authorizing the governing body of Queen Anne's County to grant, by law, a tax credit against the county property tax imposed on property owned by certain individuals; authorizing the governing body of Queen Anne'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; providing for the application of this Act; and generally relating to a property tax credit in Queen Anne's County for property owned by certain individuals.

BY adding to
Article – Tax – Property
Section 9–319(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 593 – **Queen Anne's County Delegation**

AN ACT concerning

Queen Anne's County – County Commissioners – Gaming Permits

FOR the purpose of repealing a certain limitation on the number of permits to operate gaming devices that the County Commissioners for Queen Anne's County may issue to an organization in a single year; authorizing the county commissioners to determine the number of permits to issue to an organization in a single year; and generally relating to permits to operate gaming devices in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 13–2002(a) and 13–2003(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–2003(d)(3)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 594 – Delegates George, Aumann, Bartlett, Bates, Beitzel, Frank, Haddaway, Impallaria, Jenkins, Jennings, Kelly, King, Kipke, Krebs, McComas, McDonough, Montgomery, Morhaim, Myers, Norman, Schuh, Serafini, Shank, Shewell, Sophocleus, and Stukes

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(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–134
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 595 – Delegates Olszewski, Minnick, and Weir

AN ACT concerning

Baltimore County – Property Tax Credit – Rosewald Beach Civic League

FOR the purpose of authorizing the governing body of Baltimore County to grant, by law, a property tax credit against the county tax imposed on real property owned by the Rosewald Beach Civic League; providing for the application of this

Act; and generally relating to a property tax credit in Baltimore County for the Rosewald Beach Civic League.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–305(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 596 – Delegate Ross

AN ACT concerning

Horse Racing – Citizenship and Residency Requirement for Employees of Licensee – Repeal

FOR the purpose of repealing the requirement that a certain minimum percentage of a horse racing licensee's employees be United States citizens who have maintained a permanent place of residence in the State for at least a certain number of years immediately before being employed; and generally relating to horse racing in the State.

BY repealing
Article – Business Regulation
Section 11–320
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 597 – Delegates McConkey and Sophocleus

AN ACT concerning

Anne Arundel County – School Board Nominating Commission – Membership

FOR the purpose of adding a member to the School Board Nominating Commission of Anne Arundel County appointed by a certain association; and generally relating to the membership of the School Board Nominating Commission of Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–110(b)
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 598 – Delegate Ross

AN ACT concerning

Horse Racing – Foaled Stakes Programs Races – Registration Requirements

FOR the purpose of altering a method by which a horse may be registered with the Maryland Standardbred Race Fund Advisory Committee to enable the horse to start in a race of the Foaled Stakes Program; and generally relating to Standardbred horse racing in the State.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 11–623(a) and (b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–632
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 599 – Delegates Olszewski, Kach, Aumann, Barkley, Boteler, Bromwell, DeBoy, Frank, Frick, Glenn, Hecht, Heller, Howard, James, Lafferty, Mathias, Minnick, Morhaim, Riley, Shewell, Stocksdale, F. Turner, Valderrama, and Weir

AN ACT concerning

Correctional Services – Repeat Child Sexual Offenders – Diminution Credits

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of a certain inmate who is serving a sentence for a certain sexual offense against a minor after being previously convicted of a certain sexual offense against a minor.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

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

House Bill 600 – Delegate Kullen

AN ACT concerning

Health Occupations – Therapy Management Contracts – Repeal of Sunset

FOR the purpose of repealing the termination of the provisions of law relating to certain licensed physician–pharmacist agreements and certain licensed physician–pharmacist therapy management contracts.

BY repealing and reenacting, with amendments,
Chapter 249 of the Acts of the General Assembly of 2002, as amended by Chapter 650 of the Acts of the General Assembly of 2008
Section 5

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 601 – Calvert County Delegation

AN ACT concerning

Calvert County – Regulation of Tattoo Artist and Body Piercing Services

FOR the purpose of authorizing the County Commissioners of Calvert County to adopt certain ordinances pertaining to tattoo artist or body piercing services; requiring the Calvert County Health Department to enforce certain ordinances; and generally relating to tattoo artist and body piercing services.

BY adding to
Article 25 – County Commissioners
Section 256 to be under the new subheading "Regulation of Tattoo Artist and Body Piercing Services"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 602 – Delegates Barkley, Ali, and Reznik

AN ACT concerning

Creation of a State Debt – Montgomery County – Lake Whetstone Hillside Stabilization

FOR the purpose of authorizing the creation of a State Debt not to exceed $20,000, the proceeds to be used as a grant to the Board of Directors of the South Village 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 Appropriations.

House Bill 603 – Delegates Shank, Bartlett, Bates, Boteler, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jenkins, Kach, Kipke, Krebs, McComas, McConkey, Miller, Norman, Serafini, Smigiel, Sossi, Stocksdale, and Stull

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Health Care Freedom Act of 2010

FOR the purpose of adding a new article to the Maryland Constitution to enact limits on the regulation of health care in the State; prohibiting a law from compelling certain persons to participate in a health care system; prohibiting certain persons from being required to pay penalties or fines for not participating in any health care system; authorizing certain persons to pay directly for certain health care services; authorizing a health care provider to accept direct payment for certain health care services; prohibiting certain persons from being required to pay penalties or fines under certain circumstances; specifying that the purchase or sale of certain health insurance may not be prohibited by law; specifying that this Act does not affect which health care services a health care provider is required to perform or provide, which health care services are authorized or not prohibited by law, and the terms and conditions of any health care system under certain circumstances; specifying that this Act does not prohibit health care provided under any law relating to workers' compensation; defining certain terms; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
New Article XX – Regulation of Health Care
Section 1

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 604 – **Delegate V. Clagett**

AN ACT concerning

Environment – Greywater – Residential Use

FOR the purpose of authorizing a person to use a certain amount of greywater per day for certain residential purposes under certain circumstances; defining a certain term; and generally relating to the residential use of greywater.

BY adding to
Article – Environment
Section 9–1110
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 605 – **Delegate Dumais**

AN ACT concerning

Real Property – Wrongful Detainer

FOR the purpose of transferring and clarifying the application of certain provisions of law regarding wrongful detainer of real property; clarifying the application of certain other provisions of law relating to an action for possession; making certain technical and conforming changes; and generally relating to the applicability of certain provisions of law relating to wrongful possession of property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–402.4 and 14–108.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 606 – **Delegates Love, Beidle, Costa, George, King, Kipke, McConkey, Schuh, and Sophocleus**

AN ACT concerning

Natural Resources – Local Forest Conservation Funds – Use of Money

FOR the purpose of repealing the requirement that, at the end of a certain time period, unused money in a local forest conservation fund be returned to certain persons for certain purposes; and generally relating to the use of money in a local forest conservation fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1610
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 607 – Delegates Love, Costa, Dwyer, King, Kipke, and Schuh

AN ACT concerning

Public Health – Sale of Baked Goods – Private Home Kitchens

FOR the purpose of authorizing a person to sell certain baked goods without a certain license under certain circumstances; requiring a person to register with the Department of Health and Mental Hygiene before the person may sell certain baked goods; requiring certain baked goods to have a certain label; requiring applicants for registration to submit a certain application; establishing certain qualifications for registration; authorizing the Department to make certain inspections under certain circumstances; establishing certain terms and procedures for the renewal of a registration; authorizing the Department to deny a registration to an applicant or suspend or revoke a registration under certain circumstances; requiring a registrant to display a registration in a certain location; prohibiting a person from refusing the Department certain access; establishing certain hearing and appeal procedures; authorizing the Department to order a person to abate certain violations; and generally relating to the registration of persons who sell baked goods that are not potentially hazardous and are made in a private home kitchen.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–305(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 21–3A–01 through 21–3A–15 to be under the new subtitle "Subtitle 3A. Private Home Kitchens"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 608 – Delegates F. Turner, Conaway, DeBoy, Glenn, Harrison, Howard, Ivey, Kirk, Krysiak, Minnick, Oaks, Olszewski, Robinson, Stukes, V. Turner, and Valderrama

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Video Lottery Gaming – Table Games

FOR the purpose of amending the Maryland Constitution to authorize a person that holds a video lottery operation license to offer table games, such as poker, blackjack, craps, and roulette, to the public; 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 XIX – Video Lottery Terminals
Section 1

Read the first time and referred to the Committee on Ways and Means.

House Bill 609 – Delegates Love, Beidle, Costa, Dwyer, George, James, King, Kipke, McConkey, Schuh, and Sophocleus

AN ACT concerning

Criminal Law – Gang Activity – Jurisdiction over Juvenile Offenders

FOR the purpose of excluding from the jurisdiction of juvenile court a child of at least a certain age alleged to have committed, as a member of a criminal gang, a certain act that would be a crime if committed by an adult; providing for the application of this Act; and generally relating to the jurisdiction of the court over a juvenile offender involved in criminal gang activity.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03(d)(4)(xvi) and (xvii)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(4)(xviii)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 9–802, 9–803, and 9–804
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 610 – Delegates Love, Beidle, Costa, Dwyer, George, King, Kipke, McConkey, Schuh, and Sophocleus

AN ACT concerning

Education – Public Charter School Facility Revolving Loan Fund

FOR the purpose of establishing the Public Charter School Facility Revolving Loan Fund; specifying the purpose of the Fund; authorizing certain applicants to obtain loans from the Fund; requiring the State Board of Education to administer the Fund and to consider certain factors when evaluating loan applications; specifying loan amounts; requiring the State Board to report certain information to county boards of education each fiscal year; establishing certain requirements for loan repayment; requiring the State Board to adopt certain regulations; and generally relating to the Public Charter School Facility Revolving Loan Fund.

BY adding to
Article – Education
Section 9–111
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 611 – Delegates Frick, Bronrott, Lee, Barkley, Carr, Dumais, Gutierrez, Hucker, Manno, Mizeur, Rice, and Waldstreicher

AN ACT concerning

State Highways – Mobile Produce Vendors – Required State Lease

FOR the purpose of expanding the application of a provision of law that prohibits certain food vendors from operating on a State highway right–of–way without a certain State lease to include mobile produce vendors; prohibiting a mobile

produce vendor lessee from operating at certain locations; providing that this Act does not diminish the authority of a county to license and regulate mobile produce vendors; establishing certain criminal penalties for a violation of this Act; providing for the enforcement of this Act; defining a certain term; making certain stylistic changes; and generally relating to the operations of mobile produce vendors.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–301 through 24–303
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 612 – **Delegates Love, Beidle, Costa, George, King, Kipke, McConkey, Schuh, and Sophocleus**

AN ACT concerning

Environment – Use of Coal Combustion By–Products for Reclamation – Bond Requirements

FOR the purpose of requiring the Department of the Environment to require a bond in a certain amount for a permit that authorizes the use of coal combustion by–products for reclamation; and generally relating to bond requirements for permits authorizing the use of coal combustion by–products for reclamation.

BY repealing and reenacting, with amendments,
Article – Environment
Section 15–823
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 613 – **Delegates Ali and Morhaim**

AN ACT concerning

Department of Health and Mental Hygiene Renaming Act

FOR the purpose of renaming the Department of Health and Mental Hygiene to be the Department of Health; renaming the Secretary of Health and Mental Hygiene to be the Secretary of Health; providing that letterhead, business cards, and other documents reflecting the renaming of the Department may not be used until all letterhead, business cards, and other documents already in print and reflecting the name of the Department before the effective date of this Act are used; requiring the publisher of the Annotated Code to make certain corrective changes; and generally relating to the renaming of the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 1–101(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 1–101(c) and (k), 2–101, and 2–102(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 614 – Delegates Love, Beidle, Costa, Dwyer, George, King, Kipke, McConkey, Schuh, and Sophocleus

AN ACT concerning

Environment – Coal Combustion By–Products – Permits

FOR the purpose of requiring the Department of the Environment to hold an informational meeting with respect to certain permit applications involving the disposal of coal combustion by–products; requiring a certain informational meeting to be conducted in a certain location; requiring the Department to hold a public hearing before the Secretary of the Environment issues certain permits that involve the disposal of coal combustion by–products; requiring the Department to mail written notice of a certain public hearing to certain local governments under certain circumstances; and generally relating to permits issued for the disposal of coal combustion by–products.

BY adding to
Article – Environment
Section 9–290
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 615 – Delegate Love

AN ACT concerning

Anne Arundel County – Board of License Commissioners – Annual Budget

FOR the purpose of requiring that the Anne Arundel County government accept and not alter an annual budget of the Board of License Commissioners that the Comptroller approves; and generally relating to the Board of License Commissioners for Anne Arundel County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–112(c)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 15–112(c)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 616 – Delegate Ali

EMERGENCY BILL

AN ACT concerning

Independent Campaign Expenditures Restriction Act

FOR the purpose of requiring certain business entities that make independent expenditures of a certain amount for campaign material to disclose certain information to the State Board of Elections within a certain time period after making the expenditure; requiring the State Board to post certain information received by business entities and nonprofit organizations on a certain website within a certain time period after receiving the information; requiring a business entity that has stockholders to get a certain approval from its stockholders before making an independent expenditure of a certain amount for campaign material; prohibiting a person doing public business from making an independent expenditure for certain campaign material; making this Act an

emergency measure; defining certain terms; and generally relating to independent expenditures for campaign material by certain business entities and nonprofit organizations.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–102
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 617 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Local Small Business Enterprise Program – Eligibility Criteria

PG/MC 114–10

FOR the purpose of altering the eligibility criteria of the local small business enterprise program of the Washington Suburban Sanitary Commission; and generally relating to the eligibility criteria of the local small business enterprise program of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, with amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–110
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 618 – Allegany County Delegation

AN ACT concerning

Workers' Compensation – Allegany County Deputy Sheriffs

FOR the purpose of providing that an Allegany County deputy sheriff who suffers from heart disease or hypertension is presumed, under certain circumstances, to have an occupational disease that was suffered in the line of duty; providing for enhanced workers' compensation benefits for certain Allegany County deputy sheriffs for a compensable permanent partial disability of less than a certain

number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Allegany County deputy sheriffs.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–503(b)(1) and 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 619 – Delegate James

AN ACT concerning

State Contributory Law Enforcement Officers' Pension System – Transfer of Service Credit

FOR the purpose of providing that certain members of the State Contributory Law Enforcement Officers' Pension System may transfer certain service credit from the Employees' Pension System in a certain manner; requiring that certain members of the State Contributory Law Enforcement Officers' Pension System who transfer certain service credit from the Employees' Pension System complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of certain provisions of this Act; and generally relating to the transfer of service credit for members of the State Contributory Law Enforcement Officers' Pension System.

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

House Bill 620 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Condominiums and Homeowners Associations – Common Elements and Common Areas – Implied Warranties

FOR the purpose of requiring the description of the common elements in a condominium declaration that is recorded on or after a certain date to include certain improvements; prohibiting under certain circumstances the amending of

the description and designation of the common elements in a condominium declaration that is recorded after a certain date; altering the duration of a certain implied warranty on the common elements of a condominium; altering the duration of a certain implied warranty on the common areas of a homeowners association; making stylistic changes; providing for the application of this Act; and generally relating to implied warranties on common elements in condominiums and common areas in homeowners associations.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–103(a), 11–131(d), and 11B–110(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 621 – Delegates Frush, Barnes, and Hubbard

AN ACT concerning

Agriculture – Commercial Fertilizer – Surcharge

FOR the purpose of imposing a surcharge at a certain rate on each ton of certain commercial fertilizer distributed in the State; exempting certain low phosphorous fertilizer from the surcharge; requiring distributors to pay the surcharge before distributing certain commercial fertilizer in the State; requiring the State Department of Agriculture to distribute the revenue from the surcharge to a certain special fund; and generally relating to a surcharge on certain commercial fertilizer.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 6–201(a), (f), and (p)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–204, 6–207, and 6–208
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–2A–02
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 622 – Delegates Waldstreicher, Anderson, Barnes, Carter, Conaway, Dumais, Lee, Ramirez, Schuler, Simmons, and Smigiel

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 2009 Supplement)

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

House Bill 623 – Allegany County Delegation

AN ACT concerning

Allegany County – Property Tax Credit – Memorial Hilltop Centre

FOR the purpose of authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain property located in a certain area; providing for a certain limitation on the tax credit; authorizing the governing body of Allegany County or of a municipal corporation in Allegany County to provide, by law, for certain provisions relating to the property tax credit; providing for the application of this Act; and generally relating to property tax credits for certain property in Allegany County.

BY adding to
Article – Tax – Property
Section 9–302(l)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 624 – Delegates Nathan–Pulliam, Eckardt, Costa, Donoghue, Elmore, Hubbard, Kullen, and Montgomery

AN ACT concerning

Registered Nurses, Licensed Practical Nurses, Nursing Assistants, and Medication Technicians – Changes to Licensure Requirements

FOR the purpose of requiring that if the State Board of Nursing has reason to believe that a certain applicant, licensee, or certificate holder may cause harm to certain individuals, the Board require the applicant, licensee, or certificate holder to submit to a certain examination; adding certain individuals who have applied for a certain license, have passed a certain examination, and are awaiting receipt of certain criminal history record information to those individuals who are exempt from certain licensure requirements; adding certain individuals who provide gratuitous care for friends and family to those individuals who are exempt from certain licensure requirements; requiring that certain applicants pass a certain national examination; providing that practicing nursing in certain states or territories for at least a certain number of years is acceptable proof of proficiency in English; repealing the requirement that the Board give certain examinations; requiring the Board to issue certain licensees and certificate holders a license or certification number and a registration certificate that indicates certain information; requiring the Board to record electronically certain licenses and certificates, including inactive status, in certain databases and on certain websites; extending the period of time the Board has to send certain renewal notices; authorizing the Board to send certain renewal notices by electronic means; requiring the Board to send certain renewal applicants certain documents necessary for initiating criminal history records checks in conjunction with certain renewal notices; authorizing certain licensees to submit certain renewal applications by paper application or electronic means; extending the period of time between criminal history records checks for certain renewal applicants; repealing provisions concerning skilled nursing assistants; extending the period of time certain certificate holders have to notify the Board of certain changes in name or address; and generally relating to registered nurses, licensed practical nurses, nursing assistants, and medication technicians.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 8–205.1, 8–301(c), 8–302(e) and (f)(2), 8–305(d) through (f), 8–308(a) and (b), 8–309(b), 8–312(b), (c), and (g)(1), 8–6A–05(a), 8–6A–07, 8–6A–08, and 8–6A–15
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing

Article – Health Occupations
Section 8–305(c) and 8–6A–01(k)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 625 – Delegates Simmons, Anderson, Eckardt, Lee, Smigiel, and Valderrama

AN ACT concerning

Domestic Violence – Domestic Violence Central Repository

FOR the purpose of requiring the Administrative Office of the Courts to maintain a Domestic Violence Central Repository; requiring that the Central Repository store certain domestic violence orders issued in the State; establishing the purposes of the Central Repository; defining a certain term; and generally relating to domestic violence and the Domestic Violence Central Repository.

BY adding to
Article – Family Law
Section 4–512
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 626 – Delegates Nathan–Pulliam, Benson, Costa, Donoghue, Hubbard, Jones, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Cancer Chemotherapy – Cost Sharing Equity

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations that provide coverage under certain policies or contracts for certain cancer chemotherapy from imposing certain limits or cost sharing on coverage for orally administered cancer chemotherapy that are less favorable to an insured or enrollee than the limits or cost sharing on coverage for cancer chemotherapy that is administered intravenously or by injection; 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 cancer chemotherapy.

BY adding to
Article – Insurance
Section 15–845
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 627 – Delegates Nathan–Pulliam, Benson, Burns, Costa, Donoghue, Hubbard, Jones, Kipke, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Tarrant, and V. Turner

AN ACT concerning

Health Occupations Boards and Committees – Consumer Member Requirements

FOR the purpose of requiring that certain consumer members on certain health occupations boards and committees be members of the general public; prohibiting certain consumer members from being or having been a health care professional or in training to be a health care professional or from having a household member who is a health care professional or in training to be a health care professional; prohibiting certain consumer members from participating or ever having participated in certain commercial or professional fields, having a household member who participates in certain commercial or professional fields, or having certain financial interests within a certain period of time; providing certain term requirements for certain consumer members; and generally relating to requirements for consumer members on health occupations boards and committees.

BY adding to
Article – Health Occupations
Section 1–214
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 628 – Delegate Simmons

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2007 – Montgomery County – Public Safety Memorial

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to expand the location of the Public Safety Memorial from Rockville to Montgomery County.

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

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

House Bill 629 – Delegate Simmons

AN ACT concerning

Truth in Sentencing Task Force

FOR the purpose of establishing a Truth in Sentencing Task Force; providing for the membership and duties of the Task Force; providing for the staffing of the Task Force; requiring the Governor to appoint the chair of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to report to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the establishment of a Truth in Sentencing Task Force.

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

House Bill 630 – Delegate Simmons

AN ACT concerning

Vehicle Laws – Ignition Interlock System Program – Mandatory Participation

FOR the purpose of altering the Motor Vehicle Administration's authority to establish an Ignition Interlock System Program by requiring the Administration to establish the Program; requiring rather than authorizing the Administration to establish a protocol for the Program by certain regulations; altering the circumstances under which individuals may participate in the Program; requiring an individual to participate in the Program if the individual is required to do so by a court under a certain provision of law; requiring a court to

order participation in the Program for an individual convicted of, or granted probation for, certain alcohol–related driving offenses under certain circumstances; authorizing a court to choose not to require an individual who is a first time offender or who meets certain other criteria to participate in the Program if the court makes and states on the record a certain finding; requiring a court to consider certain factors in making a certain finding; making certain technical and stylistic changes; defining certain terms; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–205.1(a)(1)(iv)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–404.1(b) and 27–107(a) through (c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 631 – Delegates Niemann, Beidle, and Holmes

AN ACT concerning

Natural Resources – Park Advisory Commission – Membership

FOR the purpose of increasing the membership of the Park Advisory Commission in the Department of Natural Resources; repealing certain obsolete language; and generally relating to the Park Advisory Commission.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–204
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 632 – Delegates Howard, Benson, Davis, Frush, Gaines, Healey, Holmes, Ivey, Niemann, Pena–Melnyk, Proctor, Ramirez, Ross, Valderrama, Vaughn, and Walker

AN ACT concerning

Maintenance of Effort – Penalty

FOR the purpose of waiving the maintenance of effort penalty for a certain fiscal year; providing for the application of this Act; and generally relating to the maintenance of effort penalty.

Read the first time and referred to the Committee on Ways and Means.

House Bill 633 – Delegates Niemann, Beidle, Holmes, and McConkey

AN ACT concerning

Real Property – Mortgages and Deeds of Trust – Authority to Exercise a Power of Sale

FOR the purpose of clarifying that a mortgage or deed of trust may authorize the sale of property or declare a borrower's assent to the passing of a decree for the sale of the property under certain circumstances; clarifying that a power of sale authorized in a mortgage or deed of trust may be exercised only by an individual; providing that an error or omission in a mortgage or deed of trust concerning the designation of the individual authorized to exercise a power of sale does not invalidate the ability of the individual to exercise the power of sale; authorizing the holder of a mortgage or deed of trust to make in any foreclosure proceeding a substitution of the individual authorized to exercise a power of sale under certain circumstances; defining a certain term; and generally relating to the authority to exercise a power of sale in mortgages and deeds of trust.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 634 – Delegates Robinson, Conaway, Glenn, Heller, Shewell, Stocksdale, and Vaughn

AN ACT concerning

State Personnel – Fees Charged by State Employees – Prohibition

FOR the purpose of prohibiting State employees from charging certain fees to assist an individual in completing certain applications, forms, or other documents under certain circumstances; providing for the application of this Act; and generally relating to fees charged by State employees.

BY adding to
Article – State Personnel and Pensions
Section 2–308
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 635 – Delegates Frush, Barnes, and Pena–Melnyk

AN ACT concerning

Judges' Retirement System – Reemployment of Retirees

FOR the purpose of repealing certain exceptions under which certain retirees of the Judges' Retirement System may be reemployed without being subject to a certain earnings offset to their retirement allowance; repealing a certain earnings offset of a retirement allowance for certain retired judges of the Judges' Retirement System who are reemployed by the State; repealing a certain requirement to reduce certain retirement benefits of certain retirees of the Judges' Retirement System by a certain amount if the retirees earn an additional retirement benefit under certain circumstances; prohibiting certain retirees of the Judges' Retirement System from being rehired within a certain period of time under certain circumstances; and generally relating to the reemployment of retirees of the Judges' Retirement System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 27–406
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 636 – Delegates Frush and Beitzel

AN ACT concerning

Natural Resources – Suspension of Hunting Licenses and Privileges

FOR the purpose of authorizing the Department of Natural Resources to suspend for certain periods of time the hunting license or privileges of a person who is convicted of a State or federal hunting violation; requiring the Department to suspend for a certain time period the hunting license or privileges of a person who receives within a certain time period a certain second conviction for a hunting violation; authorizing the Department to order that certain persons not

obtain a hunting license for a certain time period; repealing certain provisions of law authorizing the Department to impose a certain fine and certain hunting license suspensions for a conviction for certain hunting violations; authorizing a court to suspend the hunting license of a person convicted of a federal hunting violation and the hunting privileges of a person convicted of a State or federal hunting violation; prohibiting a person whose hunting license is suspended from hunting or performing certain hunting activities anywhere in the State; prohibiting a person whose hunting privileges are suspended from hunting, or performing certain activities related to hunting, in the State; authorizing the Department to adopt regulations to implement this Act; clarifying certain language; defining a certain term; and generally relating to the suspension of hunting licenses and privileges in the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–205, 10–423, 10–1101, and 10–1108
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 637 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Minority Business Utilization Program

PG/MC 116–10

FOR the purpose of prohibiting the Washington Suburban Sanitary Commission from modifying a certain minority business utilization program or adopting a new minority business utilization program unless the modification or new program is expressly approved by an act of the General Assembly; and generally relating to minority business utilization programs of the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article 29 – Washington Suburban Sanitary District
Section 3–109(a) through (c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 3–109(c–1)

Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 638 – Prince George's County Delegation and Montgomery County Delegation

AN ACT concerning

Washington Suburban Sanitary Commission – Procurement and Minority Business Enterprises – WSSC Procurement Oversight Committee

PG/MC 109–10

FOR the purpose of establishing a WSSC Procurement Oversight Committee; providing for the membership, terms, and duties of the Committee; requiring the Washington Suburban Sanitary Commission to submit, on or before a certain date, a written report to the Committee demonstrating compliance with a certain minority business enterprise law; stating the findings of the General Assembly; requiring the Committee to report to certain delegations to the General Assembly on or before a certain date; and generally relating to the procurement activities and minority business enterprise participation of the Washington Suburban Sanitary Commission and the WSSC Procurement Oversight Committee.

BY adding to
Article 29 – Washington Suburban Sanitary District
Section 3–111
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 639 – Delegates Burns, Benson, Bronrott, Glenn, Kelly, Minnick, Morhaim, Myers, Smigiel, and Walker

AN ACT concerning

Task Force on Military Service Members, Veterans, and the Courts

FOR the purpose of creating a Task Force on Military Service Members, Veterans, and the Courts; providing for the composition, chair, 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 study the

military service–related mental health issues and substance abuse problems that may apply or arise in certain court cases and to consider recommending the establishment of a special court for eligible defendants who are veterans or members of the armed services on active duty who appear to suffer from certain problems related to military service; requiring the Task Force to make certain recommendations; requiring the Task Force to report certain findings and recommendations to the Governor, Chief Judge of the Court of Appeals, and the General Assembly; providing for the termination of this Act; and generally relating to the Task Force on Military Service Members, Veterans, and the Courts.

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

House Bill 640 – Prince George's County Delegation

AN ACT concerning

Maryland Loan Assistance Repayment Program for Physicians – Prince George's County Primary Care Physicians – Eligibility

PG 403–10

FOR the purpose of authorizing certain medical residents specializing in primary care in Prince George's County who agree to a certain service obligation as primary care physicians in Prince George's County to be eligible for loan assistance repayment under the Maryland Loan Assistance Repayment Program for Physicians; and generally relating to the eligibility of primary care physicians in Prince George's County for the Maryland Loan Assistance Repayment Program for Physicians.

BY repealing and reenacting, without amendments,
Article – Education
Section 18–2801, 18–2802, 18–2803, 18–2805, and 18–2806
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–2804
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 641 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Creation of a State Debt – Prince George's County – 3505 Hamilton Street

FOR the purpose of authorizing the creation of a State Debt not to exceed $300,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Hyattsville 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 Appropriations.

House Bill 642 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Real Property – Home Builders – Community Amenities

PG 407–10

FOR the purpose of requiring a home builder that agrees to provide a community amenity to a community development located in Prince George's County to include certain information in the contract of sale; requiring a certain home builder to make a certain community amenity available by a certain date; providing for a certain penalty; defining a certain term; providing for the application of this Act; and generally relating to home builders and community amenities in Prince George's County.

BY adding to
Article – Real Property
Section 10–708
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 643 – Delegates Gaines, Healey, and Ross

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2006 – Prince George's County – YMCA Renaissance Square

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to alter the purpose of a certain grant; changing the grantee of a certain grant;

and extending the deadline by which the grantee must 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
Section 1(3) Item ZA02(BX)

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

House Bill 644 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Transportation of Public School Students – School Buses

PG 404–10

FOR the purpose of requiring the use of school buses in Prince George's County to transport certain students who live within a certain walking distance of certain schools; defining a certain term; and generally relating to the transportation of public school students in Prince George's County.

BY adding to
Article – Education
Section 7–805.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 645 – Delegates Carter, Oaks, and Rosenberg

AN ACT concerning

Baltimore City – Alcoholic Beverages – Prohibition Against Underage Individuals in Liquor Stores

FOR the purpose of prohibiting in Baltimore City holders of certain alcoholic beverages licenses or employees of the holders from allowing an individual under a certain age to enter the licensed premises; providing a certain exception; establishing certain penalties; providing that a certain individual be issued a citation under certain circumstances; requiring the Board of Liquor License Commissioners to adopt certain regulations; and generally relating to underage individuals on premises licensed for alcoholic beverages in Baltimore City.

BY adding to
Article 2B – Alcoholic Beverages
Section 9–204.4
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 646 – Delegates Reznik, Barkley, Bronrott, Montgomery, Rice, Rosenberg, and Shewell

AN ACT concerning

Angel's Law – Foster Care and Child Care – Cordless Window Coverings

FOR the purpose of requiring new and replacement window coverings on or after a certain date to be cordless in foster homes, family day care homes, and child care centers; requiring certain existing window coverings to meet certain minimum standards in foster homes, family day care homes, and child care centers; authorizing the appropriate agency to require the replacement of certain window coverings under certain circumstances; requiring the Social Services Administration to adopt certain regulations relating to cordless window coverings for foster homes; requiring the State Department of Education to adopt certain regulations relating to cordless window coverings for family day care homes; requiring the State Superintendant of Schools to adopt certain regulations relating to cordless window coverings for child care centers; defining certain terms; and generally relating to cordless window coverings for foster homes, family day care homes, and child care centers.

BY adding to
Article – Family Law
Section 5–505 and 5–573(b)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(j), 5–551(c)(1), and 5–573(b)(9) and (10)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 5–551(a) and (b) and 5–573(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 647 – **Delegates Reznik and Hammen**

AN ACT concerning

Department of Natural Resources – Conservation Service Opportunities – Procurement Exemption

FOR the purpose of exempting from certain provisions of the State Procurement law certain grants, agreements, or partnerships related to conservation service opportunities negotiated or entered into by the Department of Natural Resources and nonprofit entities; and generally relating to procurement exemptions.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(a)(1)(xvii) and (xviii)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 11–203(a)(1)(xix)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Environmental Matters.

House Bill 648 – **Delegates Barnes, Frush, Holmes, Hubbard, and Niemann**

AN ACT concerning

Environment – Drug Stewardship Program

FOR the purpose of requiring a manufacturer of certain drugs, beginning on a certain date, to operate a drug stewardship program for the collection, transporting, managing, and disposing of unwanted drugs; requiring a drug stewardship program to be operated in accordance with certain requirements; requiring a manufacturer to have Department of the Environment approval of the manufacturer's proposed program before the manufacturer sells a drug or offers to sell a drug or operates a program in the State; requiring a manufacturer to operate a program in a certain manner, pay certain costs, implement the program without charging a fee at certain times, and accept in the program certain drugs; requiring a manufacturer or a group of manufacturers to submit

a proposed program to the Department for approval; requiring a proposed program to include certain information; requiring the Department to review a proposed program for compliance with certain requirements and take certain action within a certain number of days; authorizing a manufacturer whose proposed program has been rejected to take certain actions; prohibiting, with certain exceptions, a manufacturer from making certain changes to an approved program; requiring a manufacturer or a group of manufacturers to update and receive approval of its program at certain intervals; requiring a manufacturer to promote certain actions with regard to unwanted drugs, establish a toll–free telephone number and website that provide certain information, and provide certain materials to certain persons; requiring a manufacturer's program to provide for the disposal of all unwanted drugs at a certain facility; authorizing a manufacturer to request the Department's approval to use a certain alternate disposal technology; authorizing the Department to approve a request under certain circumstances; requiring a manufacturer that operates an approved program, on or before certain dates, to submit a report to the Department that includes certain information; requiring the Department, on or before a certain date, to establish certain performance standards; authorizing the Department to require a manufacturer that does not meet the performance standards to make certain modifications with certain approval; authorizing the Department to establish fees on manufacturers in a certain amount and deposit the fees in a certain Fund; establishing a Drug Stewardship Fund in the Department; establishing the purpose, administration, sources, and uses of the Fund; requiring the Treasurer to invest the money in 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 the Department to assess certain penalties on, send certain warnings to, and take certain actions with regard to a manufacturer under certain circumstances; authorizing a manufacturer to take certain appeals; requiring certain penalties to be deposited into the Fund; requiring the Department to adopt certain regulations; requiring the Department to report to the Governor and certain legislative committees on or before certain dates; defining certain terms; and generally relating to collection and disposal of drugs through a drug stewardship program.

BY adding to
Article – Environment
Section 7–801 through 7–814 to be under the new subtitle "Subtitle 8. Drug Stewardship Program"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 649 – Delegates Barnes, V. Clagett, Frush, Holmes, Hubbard, Niemann, and Pena–Melnyk

AN ACT concerning

Environment – Pharmaceutical Disposal Act

FOR the purpose of prohibiting a health care facility and certain individuals acting on behalf of or under the direction or supervision of a health care facility from discharging, disposing of, flushing, pouring, or emptying an unused medication into a wastewater system; providing for an exception to the requirements of this Act for the disposal of certain medications by certain health care facilities; requiring health care facilities to adopt certain medication protocols; requiring the Department of the Environment to enforce health care facility compliance with certain requirements; requiring the Department of Health and Mental Hygiene and the Department of Agriculture to provide certain assistance to the Department of the Environment for enforcing health care facility compliance with certain requirements; providing for certain penalties for violations of this Act; requiring the Secretary of the Environment to deposit money collected from certain penalties into the Bay Restoration Fund; defining certain terms; and generally relating to disposal of unused medications by health care facilities.

BY adding to
Article – Environment
Section 9–258
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 650 – Delegates Simmons 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 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 2009 Supplement)

BY adding to
Article – Criminal Law
Section 3–601.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a) and (c)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 651 – Delegates Carr, Gutierrez, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – MCAD Parkland

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 Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 652 – Delegates Carr, Gutierrez, and Waldstreicher

AN ACT concerning

Creation of a State Debt – Montgomery County – Warner Manor

FOR the purpose of authorizing the creation of a State Debt not to exceed $1,000,000, the proceeds to be used as a grant to the 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 Appropriations.

House Bill 653 – Delegates Impallaria, Aumann, Bartlett, Boteler, Costa, Dwyer, George, Haddaway, Jennings, Kach, Krebs, McComas, McDonough, Miller, Minnick, Riley, Schuh, Shewell, Smigiel, Sossi, and Stocksdale

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Taxes – Limitations

FOR the purpose of adding a new section to the Maryland Constitution to provide that the maximum amount of certain taxes on real property may not exceed a certain amount of the full cash value of the property, as defined; requiring all real property to be assessed at the 2010 full cash value or the appraised value of the property, under certain circumstances, subject to adjustment for inflation; adding a new section to the Maryland Constitution to require the approval of two–thirds 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 amendment to the Maryland Constitution
Declaration of Rights
Article 15

BY proposing an addition to the Maryland Constitution
Declaration of Rights
Article 15A

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 28A

Read the first time and referred to the Committee on Ways and Means.

House Bill 654 – Delegates Impallaria, Jennings, McComas, and McDonough

AN ACT concerning

Harford County – Towing and Removing Vehicles

FOR the purpose of establishing that a vehicle may not be towed or removed from private property in Harford County unless the owner of the property has posted certain signs and makes a request for the towing or removal of the specific

vehicle; providing that an owner of private property may not contract with a person for the towing or removal of a vehicle from the property under certain circumstances; requiring the owner of property in Harford County to maintain certain records and keep certain receipts relating to towed vehicles; prohibiting a person who undertakes the towing or removal of a vehicle in Harford County from charging more than certain amounts for fees or charges; requiring a person who tows or removes a vehicle in Harford County to notify the Harford County Sheriff's Office about the towing or removal and provide certain information, register with the Harford County Sheriff's Office, and obtain certain liability insurance and a certain surety bond; requiring the Harford County Sheriff's Office to specify certain requirements concerning the posting of certain signs; authorizing the Harford County Sheriff's Office to charge a certain fee; requiring a person in possession of a vehicle towed or removed from property in Harford County to take certain actions; establishing that a person who undertakes the towing or removal of a vehicle from private property in Harford County in violation of this Act must take certain actions and is subject to certain liabilities and a certain civil penalty; establishing that a person who requests that a vehicle be towed or removed from private property in Harford County in violation of this Act is subject to a certain civil penalty; providing for the application of this Act; defining a certain term; and generally relating to the towing and removing of vehicles from private property in Harford County.

BY adding to
Article – Transportation
Section 21–10B–01 through 21–10B–06 to be under the new subtitle "Subtitle 10B. Towing or Removal of Vehicles in Harford County"
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 655 – Delegates Impallaria, Aumann, Boteler, Costa, Dwyer, George, Jennings, Kach, Krebs, McComas, McDonough, Schuh, Shewell, Sossi, and Stocksdale

CONSTITUTIONAL AMENDMENT

AN ACT concerning

State Government – Furloughs and Temporary Salary Reductions

FOR the purpose of proposing an amendment to the Maryland Constitution that authorizes 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 reduces 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; requiring the Governor to convene the General Assembly in extraordinary session under certain circumstances; requiring the General Assembly to reduce certain appropriations by a certain amount in a certain manner during certain extraordinary sessions; requiring the General Assembly to reduce the compensation of the members of the General Assembly under certain circumstances during certain extraordinary sessions; 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, 35, and 52

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

House Bill 656 – Delegates Impallaria, Boteler, Costa, Dwyer, George, Kach, Krebs, McComas, McDonough, Miller, Schuh, Shewell, Sossi, and Stocksdale

AN ACT concerning

Election Law – Voting by Felons at Polling Places – Prohibition

FOR the purpose of requiring an applicant for voter registration to specify whether the applicant is a felon; requiring that certain information concerning voting by felons be provided to an applicant for voter registration; requiring an individual who is a felon to vote only by absentee ballot; prohibiting a felon from voting at a polling place; limiting a provision of law allowing certain registered criminal offenders to enter onto school property for the purpose of voting only to registered offenders who are not felons; and generally relating to prohibiting felons from voting at polling places.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–202
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 9–304.1

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 9–312
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–722
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 657 – Delegates Carr and Bronrott

AN ACT concerning

Traffic Safety Is No Accident Act of 2010

FOR the purpose of changing the term "accident" to the term "crash" in certain provisions of law relating to motor vehicles; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to replace certain references in the Code to the term "accident" with the term "crash" and to describe any such corrections in an editor's note in the Code; and generally relating to the use of the term "crash" in the Annotated Code of Maryland.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 20–101 through 20–107, 20–109, and 20–113 to be under the amended title "Title 20. Vehicle Laws – Crashes and Crash Reports"
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 7 – Delegates George, Barnes, Beidle, V. Clagett, Dwyer, Frush, King, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

A House Joint Resolution concerning

Wind Power Project at Greenbury Point

FOR the purpose of supporting the United States Navy's consideration of a wind power project at Greenbury Point; and generally relating to the construction of a wind power project at Greenbury Point.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 2 – ~~Senator Conway~~ Senators Conway and Peters

AN ACT concerning

Task Force on the Minority Business Enterprise Program and Equity Investment Capital

FOR the purpose of establishing a Task Force on the Minority Business Enterprise Program and Equity Investment Capital; providing for the composition of the Task Force; requiring the President of the Senate and the Speaker of the House to select a cochair from the Senate and House of Delegates; requiring the Department of General Services and the Department of Transportation to provide staff for the Task Force; prohibiting a Task Force member from receiving compensation but allowing a member to be reimbursed for certain expenses; requiring the Task Force to study how to facilitate the acquisition of investment equity capital by minority business enterprises in Maryland in a certain manner; requiring the Task Force to report its recommendations and draft legislation to the Governor and General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Minority Business Enterprise Program and Equity Investment Capital.

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 41 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Clubs – Membership

FOR the purpose of reducing in Dorchester County the membership requirements for certain fraternal organizations and armed forces organizations or clubs to obtain a Class C beer, wine and liquor license; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–301(a)(1) and (k)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–301(k)(4) and (5)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 52 – Chair, Finance Committee (By Request – Departmental – Disabilities)

AN ACT concerning

Department of Disabilities – Maryland Commission on Disabilities – Duties and Responsibilities

FOR the purpose of requiring the Secretary of Disabilities to request that the Interagency Disabilities Board revise the State Disabilities Plan at least once every certain number of years; altering the required membership of the Maryland Commission on Disabilities; clarifying the duties of the members of the Commission; eliminating the Personal Assistance Services Advisory Committee; requiring the Commission to report certain findings to the Governor and the General Assembly on or before a certain date; and generally relating to the duties of the Secretary of Disabilities and the Maryland Commission on Disabilities.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–113, 7–120, and 7–123
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing
Article – Human Services
Section 7–135 through 7–140 and the part "Part VI. Personal Assistance Services Advisory Committee"
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 69 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Woodland Incentives Program – Prohibition on Use of Federal Funds – Repeal

FOR the purpose of repealing the prohibition on the use of federal funds administered by the Woodland Incentives Program in conjunction with certain other funds; and generally relating to the Woodland Incentives Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–304
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 71 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – General Services)

AN ACT concerning

Procurement – Small Business Reserve Program – Sunset Extension

FOR the purpose of continuing until a certain date the provisions of the State Procurement Law relating to the Small Business Reserve Program; making a technical change; and generally relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 14–501 and 14–503 through 14–505
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–502
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 75 of the Acts of the General Assembly of 2004, as amended by Chapter 514 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

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

AN ACT concerning

Education – Nonpublic School Employees – Criminal Convictions

FOR the purpose of requiring the State Board of Education, instead of the State Department of Education, to revoke the certificate of approval or letter of tentative approval of a nonpublic school that is in violation of certain provisions of law relating to the employment of certain employees who have been convicted of certain crimes; and generally relating to nonpublic schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 2–206.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 76 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Education – Disruptive Youth – Funding

FOR the purpose of repealing a requirement that the State appropriate certain funds to local education agencies for certain programs for disruptive youth; repealing certain reporting requirements related to certain programs for disruptive youth; and generally relating to programs for disruptive youth.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–304
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 87 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Education)

AN ACT concerning

Education – Physical Education and Athletic Programs for Students with Disabilities – Reporting Requirements

FOR the purpose of altering the reporting date for county boards of education to report on certain requirements relating to physical education and athletic programs for students with disabilities; altering the reporting date for the State Department of Education to issue a certain report to the General Assembly; and generally relating to physical education and athletic programs for students with disabilities.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–4B–05
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

THE COMMITTEE ON ECONOMIC MATTERS REPORT #1

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 80 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board for Professional Engineers

HB0080/863492/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 80
(First Reading File Bill)

On page 3, in lines 9 and 12, strike "**2011**" and substitute "**2012**"; and in lines 13 and 16, strike "**2012**" and substitute "**2013**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 84 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Membership

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 130 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Professional Land Surveyors – Sunset Extension and Program Evaluation

HB0130/613492/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 130
(First Reading File Bill)

On page 2, in line 23, strike "Environmental" and substitute "Economic".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 133 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Pilots – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 134 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners of Landscape Architects – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably:

House Bill 136 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Plumbing – Sunset Extension and Program Evaluation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 49)

ADJOURNMENT

At 10:25 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 4, 2010.

Annapolis, Maryland
Thursday, February 4, 2010

The House met at 10:04 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate James E. Proctor, Jr. of Calvert and Prince George's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 133 Members present.

(See Roll Call No. 50)

The Journal of February 3, 2010 was read and approved.

EXCUSES:
Del. Branch – business
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Holmes – illness
Del. McDonough – illness
Del. Vallario – personal
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 658 – Delegates Gilchrist, Aumann, Barkley, Bartlett, Bates, Beidle, Beitzel, Benson, Boteler, Bromwell, Bronrott, Cardin, Carr, G. Clagett, Donoghue, Dumais, Dwyer, Feldman, Frick, Frush, George, Gutierrez, Haddaway, Heller, Holmes, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Krebs, Lee, Levi, Love, Manno, McComas, McConkey, Miller, Minnick, Mizeur, Montgomery, Murphy, Myers, Olszewski, Pena–Melnyk, Reznik, Rice, Ross, Schuler, Serafini, Shank, Simmons, Sophocleus, Stocksdale, Tarrant, Taylor, F. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Seniors Tax Relief Act

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; providing for a delayed effective date; 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 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 659 – Delegates Simmons, Dwyer, Kipke, Kramer, Schuh, and Sophocleus

AN ACT concerning

Maryland General and Limited 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 General and Limited Power of Attorney Act; 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; authorizing certain persons to petition a court for certain purposes; requiring a court to dismiss a certain petition; prohibiting a person from requiring a certain additional or different power of attorney than a certain statutory form 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 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; 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 2009 Supplement)

BY adding to
Article – Estates and Trusts
Section 17–101 through 17–202 to be under the new title "Title 17. Maryland General and Limited Power of Attorney Act"

Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 660 – **Delegate King**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

State Officials – Limitation of Terms

FOR the purpose of proposing an amendment to the Maryland Constitution to impose a certain limit on the number of consecutive terms that a person may serve in the office of Senator or Delegate in the General Assembly, Attorney General, Comptroller, or Treasurer; making stylistic changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Article III – Legislative Department
Section 6

BY proposing an amendment to the Maryland Constitution
Article V – Attorney–General and State's Attorneys
Section 1

BY proposing an amendment to the Maryland Constitution
Article VI – Treasury Department
Section 1

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

House Bill 661 – **Delegate Barnes**

AN ACT concerning

Criminal Procedure – Arrest – Violation of Protective Order

FOR the purpose of codifying in the Criminal Procedure Article a requirement in the Family Law Article that an officer arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of a certain protective order; and generally relating to arrests for violations of protective orders.

BY adding to
Article – Criminal Procedure
Section 2–204.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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 2009 Supplement)

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

House Bill 662 – Delegate Barnes

AN ACT concerning

Peace Orders and Protective Orders – Violations – Expedited Trial

FOR the purpose of requiring a court that has jurisdiction over a defendant charged with a violation of a peace order or protective order to schedule the trial to occur within a certain period of time; and generally relating to violations of peace orders and protective orders.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–1508
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–509
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 663 – Delegates Riley, Aumann, Beitzel, Boteler, DeBoy, Elliott, Howard, Impallaria, James, Jennings, Kach, Kelly, Malone, McComas, McDonough, Minnick, Norman, Olszewski, Stifler, Stukes, Stull, Weir, and Wood

AN ACT concerning

Gaming – Slot Machines – Ownership and Operation by Eligible War Veterans' Organizations

FOR the purpose of making provisions that authorize eligible war veterans' organizations to own or operate slot machines applicable statewide; altering the definition of "eligible organization" to make it applicable to a war veterans' 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 war veterans' organizations.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 664 – Delegate Riley

AN ACT concerning

Harford County – Authority to Impose a Hotel Rental Tax

FOR the purpose of authorizing Harford County to impose a hotel rental tax at not more than a certain rate; requiring Harford County to hold a certain public hearing before imposing the hotel rental tax; requiring a hotel located in Harford County to collect the tax and to file a certain tax return and pay taxes collected on or before a certain date each month; requiring Harford County to distribute the hotel rental tax revenue to the county general fund; authorizing the governing body of Harford County to provide an exemption from the hotel rental tax for transient charges paid by certain nonprofits to provide temporary shelter for certain individuals; providing that in Harford County unpaid hotel rental tax is a lien against the real and personal property of the person owing the tax; defining certain terms; and generally relating to authorizing Harford County to impose a hotel rental tax.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–301, 9–303, 9–304, 9–310, and 9–325
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–302, 9–308, 9–309, 9–311, 9–314 through 9–317, 9–318(a), 9–321 through 9–324, and 9–326
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–305(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 665 – Delegate Barnes

AN ACT concerning

Domestic Violence – Conditions of Probation – Order to Carry or Wear a Global Positioning System Device

FOR the purpose of authorizing a court, when placing on probation a defendant who has been convicted of a certain crime of domestic violence, to order the defendant to carry or wear a global positioning system device as a condition of probation and to provide the victim of the crime with an electronic receptor device capable of receiving certain information that notifies the victim if the defendant is located within the proximity to the victim proscribed by the court; requiring that a certain victim of a certain crime of domestic violence be furnished with certain information under certain circumstances; prohibiting a defendant from being released under this Act unless the defendant agrees to pay certain costs as a condition of release; and generally relating to conditions of probation and domestic violence.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 6–219(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 6–219(g)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 6–220(b)

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Family Law
Section 4–501(a), (b), (h), (l), (m), and (p), 4–504, and 4–513
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 666 – Delegates Kipke, Bartlett, DeBoy, Kach, Krebs, McComas, Minnick, Morhaim, Schuh, Shewell, and Stocksdale

AN ACT concerning

Vehicle Laws – Uninsured Motorists – Waiver of Right to Noneconomic Damages

FOR the purpose of establishing that an individual driving a motor vehicle that is not covered by insurance is considered to have waived the right to recover noneconomic damages under certain circumstances; exempting certain individuals from the waiver under certain circumstances; creating a rebuttable presumption that an individual knows or has reason to know that the motor vehicle is not covered by insurance under certain circumstances; defining a certain term; making stylistic changes; making technical changes; providing for the termination of certain provisions of this Act; and generally relating to operating a motor vehicle that does not have insurance coverage.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 17–107
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 667 – Delegates Elmore, Cane, Conway, Mathias, and Rudolph

AN ACT concerning

Somerset, Wicomico, and Worcester Counties – Vehicle Laws – Exceptional Hauling Permits

FOR the purpose of including Somerset County, Wicomico County, and Worcester County as counties in which an exceptional hauling permit issued by the State Highway Administration is valid for a combination of vehicles that transports

certain forestry products, subject to certain axle configuration requirements, increased maximum load limits, weight tolerances, inspection requirements, operation restrictions and requirements, penalties, record keeping and reporting requirements, and fees; and generally relating to vehicle laws and exceptional hauling permits.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 24–113.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 668 – Harford County Delegation

AN ACT concerning

Harford County – Liquor Control Board Membership – Nomination Process

FOR the purpose of altering the process in which nominees are selected for vacancies on the Harford County Liquor Control Board resulting from expired terms; requiring the County Executive to submit the name of one nominee within a certain time to the County Delegation of State Senators and Delegates for its advice and consent; requiring the County Delegation to approve or reject the nominee within a certain time; specifying that if the County Delegation fails to act the nominee shall be considered to have been approved; requiring the County Executive to submit the name of a new nominee to the County Delegation under certain circumstances if the previous nominee is rejected; requiring the County Executive to submit the name of the nominee approved by the County Delegation to the County Council for its advice and consent; specifying certain procedures to follow to fill a vacancy on the Board other than one resulting from an expired term; and generally relating to the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 15–201(c)(3) and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 669 – Delegates Weir, Boteler, McConkey, and Minnick

AN ACT concerning

Landlord and Tenant – Renter's Insurance

FOR the purpose of authorizing a landlord to require a tenant to maintain certain liability and property coverage as a condition of tenancy during the term of the lease agreement; requiring that a written lease include certain information in a certain format; authorizing the landlord to obtain the insurance policy and require the tenant to pay the premium in a certain manner; providing that the premium payment may not be considered a security deposit but, in certain circumstances, shall be payable as added rent; requiring the landlord to inform a prospective tenant that the tenant may obtain certain insurance coverage separately and that the tenant shall provide certain information to the landlord; and generally relating to renter's insurance.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–208(b)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–208(c) and (h)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 8–208(h)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 670 – Delegate Feldman

AN ACT concerning

Joint Committee on Workers' Compensation Benefit and Insurance Oversight – Membership

FOR the purpose of increasing the membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight to include a certain member; and generally relating to membership of the Joint Committee on Workers' Compensation Benefit and Insurance Oversight.

BY repealing and reenacting, with amendments,
Article – State Government

Section 2–10A–03
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 671 – Delegate Beitzel

AN ACT concerning

State Government – Maryland Tort Claims Act – Garrett County Physicians

FOR the purpose of including certain Garrett County physicians as State personnel under the Maryland Tort Claims Act under certain circumstances; providing for the termination of this Act; and generally relating to including certain services of certain Garrett County physicians under the Maryland Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 672 – Delegates Weir, Boteler, McConkey, Minnick, Shewell, and Stocksdale

AN ACT concerning

Real Property – Residential Leases – Interest on Security Deposits

FOR the purpose of altering the annual interest rate paid on a security deposit under a residential lease after the end of a tenancy; altering the annual interest rate paid on a security deposit under a residential lease prior to the termination of a tenancy under certain circumstances; altering the interval at which interest shall accrue on a security deposit under a residential lease; requiring a landlord to deliver a certain accounting with the return of a security deposit under a residential lease under certain circumstances; providing for the application of this Act; and generally relating to interest on security deposits under residential leases.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 8–203(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8–203(e) and (h)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 673 – Delegates Dwyer, Aumann, Bates, Beitzel, Boteler, Burns, Costa, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, Howard, Impallaria, Jameson, Jennings, King, Kipke, Krebs, Love, McComas, McConkey, McDonough, Minnick, Montgomery, Norman, O'Donnell, Schuh, Serafini, Shank, Shewell, Smigiel, Sophocleus, Sossi, Stocksdale, Stukes, Stull, Vaughn, Waldstreicher, Weir, and Wood

AN ACT concerning

Hunting and Fishing – Veterans – Complimentary Licenses

FOR the purpose of expanding the pool of veterans eligible for a lifetime complimentary hunting or fishing license; defining a certain term; and generally relating to eligibility for a complimentary hunting or fishing license.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 1–106, 4–607, and 4–745(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–303
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 674 – Delegate Malone

AN ACT concerning

High Occupancy Vehicle (HOV) Lanes – Use by Plug–In Vehicles

FOR the purpose of requiring the State Highway Administration, when designating a portion of a highway as a restricted use High Occupancy Vehicle (HOV) lane, to place traffic control devices indicating that the HOV lane may be used by

certain plug–in vehicles; requiring the Motor Vehicle Administration, the State Highway Administration, and the Department of State Police to consult to design a certain permit; authorizing the operator of a plug–in vehicle that has a certain permit affixed to it in accordance with certain guidelines to be in an HOV lane; authorizing the Motor Vehicle Administration to charge a certain fee for issuing a certain permit; requiring the Motor Vehicle Administration and the State Highway Administration jointly to make a certain report to the Governor and the General Assembly by a certain date each year; defining certain terms; providing for the termination of this Act; and generally relating to the designation of HOV lanes by the State Highway Administration and the use of HOV lanes by plug–in vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–167, 21–201(a), and 25–105
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 25–108
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 675 – Charles County Delegation

AN ACT concerning

Creation of a State Debt – Charles County – Potomac Heights Housing Complex

FOR the purpose of authorizing the creation of a State Debt in the amount of $75,000, the proceeds to be used as a grant to the Board of Directors of the Potomac Heights Mutual Home Owners' Association, 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 Appropriations.

House Bill 676 – Delegates Malone and Kramer

AN ACT concerning

Vehicle Laws – Equipment on Motorcycles – Auxiliary Lighting

FOR the purpose of authorizing an operator of a motorcycle to use certain auxiliary lighting on the motorcycle; and generally relating to motorcycle lighting.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–221(l)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 677 – Delegates Shank, Dwyer, Elliott, Frank, George, Haddaway, Jennings, Krebs, Miller, Myers, Norman, Schuh, Serafini, and Stocksdale

AN ACT concerning

Higher Education – Nonpublic Institutions of Higher Education – Free Speech

FOR the purpose of prohibiting, under certain circumstances, certain nonpublic institutions of higher education from making or enforcing certain rules subjecting students at the institution to disciplinary sanctions on the basis of conduct that is speech or other communication; authorizing certain students to bring a civil enforcement action for certain relief in a certain court; authorizing the court to award attorney's fees to a prevailing plaintiff under certain circumstances; providing for the application of this Act; specifying that this Act does not authorize the prior restraint of certain speech; specifying that this Act does not prohibit an institution from imposing discipline for certain acts, subject to a certain condition; specifying that this Act does not prohibit an institution from adopting and enforcing rules and regulations to prevent hate crimes against students at the institution, subject to certain conditions; and generally relating to the regulation of speech at certain nonpublic institutions of higher education.

BY adding to
Article – Education
Section 17–108
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 678 – Frederick County Delegation

AN ACT concerning

Frederick County – Pay–As–You–Throw Pilot Program

FOR the purpose of authorizing the Board of County Commissioners for Frederick County to enact a pilot program under which a solid waste hauler charges a residential customer a fee for curbside collection based on the volume of the solid waste collected; providing that the pilot program may occur in a municipal corporation only on approval of the governing body of the municipal corporation; and generally relating to solid waste disposal in Frederick County.

BY adding to
The Public Local Laws of Frederick County
Section 2–13–35
Article 11 – Public Local Laws of Maryland
(2004 Edition and September 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 679 – Delegates Myers, Beitzel, Jenkins, Miller, Serafini, Shank, Stull, and Weir

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Membership in the National Guard

FOR the purpose of expanding the types of military service for which certain members of the State Retirement and Pension System may apply to add to their creditable service to include certain National Guard service; altering a certain definition; and generally relating to State Retirement and Pension System members claiming military service credit.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–101(d), 38–103(d), and 38–104(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 680 – Delegates Carter, Anderson, Barnes, Dumais, Ramirez, Rosenberg, Schuler, Valderrama, Conaway, and Kramer

AN ACT concerning

Juvenile Proceedings – Expungement of Records

FOR the purpose of authorizing a person who has been charged with a juvenile offense to file a certain petition for expungement of the juvenile record if certain conditions are met; clarifying that a person is entitled to expungement of a criminal charge transferred to the juvenile court under a certain provision of law; establishing that, for certain detentions or confinements in a juvenile proceeding occurring before a certain date, the person detained or confined may request the expungement of the juvenile record under certain circumstances; establishing that, for certain detentions or confinements in a juvenile proceeding occurring on or after a certain date, the person detained or confined is entitled to expungement of all juvenile records under certain circumstances; requiring a certain law enforcement unit or the Department of Juvenile Services to conduct a certain investigation and take certain actions under certain circumstances; requiring certain entities to take certain actions within a certain amount of time after receipt of a certain notice of expungement; authorizing a person to apply to the District Court for an order of expungement under certain circumstances; establishing certain appeal rights for certain parties to an expungement proceeding; prohibiting the expungement by obliteration of an expunged juvenile record until after a certain date; requiring expunged juvenile records to be removed to a certain separate secure area; establishing certain legitimate reasons for accessing certain expunged juvenile records; authorizing a person entitled to expungement of a juvenile record to seek legal redress and recover certain costs if certain entities fail to expunge a juvenile record; prohibiting a person who is entitled to expungement of certain juvenile records under certain circumstances from being required to pay any fees or costs in connection with the expungement; defining certain terms; and generally relating to juvenile proceedings and expungement of records.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–105 and 10–106
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 10–106.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 681 – Delegates Cardin, Boteler, Bromwell, Frank, Jennings, Kach, Love, Minnick, Morhaim, Olszewski, Sossi, Stein, and Weir

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Defense Force

FOR the purpose of making certain members of the Maryland Defense Force eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Defense Force unless the Maryland Defense Force maintains certain records and provides certain reports; providing for the application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Defense Force.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(i–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 682 – Delegates Jennings, Frank, Impallaria, McDonough, Smigiel, Sossi, and Stifler

CONSTITUTIONAL AMENDMENT

AN ACT concerning

General Assembly – Member Called to Active Duty – Temporary Replacement

FOR the purpose of authorizing the General Assembly to enact legislation to provide for the prompt and temporary replacement of an incumbent member of the House of Delegates or the Senate of Maryland who is unavailable to perform the duties of the office because the member is ordered to active duty in the armed services of the United States; 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 13

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

House Bill 683 – Delegates Riley, James, Aumann, Bartlett, Bates, Beitzel, Boteler, Bromwell, Costa, Dwyer, Elliott, Elmore, Frank, George, Haddaway, Impallaria, Jennings, Kach, Kelly, Kipke, Krebs, Kullen, Malone, Mathias, McComas, McConkey, Miller, Minnick, Myers, Norman, O'Donnell, Rudolph, Schuh, Shewell, Smigiel, Stocksdale, Stull, Weir, and Wood

AN ACT concerning

Public Safety – Handgun Permits – Repeal of Finding Requirement

FOR the purpose of repealing the requirement that the Secretary of State Police find that a person has a good and substantial reason to wear, carry, or transport a handgun before issuing a certain handgun permit to the person; and generally relating to the issuing of handgun permits by the Secretary of State Police.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 684 – Delegate Kipke

AN ACT concerning

State Government – Commemorative Day – Young Heroes Day

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to
Article – State Government
Section 13–409
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 685 – Delegates Stein, Cardin, Carr, Hucker, and Morhaim

AN ACT concerning

Environment – Fluorescent and Compact Fluorescent Light Recycling – County Plans

FOR the purpose of requiring a county recycling plan to address the collection and recycling of certain fluorescent lights; requiring a county to submit a revised recycling plan by a certain date; and generally relating to recycling fluorescent lights.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–1703
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 686 – Delegates Wood, Bohanan, and O'Donnell

AN ACT concerning

St. Mary's County – Wild Waterfowl Hunting

FOR the purpose of altering certain distances a person must be from shore when hunting wild waterfowl by certain methods in certain waters of St. Mary's County; and generally relating to hunting wild waterfowl in the waters of St. Mary's County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–604(d), 10–605(c), and 10–606(d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 687 – Delegate G. Clagett

AN ACT concerning

Frederick County – Municipalities – Water and Sewer Classifications

FOR the purpose of prohibiting a new sewerage or water supply system, an extension of an existing sewerage or water supply system, or a revision or amendment to a county sewer or water plan in Frederick County unless the system is certified

by the county planning agency as consistent with certain plans and a municipality is not affected, or the municipal planning agency of an affected municipality reviews the proposed system and makes a certain certification; and generally relating to sewerage and water supply systems in Frederick County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–506(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 688 – Delegates Kipke, Olszewski, and Sossi

AN ACT concerning

Sales and Use Tax – Exemption – Rain Barrels

FOR the purpose of exempting from the sales and use tax the sale of certain rain barrels used to manage rainwater runoff; providing for a delayed effective date and the termination of this Act; defining a certain term; and generally relating to a sales and use tax exemption for the sale of rain barrels used to manage rainwater runoff.

BY adding to
Article – Tax – General
Section 11–231
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 689 – Delegates Myers, Beitzel, Kelly, Miller, Serafini, Shank, and Stull

AN ACT concerning

Natural Resources – POWs and Disabled Veterans – Exception to Trout Stamp Requirement

FOR the purpose of creating an exception for certain holders of a lifetime complimentary angler's license who are former prisoners of war or service disabled veterans to the requirement to obtain a trout stamp before catching or possessing freshwater trout; and generally relating to exceptions to the requirement to obtain trout stamps.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–607
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–614
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 690 – Delegates Cardin, Barve, Bobo, Carr, Frick, Hixson, Hucker, Montgomery, and Rosenberg

AN ACT concerning

Election Law – Persons Doing Public Business – Independent Expenditures

FOR the purpose of prohibiting a person doing public business from making an independent expenditure for certain campaign material; defining a certain term; and generally relating to independent expenditures on campaign material by persons doing public business.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–102
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 691 – Delegates Jennings, Frank, Impallaria, McDonough, Smigiel, Sossi, and Stifler

AN ACT concerning

General Assembly – Member Called to Active Duty – Temporary Replacement – Implementing Legislation

FOR the purpose of requiring the Governor to appoint a temporary successor to serve in the General Assembly for an absent member called to active duty in the armed services under certain circumstances; requiring the Governor to make the appointment, within a certain time, from a list of nominees submitted by the central committee of a certain political party in a certain county or district;

requiring a temporary successor to have certain qualifications and meet certain eligibility requirements; requiring the Governor to issue a proclamation after making an appointment of a temporary successor; providing that a temporary successor serves at the pleasure of the house of the General Assembly of which the individual is a member, is subject to relevant provisions of the Maryland Constitution and the laws of the State governing members of the General Assembly, and is entitled to exercise the powers and assume the duties and privileges of a member of the General Assembly while serving in office; prohibiting a temporary successor from removing a certain employee; authorizing a temporary successor to hire a certain employee for a temporary period; requiring a temporary successor to receive certain ethics counsel and to file a certain ethics financial disclosure statement under certain circumstances; providing for salary or compensation for the temporary successor; prohibiting an absent member from receiving certain salary or compensation; prohibiting a temporary successor from being a candidate for election to a certain office under certain circumstances; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to a temporary successor for an absent member of the General Assembly who is called to active duty in the armed services.

BY adding to
Article – Election Law
Section 5–1401 through 5–1409 to be under the new subtitle "Subtitle 14. Temporary Successor for General Assembly Member"
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 692 – Delegates Kaiser and Kach

AN ACT concerning

Election Law – Campaign Funds – Certificates of Deposit

FOR the purpose of authorizing a campaign finance entity to deposit funds the entity receives in a certificate of deposit with a certain term; and generally relating to campaign funds and certificates of deposit.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–220(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 693 – Delegates Hubbard, Bromwell, Frush, Kullen, Morhaim, Schuh, and Stein

AN ACT concerning

Health and Human Services Referral Board – 2–1–1 Maryland – Modifications

FOR the purpose of requiring a certain agency or organization to be approved by 2–1–1 Maryland in order to provide 2–1–1 services in the State; providing that 2–1–1 Maryland may approve no more than a certain number of call centers to provide 2–1–1 services; requiring 2–1–1 Maryland to consider certain criteria when approving a 2–1–1 service provider; requiring certain units of the State to consult with 2–1–1 Maryland under certain circumstances; altering the membership of the Health and Human Services Referral Board; providing for the appointment of members of the Board when a vacancy occurs; providing that a member of the Board may not serve more than two consecutive full terms; authorizing the Board to make a certain determination regarding Board meetings and to adopt certain rules; providing that a majority of Board members constitutes a quorum for a certain purpose; authorizing the Board to elect certain officers; providing that members of the Board serve without compensation but are entitled to a certain reimbursement; altering the duties of the Board; defining certain terms; and generally relating to the Health and Human Services Referral Board.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 24–1201 through 24–1205
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 24–1203
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 694 – Delegates Kipke, Beidle, Boteler, Eckardt, Krebs, Mathias, McComas, Minnick, Schuh, Shank, Shewell, and Stocksdale

AN ACT concerning

State Government – General Assembly – Posting of a Bill on the Website

FOR the purpose of requiring the third reading of a bill to be posted on the General Assembly website for a certain period of time under certain circumstances; and generally relating to the posting of a bill on the General Assembly website.

BY renumbering
Article – State Government
Section 2–1506
to be Section 2–1506.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 2–1506
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 695 – Delegate Hecht

AN ACT concerning

Real Property – Homeowners Association – Annual Budget

FOR the purpose of requiring a homeowners association to prepare and submit an annual proposed budget to the lot owners by a certain time period before its adoption; requiring the budget to include certain items; requiring the budget to be adopted at an open meeting of the homeowners association or other body to whom the homeowners association has delegated responsibilities for preparing and adopting a budget; requiring that certain expenditures, under certain conditions, arising after the adoption of the budget that would result in an assessment greater than a certain percent of the budgeted amount, be adopted by a budget amendment at a special meeting of the homeowners association; requiring written notice of the special meeting to be given to the lot owners by a certain time period before the meeting; providing that the adoption of a budget does not impair certain authority of the homeowners association for certain expenditures for certain purposes; and generally relating to the preparation and adoption of an annual budget by a homeowners association.

BY adding to
Article – Real Property
Section 11B–112.2
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 696 – Delegates Hecht, Beidle, Bronrott, Carr, Doory, Feldman, Frick, Glenn, Holmes, Jameson, Krysiak, Love, Manno, Mathias, McHale, and Niemann

AN ACT concerning

Maryland Strategic Energy Investment Fund – Allocation of Proceeds

FOR the purpose of altering the allocation to certain accounts of certain proceeds received by the Maryland Strategic Energy Investment Fund from the sale of certain allowances under the Regional Greenhouse Gas Initiative; and generally relating to the Maryland Strategic Energy Investment Fund.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–20B–05(a), (b), and (g–1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–05(g)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 697 – Delegates Hecht, Barkley, Harrison, Kirk, and Krysiak

AN ACT concerning

Public Service Commission – Competitive Electricity and Gas Supplier Referral Program

FOR the purpose of requiring the Public Service Commission to establish a Competitive Electricity and Gas Supplier Referral Program by a certain date; specifying the terms and conditions under which an electricity or gas supplier may participate in the Program; requiring electric and gas companies to include certain information in certain customer bills in a certain manner at certain times; requiring an electric company or a gas company to provide to certain customers a certain opportunity at a certain time; requiring an electric company or a gas company to take certain actions to enroll certain customers with certain suppliers under certain circumstances; requiring electric or gas companies to provide certain notice in a certain form within a certain time period; requiring a certain electricity supplier or gas supplier to provide a certain customer with a

certain sales agreement containing certain information within a certain time period; providing the mechanism by which a certain sales agreement takes effect; providing for the application of a certain provision; requiring a certain electricity or gas supplier to provide certain notice to a customer within a certain period before the end of a certain term; providing that a customer remains the customer of a certain electricity or gas supplier under certain circumstances; providing that a certain electricity or gas supplier has made a certain affirmation under certain circumstances; requiring an electric or gas company to make available certain information on request; prohibiting certain customers from being charged certain additional fees; providing for the application of this Act; defining certain terms; and generally relating to electricity and gas supply services.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 1–101(h), (j), (k), and (n)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–518
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 698 – Delegates Kelly, Vallario, Kramer, Simmons, and Smigiel

AN ACT concerning

District Court – Mailings – Notice of Dismissal, Nolle Prosequi, or Stet

FOR the purpose of requiring a clerk of the District Court to mail notice of a dismissal, nolle prosequi, or stet of a criminal charge to a defendant and the defendant's attorney under certain circumstances; prohibiting a clerk of the District Court from mailing notice of a dismissal, nolle prosequi, or stet of a criminal charge to a defendant or the defendant's attorney under certain circumstances; and generally relating to certain notices mailed by a clerk of the District Court.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–603(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 699 – Delegates Reznik, Ali, Barkley, Barve, Benson, Costa, Dumais, Eckardt, Elliott, Feldman, Gilchrist, Haddaway, Hubbard, Kaiser, Kullen, Manno, Montgomery, Nathan–Pulliam, Pena–Melnyk, Rice, Simmons, Smigiel, Sossi, and Taylor

AN ACT concerning

Health Facilities – Freestanding Medical Facilities – Rates

FOR the purpose of specifying that certain emergency services include services provided at certain facilities for the purposes of hospital rate setting; requiring the Health Services Cost Review Commission to set rates for hospital services provided at certain freestanding medical facilities; requiring certain payors to pay claims submitted by freestanding medical facilities at rates set by the Commission; declaring the intent of the General Assembly; requiring the Commission to report to the General Assembly on or before a certain date on rates established under this Act; and generally relating to freestanding medical facilities.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–201(a), (b), and (c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–201(d), 19–211, and 19–3A–07
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 19–3A–08
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 700 – Delegates Hecht, Bobo, Dumais, Eckardt, Frick, Gaines, Glenn, Gutierrez, Haddaway, Healey, Howard, Krebs, Kullen, Lee, Montgomery, and Robinson

AN ACT concerning

Family Law – Protective Orders – Burden of Proof

FOR the purpose of altering the standard of proof by which a judge in a protective order hearing must find that abuse has occurred before the judge may grant a final protective order; and generally relating to the standard of proof in a protective order hearing.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 701 – Delegates Hecht, Barkley, Bartlett, Beidle, Bobo, Bronrott, Carr, G. Clagett, Doory, Feldman, Frick, George, Glenn, Holmes, Krysiak, Lee, Love, Manno, Mathias, McHale, Mizeur, Montgomery, Niemann, Pena–Melnyk, and Riley

AN ACT concerning

Energy Companies – Net Energy Metering – Payment for Accrued Generation Credit

FOR the purpose of requiring that a certain net metering contract or tariff credit electricity generated by certain eligible customer–generators at certain rates under certain circumstances; repealing a limitation on the period of time that a certain eligible customer–generator may accrue certain generation credit; repealing a limitation on the time that a certain electric company is required to carry forward a generation credit or a negative kilowatt–hour reading; requiring a certain electric company to carry forward a certain generation credit until certain events occur; repealing a provision relating to the reversion of a certain generation credit to a certain electric company; requiring the amount of generation credit that a certain electric company credits to a certain eligible customer–generator to be at certain rates under certain circumstances; requiring certain generation credit to appear on an eligible customer–generator's bill in a dollar amount; requiring a certain electric company to reimburse a certain generation credit under certain circumstances; and generally relating to net energy metering and the payment for accrued generation credit.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 702 – Delegates Stein, Beidle, Glenn, and Lafferty

AN ACT concerning

Common Ownership Communities – Fidelity Insurance or Fidelity Bond

FOR the purpose of defining a certain term to include a certain type of bond; authorizing certain governing bodies of a cooperative housing corporation, a condominium, or a homeowners association to satisfy the requirement of purchasing fidelity insurance by purchasing a fidelity bond; making technical changes; and generally relating to fidelity insurance and common ownership communities.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 5–6B–18.6
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–114.1 and 11B–111.6
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 703 – Delegates Rosenberg, Anderson, Barnes, Conaway, Haynes, Ramirez, Schuler, Valderrama, and Vallario

AN ACT concerning

Maryland Lawyer Loan Assistance Repayment Program

FOR the purpose of altering the eligibility for the Janet L. Hoffman Loan Assistance Repayment Program in a certain manner; establishing the Maryland Lawyer Loan Assistance Repayment Program Fund; requiring lawyers to pay a certain annual fee to the Fund; requiring all fees received to be used for a certain purpose; requiring the Office of Student Financial Assistance of the Maryland Higher Education Commission to provide a certain list to the Court of Appeals; requiring the list to be provided free of charge and to contain certain information; providing for the purpose and composition of the Fund and expenditures from the Fund; specifying that money in the Fund shall be used by the Office to administer the Maryland Lawyer Loan Assistance Repayment

Program; establishing the Program; requiring the Office to assist in the repayment of certain loans owed by certain lawyers using certain funds; providing that certain money may not transfer or revert to the General Fund of the State but shall remain in the Fund for a certain purpose; requiring the Office to adopt certain regulations; making certain conforming changes; defining certain terms; and generally relating to loan assistance repayment for lawyers.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 10–101(g)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 10–206(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Occupations and Professions
Section 10–216; and 10–801 through 10–805 to be under the new subtitle "Subtitle 8. Maryland Lawyer Loan Assistance Repayment Program"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 18–204(b)(1) and 18–1502(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Judiciary.

House Bill 704 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Authorization to Merge the Redevelopment Authority, Revenue Authority, and Economic Development Corporation

PG 416–10

FOR the purpose of authorizing the governing body of Prince George's County to merge certain government entities; requiring a certain merged entity to be

called by a certain name; providing for the powers, duties, and limitations of a certain merged entity; requiring a merger involving a specific entity to comply with applicable law; defining certain terms; and generally relating to the organization of Prince George's County government.

BY adding to
The Public Local Laws of Prince George's County
Section 32–101 and 32–102 to be under the new subtitle "Subtitle 32. Economic Development Authority"
Article 17 – Public Local Laws of Maryland
(2003 Edition and 2005 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 705 – Delegates Stein, Aumann, Benson, Cardin, Costa, Frank, Howard, Kipke, McHale, Morhaim, and Schuh

AN ACT concerning

Energy Performance Ratings – State, County, and Municipal Buildings

FOR the purpose of requiring, beginning on a certain date, the governing body of a county or a municipal corporation to post a certain Energy Star rating for certain county or municipal buildings in a certain area of the buildings; beginning on certain dates, requiring the Department of General Services to post a certain Energy Star rating for certain State buildings in a certain area of the buildings; defining certain terms; and generally relating to the energy performance of State, county, and municipal buildings.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 1–111
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Finance and Procurement
Section 4–808.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 706 – Delegates Hubbard, Costa, Donoghue, Frush, Hammen, Kach, Krebs, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner

AN ACT concerning

Nursing Facilities – Maryland Medical Assistance Program – Rights

FOR the purpose of authorizing certain judicial action against certain individuals who fail to comply with a certain court order to make certain payments; authorizing certain judicial action against certain individuals who fail to comply with a certain court order to seek assistance from the medical assistance program or to cooperate fully in the medical assistance eligibility process; authorizing the Attorney General to enforce and prosecute certain provisions of law; providing that the Act may not be construed to limit certain legal actions by a nursing facility; requiring the Office of the Attorney General, in consultation with the Department of Health and Mental Hygiene and the nursing home industry, to revise certain documents in a certain manner; and generally relating to nursing facilities and the medical assistance program.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–344(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–344(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 707 – Delegates Ali, Benson, Nathan–Pulliam, Pena–Melnyk, and Tarrant

AN ACT concerning

Sexual Supplement Safety Act

FOR the purpose of prohibiting, except on a valid prescription of a certain authorized prescriber, a person from marketing, selling, offering for sale, or distributing a certain aphrodisiac drug product; providing civil penalties for a violation of this Act; defining a certain term; and generally relating to aphrodisiac drug products.

BY adding to
Article – Health – General

Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 708 – Delegates Carter, Burns, Howard, Impallaria, Kirk, Taylor, and Vaughn

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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 709 – Delegate Carr

AN ACT concerning

Roadway Lighting – Expressways and Controlled Access Highways – Lighting Curfew and Tariffs

FOR the purpose of requiring, by a certain date, each electric company in the State to prepare and submit to the Public Service Commission a tariff for roadway lighting that is turned off in accordance with this Act; requiring the State Highway Administration and the Maryland Transportation Authority to cause all roadway lighting on expressways and controlled access highways under their jurisdiction to be turned off between certain hours, unless a finding is made that continuous lighting from dusk to dawn is warranted based on certain determinations; and generally relating to lighting on expressways and controlled access highways.

BY adding to
Article – Public Utility Companies
Section 4–210
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 8–609.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 710 – **Delegates Howard, Ali, Barkley, Barnes, Bartlett, Barve, Beitzel, Bronrott, Cane, Carr, G. Clagett, Davis, DeBoy, Donoghue, Doory, Dumais, Feldman, Frick, Frush, Gaines, George, Gutierrez, Guzzone, Haynes, Healey, Hecht, Hixson, Holmes, Hubbard, Hucker, Ivey, Jameson, Jenkins, Kaiser, Kramer, Krysiak, Kullen, Lafferty, Lee, Levi, Levy, Manno, McHale, McIntosh, Mizeur, Murphy, Niemann, Proctor, Ramirez, Reznik, Rice, Ross, Simmons, Sophocleus, Stukes, Taylor, F. Turner, V. Turner, Valderrama, Waldstreicher, and Walker**

AN ACT concerning

Blue Ribbon Commission on Maryland Transportation Funding

FOR the purpose of establishing a Blue Ribbon Commission on Maryland Transportation Funding; requiring the Commission to review, evaluate, and make recommendations concerning certain issues; specifying 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 submit an interim and final report of its findings and recommendations by certain dates; providing for the termination of this Act; and generally relating to the Blue Ribbon Commission on Maryland Transportation Funding.

Read the first time and referred to the Committee on Ways and Means and the Committee on Environmental Matters.

House Bill 711 – **Delegates Healey and Lafferty**

EMERGENCY BILL

AN ACT concerning

Real Property – Tenants in Foreclosure – Conforming to Federal Law

FOR the purpose of providing that an immediate successor in interest who has acquired legal title to certain residential property pursuant to a foreclosure shall assume the interest subject to the provision of a certain notice to vacate and certain rights of a certain bona fide tenant; establishing the circumstances under which a lease or tenancy shall be considered bona fide; authorizing termination of a lease if the purchaser will occupy the property as the purchaser's primary residence; establishing certain requirements for a notice to vacate; providing for the construction of a certain provision of this Act; altering the contents of certain notices required to be sent to occupants of certain residential property in foreclosure; requiring a certain notice to be sent to certain persons if a foreclosure action is dismissed, withdrawn, or terminated; defining a certain term; making this Act an emergency measure; and generally relating to tenants in foreclosure.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.6 and 7–105.9
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 712 – Delegates Morhaim, Anderson, Glenn, Ali, Aumann, Barnes, Barve, Boteler, Branch, Burns, Cane, Cardin, Carr, G. Clagett, Dumais, Elmore, Feldman, Frank, Gutierrez, Guzzone, Harrison, Hecht, Hucker, Jenkins, Jennings, Kach, Kramer, Krysiak, Lafferty, Levy, McComas, McConkey, McHale, McIntosh, Murphy, Nathan–Pulliam, Proctor, Reznik, Riley, Robinson, Rosenberg, Ross, Schuler, Stein, Stukes, Stull, F. Turner, and Valderrama

AN ACT concerning

Public Health – Medical Marijuana

FOR the purpose of requiring the Department of Health and Mental Hygiene (DHMH) to issue a certain request for proposals to select authorized growers of marijuana for medical use; providing for certain requirements of authorized growers; requiring DHMH, jointly with the Department of Agriculture, to adopt certain regulations; requiring DHMH to establish a certain registration program to authorize certain entities to distribute marijuana for medical purposes; authorizing DHMH to charge a certain fee for the issuance of a certain permit; requiring certain entities and individuals to apply for a certain criminal history records check; requiring certain permit holders to display a certain permit at certain times; requiring certain permit holders to report

certain changes to DHMH within a certain time period; authorizing a patient or primary caregiver to provide certain reimbursement to certain entities; authorizing the same entity to grow and dispense marijuana; requiring DHMH to establish a registry of qualifying patients and primary caregivers and to issue a certain registry identification card to certain individuals under certain circumstances; requiring DHMH to approve or deny an application or renewal for a registry identification card within a certain time period and in a certain manner; requiring a registry identification card to include certain information; requiring an individual who has been issued a registry identification card to provide a certain notification to DHMH under certain circumstances; requiring DHMH to maintain a confidential list of the individuals to whom DHMH has issued registry identification cards; providing that certain individuals and entities may not be subject to certain penalties or denied certain rights for the medical use of marijuana; providing that the possession of a registry identification card does not constitute probable cause to conduct a certain search by a government agency; providing that an individual may not be subject to arrest or prosecution for certain offenses for being in the presence of the medical use of marijuana; requiring a physician to provide certain written instructions for a qualifying patient or caregiver; authorizing a physician to issue multiple written instructions for a qualifying patient or caregiver if certain conditions are met; requiring qualifying patients, primary caregivers, and certain pharmacies and dispensing centers to follow certain procedures; providing that a patient may be registered at only one pharmacy or dispensing center at a time; requiring the Secretary of Health and Mental Hygiene to establish a system to monitor the dispensation of marijuana for medical use in the State; requiring certain physicians, pharmacies, and dispensing centers to provide certain information to the Secretary; providing that this Act may not be construed to permit any individual to operate, navigate, or be in actual physical control of certain modes of transportation while under the influence of marijuana or to smoke marijuana in any public place; providing that this Act may not be construed to require certain insurance reimbursement; requiring DHMH to submit certain reports to the Governor and General Assembly on or before certain dates; requiring DHMH to adopt certain regulations on or before a certain date; authorizing DHMH to accept certain funds; requiring DHMH to use certain fees in a certain manner; requiring DHMH to distribute certain funds to the General Fund of the State; defining certain terms; and generally relating to marijuana for medical use.

BY adding to
Article – Health – General
Section 13–3001 through 13–3012 to be under the new subtitle "Subtitle 30. Medical Marijuana"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Judiciary.

House Bill 713 – Delegates Morhaim, Ali, Anderson, Aumann, Barnes, Barve, Boteler, Branch, Burns, Cane, Cardin, Carr, G. Clagett, Dumais, Elmore, Feldman, Frank, Glenn, Gutierrez, Guzzone, Harrison, Hecht, Heller, Hucker, Jenkins, Jennings, Kach, Kramer, Krysiak, Lafferty, Levy, McComas, McConkey, McHale, McIntosh, Murphy, Nathan–Pulliam, Oaks, Pendergrass, Proctor, Reznik, Riley, Robinson, Rosenberg, Ross, Schuler, Simmons, Smigiel, Stein, Stukes, Stull, Tarrant, F. Turner, and Valderrama

AN ACT concerning

Drug Schedules – Marijuana

FOR the purpose of making marijuana a Schedule II controlled dangerous substance; and generally relating to the classification of controlled dangerous substances.

BY renumbering
Article – Criminal Law
Section 5–403(d), (e), and (f), respectively
to be Section 5–403(e), (f), and (g), respectively
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 5–402(d)(1)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 5–403(d)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 714 – Delegates Krysiak, Cane, Love, Mathias, Minnick, and Morhaim

AN ACT concerning

Labor and Employment – Exemption from Covered Employment – Home Care Workers

FOR the purpose of clarifying that work performed by a home care worker under certain circumstances is not covered employment for purposes of unemployment insurance; and generally relating to coverage of individuals providing home care work under the unemployment insurance law.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 8–205
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 8–206(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 715 – **Delegates Kipke, Dwyer, George, and Schuh**

AN ACT concerning

Department of Planning – Disposition of Real Property

FOR the purpose of requiring the Department of Planning to give certain notice to the governing body of a certain jurisdiction regarding certain real property owned by the State if a unit of State government expresses interest in the property under certain circumstances; requiring the Department to include the response of a certain jurisdiction to a proposed use of certain property by a unit of State government under certain circumstances; and generally relating to the disposition of real property owned by the State.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5–310
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Appropriations and the Committee on Environmental Matters.

House Bill 716 – **Delegates Krysiak, Hucker, Ali, Anderson, Aumann, Barnes, Bartlett, Benson, Bobo, Bohanan, Cane, Cardin, Carr, G. Clagett, Conaway, Conway, Costa, Dumais, Dwyer, Elliott, Elmore, Feldman, Frank, Frick, Frush, Gaines, George, Gilchrist, Glenn, Gutierrez, Haddaway, Hecht, Heller, Holmes, Howard, Hubbard, Ivey, Jennings,**

Kach, Kaiser, Kipke, Kramer, Krebs, Kullen, Lafferty, Lee, Levi, Malone, Manno, McComas, McConkey, McIntosh, Mizeur, Montgomery, Morhaim, Nathan–Pulliam, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Reznik, Rice, Robinson, Rosenberg, Ross, Schuh, Shank, Shewell, Simmons, Smigiel, Stein, Stocksdale, Stull, Tarrant, F. Turner, Valderrama, Vallario, Waldstreicher, and Weir

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; requiring a person to be licensed before the person or the person's agent may engage in shipping wine directly to a personal consumer in the State; requiring an applicant to meet certain qualifications for a license, submit an application and a copy of its current alcoholic beverages license to the Office of the Comptroller, and pay a certain fee; requiring a direct wine shipper to perform certain actions; prohibiting a direct wine shipper from shipping more than a certain amount of wine annually to any one personal consumer or make deliveries on Sunday; requiring a direct wine shipper to meet certain requirements to renew the license; specifying certain requirements for receiving a direct shipment of wine; allowing a shipment of wine to be ordered or purchased through a computer network; authorizing the Office of the Comptroller to adopt certain regulations; prohibiting a person without a license from shipping wine directly to personal consumers in the State; providing a certain penalty; defining certain terms; making certain technical corrections; altering a certain definition; 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(b)(1)(i), 9–102(a), and 15–204(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 7.5–101 through 7.5–111 to be under the new title "Title 7.5. Direct Wine Shipper's License"

Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 5–101(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 8 – Delegates Kelly, Beitzel, Kramer, Myers, Simmons, and Smigiel

A House Joint Resolution concerning

Secondary Schools – Cardiopulmonary Resuscitation Instruction

FOR the purpose of urging each county board of education and the Baltimore City Board of School Commissioners to make available American Red Cross Cardiopulmonary Resuscitation (CPR) instruction, the American Heart Association's Heart Saver CPR curriculum, or an equivalent program to high school students in the county or Baltimore City.

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

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Dereck E. Davis, Chair, ECM and Hon. Maggie McIntosh, Chair, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 351	ENV and ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 134 Members present.

(See Roll Call No. 51)

ADJOURNMENT

At 10:22 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 5, 2010.

Annapolis, Maryland
Friday, February 5, 2010

The House met at 11:00 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Adelaide C. Eckardt of Caroline, Dorchester, Talbot and Wicomico counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 108 Members present.

(See Roll Call No. 52)

The Journal of February 4, 2010 was read and approved.

EXCUSES:
Del. Bobo – funeral
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Conaway – late – personal
Del. Doory – illness
Del. Frank – personal – family obligation
Del. Holmes – illness
Del. Hucker – business
Del. McConkey – business
Del. Mizeur – business
Del. Myers – business
Del. Nathan-Pulliam – NCSL Meeting
Del. Serafini – personal
Del. F. Turner – funeral
Del. V. Turner – funeral
Del. Vallario – personal
Del. Walkup – medical – fractured knee
Del. Weir – personal – father's illness

INTRODUCTION OF BILLS

House Bill 717 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages – Class A Licenses – Findings

Ho. Co. 7–10

FOR the purpose of requiring in Howard County the Appointed Alcoholic Beverage Hearing Board, on determining whether to approve an application for a new Class A license, regardless of kind, to include certain findings in its written decision; and generally relating to alcoholic beverages licenses in Howard County.

BY adding to
Article 2B – Alcoholic Beverages
Section 9–214(e)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 10–202(a)(2)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 718 – Delegates Hixson and Mizeur

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, Chapter 219 of the Acts of the General Assembly of 2008, and Chapter 707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA01(AR) and Item ZA02(AV)

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

House Bill 719 – Delegates Schuler, Boteler, and Bromwell

AN ACT concerning

Baltimore County – Four–Way Intersections – Stop Signs

FOR the purpose of requiring, in Baltimore County, the State Highway Administration as to Baltimore County highways, and any local authority as to other highways under its jurisdiction, to designate certain intersections that are within a certain distance from a public school as stop intersections and to place a stop sign at each entrance to these intersections; providing that this Act applies only in Baltimore County; and generally relating to highway intersections in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–109
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 720 – Delegates Bobo and Frush

AN ACT concerning

Public Health – Nontobacco Nicotine Products

FOR the purpose of prohibiting a person from selling, distributing, or offering for sale certain products that contain or deliver nicotine for human consumption; making the violation of a certain provision of law a misdemeanor subject to a certain fine; providing for the application of this Act; and generally relating to nontobacco nicotine products.

BY adding to
Article – Health – General
Section 24–304
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 721 – Delegates Miller, Bartlett, Beidle, Beitzel, Boteler, Bromwell, Costa, DeBoy, Dwyer, Elmore, George, Haddaway, Impallaria, Jenkins, Kelly, King, Kipke, Love, Malone, McComas, McHale, Minnick, Myers, Norman, O'Donnell, Riley, Rudolph, Serafini, Shank, Smigiel, Sophocleus, Sossi, Stifler, Stull, and Wood

AN ACT concerning

State Procurement – Use of Federal E–Verify Program to Prevent Employment of Unauthorized Alien Workers

FOR the purpose of declaring that it is the public policy of the State to restrict and deter the use of unauthorized alien workers in the performance of public contracts and grants in this State; specifying criteria for mandatory registration in a certain federal E–Verify program for certain contractors and grantees; prohibiting noncompliant persons or entities from performing certain contracts; imposing certain requirements on certain subcontractors; restricting eligibility for prequalification to contractors in compliance with certain provisions of law; creating a safe harbor against debarment for contractors and grantors registered under the E–Verify program; providing for an administrative appeal to the Board of Contract Appeals; and generally relating to the employment of unauthorized alien workers and the federal E–Verify program.

BY adding to
Article – State Finance and Procurement
Section 20–101 through 20–106 to be under the new title "Title 20. Use of the Federal E–Verify Program to Prevent the Employment of Unauthorized Alien Workers"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 722 – Delegates Cardin, Boteler, Bromwell, Frank, Jennings, Kach, Minnick, Morhaim, Olszewski, Stein, and Weir

AN ACT concerning

Income Tax Exemption – Military Health Care Pensions – Health Care Workforce Shortage

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain military retirement income of an individual whose federal adjusted gross income does not exceed a certain amount; requiring the Comptroller, in consultation with the Department of Health and Mental Hygiene and the Governor's Workforce Investment Board, to adopt regulations prescribing standards for the subtraction modification; providing for the application of this Act; and generally relating to a subtraction modification for certain military retirement income.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–207(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(q)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 723 – Delegates Hixson, Bartlett, Boteler, Elmore, Frick, Howard, Ivey, Murphy, Myers, Rice, Ross, Stukes, and F. Turner

AN ACT concerning

Education – Age of Compulsory Attendance – Exemptions

FOR the purpose of altering the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; altering the age of certain children for which certain persons are responsible for the child's attendance at school or receipt of certain instruction; making certain stylistic changes; providing for delayed effective dates; and generally relating to the age of compulsory school attendance.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–301(a), (a–1)(1), (c), and (e)(2)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Ways and Means.

House Bill 724 – Delegates Love, Barnes, Beidle, V. Clagett, Costa, Dwyer, Frush, George, King, Kipke, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Property Tax Credit – Habitat for Humanity of the Chesapeake ReStore

FOR the purpose of authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to grant, by law, a property tax credit against the county or municipal tax imposed on real property that is owned by Habitat for Humanity of the Chesapeake ReStore; authorizing the governing body of Anne Arundel County or of a municipal corporation in Anne Arundel County to provide, by law, for 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 a property tax credit for certain real property owned by Habitat for Humanity of the Chesapeake ReStore.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–303(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 725 – Delegates Impallaria, Bates, Beitzel, Bromwell, G. Clagett, Costa, Dwyer, Elmore, Jameson, Kach, Kelly, King, Kipke, McConkey, Miller, Mizeur, Myers, O'Donnell, Serafini, Shank, Shewell, Smigiel, Sossi, and Wood

AN ACT concerning

Campaign Finance – Contributions by Foreign Nationals

FOR the purpose of prohibiting a foreign national from making a contribution to a campaign finance entity governed by the State election laws; defining a certain term; and generally relating to prohibiting contributions by individuals defined as foreign nationals.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(o), 13–225, and 13–226(b)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 13–225.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 726 – Delegates Hixson, Frick, Cardin, Bartlett, Boteler, Doory, George, Gilchrist, Howard, Ivey, Kaiser, Mizeur, Murphy, Myers, Rice, Ross, Stukes, F. Turner, and Walker

AN ACT concerning

Consumer Protection – Negative Option Feature – Restrictions

FOR the purpose of prohibiting a merchant from using a negative option feature in connection with a sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services unless the merchant provides the consumer with a written disclosure of the terms and conditions of the negative option feature; providing that a negative option feature used in connection with a sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services is not enforceable unless the consumer has expressly accepted the terms of the negative option feature in writing, as evidenced by a written or electronic signature; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act; defining certain terms; and generally relating to the use of negative option features in connection with the sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services.

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 727 – Delegate Hubbard

AN ACT concerning

Food Service Facilities – Artificial Trans Fat – Prohibition

FOR the purpose of providing for the types of foods that contain artificial trans fat; prohibiting a food service facility from using food containing artificial trans fat for certain purposes; providing for a certain exception to the use of trans fat by a food service facility; requiring a food service facility to maintain on–site the original label for certain food under certain circumstances; authorizing a food service facility to provide certain documentation indicating the contents of a food instead of providing the original label; requiring a food service facility to

obtain certain documentation under certain circumstances; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring the Department of Health and Mental Hygiene to list certain food service facilities on the Department's website under certain circumstances; providing that a violation of this Act shall have no effect on the issuance of a certain license; providing for the applicability of this Act to certain penalties; providing that certain provisions of this Act do not preempt certain local entities from enacting certain measures; providing for a delayed effective date; and generally relating to the prohibition on the use of artificial trans fat in a food service facility.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–301(e), (f), and (h) and 21–304(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–314, 21–315, 21–318, and 21–1214
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 21–353 through 21–357 to be under the new part "Part VIII. Artificial Trans Fat"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 728 – Delegate Kramer

AN ACT concerning

Criminal Law – Felony Theft – Threshold Value

FOR the purpose of altering the minimum value of property or services the theft of which renders the crime a felony; applying certain penalties; making conforming changes; and generally relating to theft of property or services.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–104(g)(1), (2), and (4) and 7–108(a)
Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 7–104(g)(3)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 729 – Cecil County Delegation

AN ACT concerning

Cecil County – Regulation of Domestic Animals

FOR the purpose of authorizing the County Commissioners of Cecil County, by ordinance, to provide for certain regulation of certain domestic animals and certain hybrids of domestic and wild animals; and generally relating to the regulation of domestic animals in Cecil County.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 11–511
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 730 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Act of 2010

Ho. Co. 3–10

FOR the purpose of establishing a Class B special beer and wine license in Howard County; authorizing a holder of the license to sell beer and wine for consumption off the licensed premises; specifying the persons authorized to be issued the license; providing for the term of and hours of sale for the license; specifying certain requirements that must be met before the license may be issued; authorizing a holder of the license to sell beer and wine for consumption off the licensed premises only to certain persons; prohibiting a holder of the license from displaying or providing shelving for certain beer and wine in certain areas of the establishment; specifying that certain off–sale alcoholic beverages receipts be included in a certain calculation; specifying certain

requirements that a holder of the license must meet; authorizing the Board of License Commissioners of Howard County to adopt certain regulations for a certain purpose; authorizing the holder of a certain alcoholic beverages license to employ an individual of a certain age to sell or serve alcoholic beverages; making a certain stylistic change; and generally relating to alcoholic beverages licenses and employees of holders of alcoholic beverages licenses in Howard County.

BY adding to
Article 2B – Alcoholic Beverages
Section 7–101(p–1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 12–214
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 731 – Delegate Costa

AN ACT concerning

Human Services – Public Assistance – Program Modifications

FOR the purpose of requiring the Maryland Higher Education Commission to coordinate efforts among job training programs to help recipients in the Family Investment Program with certain services; altering certain eligibility requirements for assistance in the Program; altering a certain benefit for welfare avoidance grants under the Program; altering certain requirements under the Program; altering a certain calculation to compute assistance under the Program; altering the recertification requirement for assistance under the Program; altering assistance under the Program relating to noncompliance with a work activity; altering the time period for transitional assistance; altering eligibility requirements for temporary cash assistance; requiring a certain State program funded with general funds to count towards federal maintenance of effort requirements; modifying the responsibilities of an addictions specialist to include certain services relating to mental health problems; requiring a certain treatment provider to notify an addictions specialist of the ongoing treatment status of an applicant or recipient; prohibiting a local department from denying benefits under certain circumstances; altering medical assistance benefits for certain recipients under certain circumstances; altering uses for certain savings made available for reallocation; requiring certain savings that remain unexpended at the end of a fiscal year to revert to the General Fund of the

State; requiring the Secretary of Human Resources to establish a certain demonstration project through a grant to certain job training programs; altering the priority funding for certain demonstration projects; requiring mandatory participation in the job skills enhancement program for certain individuals; altering eligibility requirements for the job skills enhancement program; authorizing a local department to work with trade organizations under certain circumstances; altering a certain eligibility requirement for public assistance to adults; requiring certain assistance to be recovered under certain circumstances; requiring certain real estate to have a lien on the property under certain circumstances; requiring a certain lien to be paid under certain circumstances; altering the time period when an applicant or recipient may appeal to the Social Services Administration under certain circumstances; altering the amount of funeral expenses paid by the local department under certain circumstances; altering the value of money or goods used in determining a certain penalty for selling or purchasing certain food stamp benefits; allowing certain eligible individuals or corporations a credit against the State income tax in a certain amount under certain circumstances; altering a certain definition; making stylistic changes; providing for the application of this Act; and generally relating to State public assistance programs.

BY repealing and reenacting, with amendments,
Article – Human Services
Section 5–305(a), 5–308(a), 5–309(a) and (b), 5–310, 5–311(a), 5–312(e)(5) and (f)(2), 5–313, 5–314, 5–315(d), 5–316(d) and (e)(2), 5–317(a)(1) and (b)(4), 5–318(d), (e), and (g), 5–403(b), 5–407(c)(3) and (d), 5–408(a), 5–415(a), and 5–504
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Appropriations and the Committee on Ways and Means.

House Bill 732 – Delegates Stifler, James, McComas, Norman, and Riley

AN ACT concerning

State Government – Priority Funding for Transportation Projects for BRAC

FOR the purpose of requiring the Maryland Department of Transportation, in its Consolidated Transportation Program, to include as a priority any capital project that is needed to accommodate projected transportation needs resulting

from recommendations of the 2005 Defense Base Realignment and Closure Commission; and generally relating to priority funding for transportation projects that are needed to accommodate growth generated by Base Realignment and Closure (BRAC) recommendations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 733 – Delegate Beitzel

AN ACT concerning

Garrett County – Volunteer Fire Departments and Rescue Squads – Emergency Services Board

FOR the purpose of altering certain taxes on certain real property and personal property in Garrett County that are to be paid to certain volunteer fire departments; requiring the Board of County Commissioners of Garrett County to make certain payments to certain volunteer fire departments and rescue squads at certain times; providing that the amounts paid to volunteer fire departments in Garrett County shall be equivalent; requiring that certain funds received by certain volunteer fire departments and rescue squads in Garrett County be used for certain expenditures; requiring volunteer fire departments and rescue squads in Garrett County to file certain reports annually; authorizing the Board of County Commissioners of Garrett County to reserve the right to withhold certain funds from a fire department or rescue squad that fails to meet certain standards and policies under certain circumstances; providing that the Garrett County Emergency Services Board shall be the final step in the establishment of primary and secondary service areas for fire, rescue, and ambulance services in Garrett County and is responsible for final resolution of certain disputes; providing that the Emergency Services Board has certain jurisdiction regardless of whether a certain provider of fire, rescue, or ambulance service is a member of the Garrett County Volunteer Fire and Rescue Association, Inc.; establishing a Garrett County Emergency Services Board; providing for the membership and the chair of the Emergency Services Board; providing for the appointment of members and the terms of the members of the Emergency Services Board; stating the mission of the Emergency Services Board; requiring the Emergency Services Board to develop and recommend to the Board of County Commissioners certain policies and standard operating procedures; requiring certain policies and standard operating procedures to comply with certain State and federal agency established standards, policies, practices, and protocols; requiring the Emergency Services Board to consult

with certain persons before adopting certain proposed policies and standard operating procedures; establishing certain duties of the Emergency Services Board; altering a certain definition; altering the amount of a certain tax on certain real property in Garrett County paid to rescue squads in Garrett County; and generally relating to fire and rescue services in Garrett County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 32.01(A)
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)
(As enacted by Chapter 45 of the Acts of the General Assembly of 2007)

BY repealing and reenacting, with amendments,
The Public Local Laws of Garrett County
Section 32.01(B) and (C), 32.04, and 35.05
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)

BY adding to
The Public Local Laws of Garrett County
Section 32.90
Article 12 – Public Local Laws of Maryland
(2005 Edition and November 2009 Supplement, as amended)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 734 – Washington County Delegation

AN ACT concerning

Washington County – Advisory School Design Review Committee

FOR the purpose of codifying certain provisions relating to the Washington County Advisory School Design Review Committee; requiring the Washington County Board of Education to provide a schedule of project milestones to the Committee at the beginning of a certain schematic design stage; altering the timing of certain of the Committee's duties; authorizing the Committee to submit comments to the Washington County Board of Education; requiring the Washington County Board of Education to accept, reject, or modify the Committee's comments during a regularly scheduled public meeting; repealing a certain definition; defining certain terms; repealing a certain termination provision relating to the Committee; and generally relating to the Washington County Advisory School Design Review Committee.

BY adding to
The Public Local Laws of Washington County

Section 2–701(i)
Article 22 – Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

BY repealing
Chapter 598 of the Acts of the General Assembly of 2005
Section 3

BY repealing and reenacting, with amendments,
Chapter 598 of the Acts of the General Assembly of 2005
Section 6

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

House Bill 735 – Delegate Rosenberg

AN ACT concerning

Workers' Compensation – Exemption from Covered Employment – AmeriCorps Program Workers

FOR the purpose of clarifying that work performed under the AmeriCorps program is not covered employment for purposes of workers' compensation; and generally relating to coverage of individuals working under an AmeriCorps program under the workers' compensation law.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–211, 9–224, and 9–226
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 736 – Delegates King, Beidle, George, Kipke, Love, McConkey, Schuh, and Sophocleus

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Residency Restriction

FOR the purpose of prohibiting a registered sex offender from residing within a certain distance of a school or child care facility; specifying how distance shall be measured for purposes of this Act; providing certain exceptions; establishing criminal penalties for a violation of this Act; defining certain terms; and generally relating to residency restrictions for registered sex offenders.

BY adding to
Article – Criminal Procedure
Section 11–722.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 737 – Dorchester County Delegation

AN ACT concerning

Creation of a State Debt – Dorchester County – Dorchester County Family YMCA

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

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

House Bill 738 – Delegate Olszewski

AN ACT concerning

Criminal Law – Malicious Destruction of Property – Penalties

FOR the purpose of increasing the penalties for willfully and maliciously destroying, injuring, or defacing the real or personal property of another; requiring a court, in the case of a conviction for causing malicious destruction by an act of graffiti, to order the defendant to pay restitution; authorizing a court, in the case of a conviction for causing malicious destruction by an act of graffiti, to order the defendant to perform community service; and generally relating to the malicious destruction of property.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–301
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 739 – **Delegate Olszewski**

AN ACT concerning

Criminal Law – Malicious Destruction of Property – Affirmative Defense

FOR the purpose of establishing that it is an affirmative defense to a charge of malicious destruction of property that the defendant was attempting to repair, clean, remove, or cover a previous act of graffiti.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–301
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 740 – **Delegate King**

AN ACT concerning

Criminal Procedure – Extended Sexual Offender Parole Supervision – Conditions of Supervision

FOR the purpose of altering the list of authorized conditions of extended sexual offender parole supervision; providing that any certified sexual offender treatment program that an extended sexual offender parole supervisee is required to participate in must be located in a secure facility; requiring an extended sexual offender parole supervisee participating in a residential or nonresidential substance abuse treatment program to be monitored through global positioning satellite tracking technology; and generally relating to conditions of extended sexual offender parole supervision.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–701(a) and (f), 11–723, and 11–724(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–724(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 741 – Dorchester County Delegation

AN ACT concerning

Creation of a State Debt – Dorchester County – Richardson Maritime Heritage Center

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Trustees of the James B. Richardson 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 Appropriations.

House Bill 742 – Delegates Rosenberg and Hubbard

AN ACT concerning

Medical Treatment – Homeless, Abandoned, and Runaway Youth

FOR the purpose of providing that a minor has the same capacity as an adult to consent to medical treatment if the minor is homeless, abandoned, or a runaway, is at least a certain age, and is certified as homeless, abandoned, or a runaway by a certain individual; and generally relating to medical treatment for homeless, abandoned, and runaway youth.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–102
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 743 – Delegates Kramer, Ali, Barkley, Beidle, Benson, Bronrott, G. Clagett, Dumais, Eckardt, Elmore, Feldman, Frank, Frick, Frush, Gaines, Gilchrist, Guzzone, Hecht, Heller, Holmes, Hubbard, Ivey, Kaiser, Krebs, Kullen, Lee, Levi, Manno, McComas, McConkey, Montgomery, Morhaim, Pena–Melnyk, Reznik, Rice, Riley, Rosenberg, Ross, Schuh, Shank, Shewell, Sophocleus, and Stein

AN ACT concerning

Drunk Driving Elimination Act

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; altering the circumstances under which individuals may participate in the Program; requiring the Administration to require an individual convicted of, or granted probation for, certain alcohol–related driving offenses to participate in the Program for certain minimum amounts of time; requiring the Administration to require a certain individual to successfully complete the Program; requiring the Administration to impose a certain license restriction for a certain minimum amount of time; requiring the Administration to suspend the drivers' licenses of certain individuals who are in violation of the Program for certain amounts of time; requiring the Administration to establish a certain fee; 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; altering the authority of the Administration to require certain individuals to participate in the Program; establishing that an individual shall be credited for any successful participation in the Program that occurs before a hearing in court; providing a certain mandatory minimum penalty for a person who is convicted of driving while the person's license to drive is suspended or revoked if the person's license to drive was suspended or revoked as a result of certain alcohol–related driving offenses or a failure to successfully complete the Program; and generally relating to participation in the Ignition Interlock System Program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–404.1(b) and (f) and 27–101(j)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 27–107(g)(2)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 744 – Delegates Rosenberg, Carter, Hammen, McHale, and Oaks

AN ACT concerning

Electricity – Competitive Supply – Information

FOR the purpose of requiring the Public Service Commission to disseminate certain information about competitive electricity supply in a certain manner; requiring the Commission to establish a certain workgroup to advise the Commission on certain matters; requiring the publication of certain information concerning competitive supply in a certain manner; authorizing certain information to be made available in certain manners; requiring certain information to be updated at certain intervals; requiring certain electricity suppliers to provide certain information to the Commission at certain times; authorizing the Commission to impose an assessment on certain electric companies and electricity suppliers in a certain manner for certain purposes; and generally relating to electricity and the dissemination of information about the availability of competitive electricity supply.

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–504 and 7–505(a)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–505(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 745 – Delegates Bates, Aumann, Barkley, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, James, Jenkins, Kaiser, Kramer, Krebs, McComas, Miller, Murphy, Norman, O'Donnell, Shank, Shewell, Sossi, Stull, Weir, and Wood

AN ACT concerning

Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act

FOR the purpose of requiring drivers approaching emergency or police vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency or police vehicle under certain circumstances; establishing a certain penalty for a violation of this Act; and generally relating to requiring drivers to take certain actions when approaching emergency or police vehicles on a highway.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–405
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 746 – Delegates Bates, Aumann, Boteler, Dwyer, Eckardt, Elmore, Frank, George, Jenkins, Kach, Krebs, McComas, Miller, O'Donnell, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, and Wood

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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 747 – Delegate Costa

AN ACT concerning

Health Occupations – Personal Trainers Act

FOR the purpose of establishing the State Board of Personal Trainers as a unit of the Department of Health and Mental Hygiene; providing for the composition, appointment, and terms of the Board members; establishing certain powers and duties of the Board; requiring certain persons to be licensed by the Board as personal trainers or personal trainer assistants before performing certain work in the State; prohibiting personal trainers from practicing personal training on certain persons; prohibiting personal trainer assistants from practicing limited personal training on certain persons; establishing certain education and experience 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; establishing certain procedures for the surrender of certain licenses under certain circumstances; providing for certain criminal and civil penalties; establishing certain hearing and appeal procedures; providing that the Board is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Board and statutes and regulations that relate to the Board 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 a personal trainer license and a personal trainer assistant license and the State Board of Personal Trainers.

BY renumbering
Article – State Government
Section 8–403(b)(46) through (68), respectively
to be Section 8–403(b)(47) through (69), respectively
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 11.5–101 through 11.5–402 to be under the new title "Title 11.5. Personal Trainers"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–403(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government

Section 8–403(b)(46)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 748 – Delegates Krysiak, Hammen, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Creative Alliance Building

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 Fells Point Creative Alliance, 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 Appropriations.

House Bill 749 – Delegates Pena–Melnyk, Levi, Anderson, Benson, Burns, Carter, Griffith, Gutierrez, Hubbard, Ivey, Nathan–Pulliam, Niemann, Oaks, Reznik, Rice, Ross, and Valderrama

AN ACT concerning

State Personnel – Applicants for Employment – Criminal History Records Checks

FOR the purpose of prohibiting the Judicial, Executive, and Legislative branches of State government from inquiring into the criminal record or criminal history of an applicant for employment until the applicant is selected for an interview; providing that this Act does not prohibit the Judicial, Executive, or Legislative Branch of State government from notifying an applicant for employment of certain information; requiring that certain criminal history records checks be requested from the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services; prohibiting certain employment applications from being used until certain other employment applications in print before the effective date of this Act are used; and generally relating to the conduct of criminal history records checks on applicants for employment in the Judicial, Executive, and Legislative branches of State government.

BY adding to

Article – State Personnel and Pensions
Section 2–102
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 750 – **Delegates Olszewski, Frick, Glenn, and Kaiser**

AN ACT concerning

Criminal Law – Betting, Wagering, and Gambling – Fantasy Competition

FOR the purpose of exempting certain fantasy competitions from gaming prohibitions; defining a certain term; and generally relating to fantasy competitions.

BY adding to
Article – Criminal Law
Section 12–114
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 751 – **Delegates Miller, Haddaway, Jameson, King, Minnick, and Rudolph**

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 disability benefits.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–618
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–621
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 752 – Delegates Kirk, Barkley, Haddaway, Harrison, Haynes, Impallaria, Jameson, King, Krysiak, Love, Manno, Miller, Stukes, and Vaughn

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers – Exempted Transactions and Record Keeping Requirements

FOR the purpose of exempting certain transactions of certain retail jewelers from the requirement to hold a secondhand precious metal object dealer license; authorizing certain dealers to identify certain items by certain methods; requiring a certain law enforcement unit to adopt certain procedures for certain dealers to amend certain records; making certain stylistic changes; and generally relating to exempted transactions and the record keeping requirements of secondhand precious metal object dealers.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–102(b), 12–301(d), and 12–304
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing
Article – Business Regulation
Section 12–301(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 12–301(e)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 753 – Delegates Ross, Barnes, Benson, Healey, Manno, Niemann, Pena–Melnyk, Ramirez, and Taylor

AN ACT concerning

Business Regulation – Pawnbrokers – Prohibited Sale of Cosmetics, Drugs, and Food

FOR the purpose of providing that this Act applies to all pawnbrokers wherever located in the State; prohibiting a pawnbroker from selling, trading, bartering, or arranging for the sale of cosmetics, drugs, food, and certain other items; requiring a pawnbroker to display conspicuously a sign stating a certain prohibition in a certain manner; requiring the Secretary of Labor, Licensing, and Regulation to revoke a pawnbroker's license, subject to certain hearing provisions, if the Secretary finds that the pawnbroker has violated this Act; providing that certain criminal and civil penalties do not apply to violations of this Act; making conforming changes; defining certain terms; and generally relating to the prohibition against pawnbrokers selling, trading, or bartering certain cosmetics, drugs, food, and other items.

BY adding to
Article – Business Regulation
Section 12–404
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 12–502
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–101
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 754 – Delegates Stocksdale, Aumann, Bates, Bohanan, DeBoy, Eckardt, Elliott, Frank, George, Haddaway, Impallaria, Jennings, Krebs, Love, Mathias, McComas, McConkey, McDonough, O'Donnell, Shewell, Smigiel, Sossi, Stull, and Wood

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

FOR the purpose of making certain members of the Maryland Civil Air Patrol eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Civil Air Patrol

unless the Maryland Civil Air Patrol maintains certain records and provides certain reports; providing for the effective date and application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Civil Air Patrol.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–208(i–1)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 755 – Delegates Mizeur, Barkley, Bobo, Bronrott, Carr, Dumais, Feldman, Frick, Gilchrist, Glenn, Healey, Hecht, Hixson, Ivey, Kaiser, Lafferty, Manno, McIntosh, Montgomery, Murphy, Pena–Melnyk, Reznik, Rice, Robinson, Rosenberg, and Ross

AN ACT concerning

Earned Income Credit Information Act

FOR the purpose of requiring the Comptroller to publish certain information relating to eligibility for the State earned income tax credit; requiring the Comptroller to prepare and make available to employers of the State a certain notice; requiring an employer to provide certain notification to an employee who may be eligible for the State earned income tax credit; providing that an employee may not pursue a private cause of action against an employer for the employer's failure to provide certain notice; providing for the effective date of this Act; and generally relating to employee notification of the State earned income tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–905(a), (b), and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–913
Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 756 – Delegates Levi, James, Anderson, Beidle, Bohanan, Dumais, Dwyer, Feldman, Frank, Jameson, Jennings, Kelly, Kramer, Mathias, McComas, McHale, Morhaim, Rice, Riley, Tarrant, Valderrama, Vaughn, and Walker

AN ACT concerning

Maryland Gang Prosecution Act of 2010

FOR the purpose of altering the definition of criminal gang to repeal the requirement that an association of a certain number of persons whose members meet certain criteria be ongoing; altering a certain list of factors that persons can have in common to be considered a criminal gang; defining "criminal gang member" for certain purposes; altering the list of underlying crimes for criminal gang activity; altering a certain prohibition concerning participation in criminal gang activity to provide that a person may not actively participate in a criminal gang under certain circumstances; altering a provision of law to require that a certain sentence for a violation of the prohibition against participation in a criminal gang under certain conditions be separate from and consecutive to a sentence for the underlying crime; and generally relating to criminal gangs.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–801 and 9–804
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 757 – Delegates Niemann, Ali, Gilchrist, Glenn, Hecht, Hucker, Lafferty, and V. Turner

AN ACT concerning

Public Safety – Maryland Building Performance Standards – Accessibility Standards for Dwelling Units

FOR the purpose of requiring the Department of Housing and Community Development to adopt as a modification of the Maryland Building Performance Standards a requirement that each dwelling unit have at least one entrance that meets certain accessibility standards; providing for the application of this Act; defining a certain term; and generally relating to accessibility standards for dwelling units.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–503
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 12–503.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 758 – Delegates Niemann, Barnes, Benson, Bronrott, Gilchrist, Hecht, Holmes, Hubbard, Pena–Melnyk, Ross, Tarrant, and V. Turner

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 chain restaurants voluntarily to provide customers with additional nutrition information; authorizing certain restaurants and similar food establishments voluntarily to elect to be subject to certain provisions of law under certain circumstances; requiring certain nutrition information to be displayed in a certain manner; requiring certain chain restaurants to display certain statements regarding daily caloric intake 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; 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
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 21–353 through 21–355 to be under the new part "Part VIII. Nutrition Information Labeling"
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 759 – Delegates Niemann, Bronrott, Glenn, Hecht, Hucker, Ivey, Lafferty, Ramirez, and V. Turner

AN ACT concerning

Political Subdivisions – Construction Projects – Demolition

FOR the purpose of prohibiting a political subdivision from issuing a demolition permit unless certain requirements are met; requiring a political subdivision to enact laws or regulations that require an owner of a building or structure to arrange for a salvage period prior to the commencement of demolition of the building or structure unless certain conditions are met; requiring a political subdivision to establish certain laws or regulations; altering a certain definition; defining certain terms; and generally relating to construction projects that involve the demolition of a building or structure.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 24–101 and 24–102 to be under the new title "Title 24. Salvage and Deconstruction"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 5A–303(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 760 – Delegates Kaiser, Barkley, Carr, Feldman, Healey, Hecht, Ivey, Montgomery, Morhaim, Robinson, and Stukes

AN ACT concerning

Public Schools – Substitute Teachers – Qualifications, Training, and Study

FOR the purpose of requiring each county board of education to establish certain qualifications for substitute teachers employed by a county board; requiring a county board to require each substitute teacher to complete a certain orientation and training program; requiring county boards to train certain

school administrators in certain issues related to substitute teachers; requiring a county superintendent to develop a certain in–service training program; requiring the State Department of Education to commission a certain study regarding substitute teaching in the State; requiring the study to include certain data; requiring the Department to submit a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to qualifications, training, and a study of substitute teachers in public schools.

BY adding to
Article – Education
Section 6–201.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 761 – Delegates Pena–Melnyk, Dumais, Glenn, Griffith, Ivey, Lee, Mizeur, Montgomery, V. Turner, and Valderrama

AN ACT concerning

Courts – Exemptions from Execution on a Judgment – Exception for Child Support and Alimony

FOR the purpose of creating an exception to a provision of law that exempts certain money from execution on a judgment by establishing that a certain percentage of certain money is subject to execution on a judgment for child support or alimony arrearages; establishing that certain provisions of law relating to exemptions from execution on a judgment do not apply to a certain child support lien; and generally relating to exemptions from execution on a judgment.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 11–504(b) and 11–507
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 762 – Delegates Kipke, Rice, and Waldstreicher

AN ACT concerning

Crimes – Harassment – Prohibitions and Penalties

FOR the purpose of expanding the prohibition against a person engaging in conduct that alarms or seriously annoys another to include conduct with the intent to abuse, torment, or embarrass the other; expanding the prohibition against telephone harassment to include anonymous and repeated calls that are reasonably expected to or are intended to alarm another; providing that the prohibition against telephone harassment does not apply to a peaceable activity intended to express a political view or provide information to others; altering the scope of the existing prohibition against using electronic mail with the intent to harass to include the intent to alarm, annoy, abuse, torment, or embarrass; prohibiting the making of an Internet transmission or posting with the intent to harass, alarm, annoy, abuse, torment, or embarrass under certain circumstances; increasing certain penalties; and generally relating to harassment prohibitions and penalties.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–803, 3–804, and 3–805
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 763 – Delegates Montgomery, Dumais, Gutierrez, Heller, Hucker, Kaiser, Kirk, Lee, Manno, Mizeur, Pena–Melnyk, Reznik, Rice, Riley, and Robinson

AN ACT concerning

Real Property – Restrictions – Clotheslines or Other Similar Laundry Drying Devices

FOR the purpose of authorizing a homeowner or tenant of certain residential property to use a clothesline or other similar 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 similar laundry drying devices on the property under certain circumstances; 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 similar laundry drying devices by a homeowner or tenant from prohibiting or restricting the right of a homeowner or tenant to use clotheslines or other similar laundry drying devices under certain circumstances; 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 similar laundry drying devices; requiring the governing body of a condominium,

homeowners association, or housing cooperative, or a landlord to hold an open meeting and provide advance notice of the open meeting before adopting proposed rules and regulations regarding the timing, placement, and manner of use of clotheslines and other similar laundry drying devices; providing for the application of this Act; and generally relating to the use of clotheslines and other similar 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 764 – Delegates Carter, Anderson, Gutierrez, and Stukes

AN ACT concerning

State Board of Education – Financial Literacy Curriculum – Graduation Requirement

FOR the purpose of requiring the State Board of Education to develop curriculum content for a certain course in financial literacy; requiring certain county boards of education to implement certain curriculum content in certain high schools; requiring certain students to complete a certain course in order to graduate from high school; and generally relating to the implementation of a course in financial literacy that is required for graduation from a public high school in the State.

BY adding to
Article – Education
Section 7–205.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 765 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

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
(2009 Replacement Volume)

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

House Bill 766 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Capital Debt Affordability

FOR the purpose of altering the due date for the annual report of the Capital Debt Affordability Committee and the annual deadline for the Governor to determine the amount of advisable new State debt; and generally relating to State debt affordability.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 8–112 and 8–113
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 767 – Delegates Montgomery, Manno, Hucker, Ali, Anderson, Barkley, Benson, Bobo, Bronrott, Carr, Carter, G. Clagett, V. Clagett, Conaway, Frick, Frush, Gaines, Gilchrist, Gutierrez, Hixson, Howard, Hubbard, Ivey, Kaiser, Lee, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Reznik, Rice, Robinson, Rosenberg, Taylor, F. Turner, V. Turner, and Waldstreicher

AN ACT concerning

Maryland Health Security Act of 2010

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 co–insurance, 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 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 a delayed effective date for certain provisions 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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 768 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

Employees' Retirement and Pension Systems – Maryland School for the Deaf Retirees – Overpayment of Benefits

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to suspend the application of certain annual retirement allowance adjustments to certain retirees for a certain period of time until certain retirement allowances equal a certain amount; requiring the Board of Trustees to resume the application of certain annual retirement allowance adjustments to certain retirees under certain circumstances; requiring the Board of Trustees to calculate certain benefits for certain designated beneficiaries using a certain retirement allowance; providing that the Board of Trustees is not required to recover certain overpayments made prior to a certain date to certain retirees; and generally relating to the overpayment of retirement benefits to retirees of the Maryland School for the Deaf.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–113(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 29–402
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 769 – Delegates Levi and Vallario

AN ACT concerning

Orphans' Court – Minors – Guardianship of Person

FOR the purpose of providing that an orphans' court may exercise jurisdiction over guardianship of the person of a minor regardless of whether the presiding judge of the orphans' court is a member of the Bar of Maryland; providing for the application of this Act; and generally relating to the jurisdiction of an orphans' court over 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 2009 Supplement)

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

House Bill 770 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Police Retirement System – Deferred Vested Members – Survivor Benefits

FOR the purpose of clarifying that a certain death benefit is payable on behalf of certain former members of the State Police Retirement System; and generally relating to death benefits payable on behalf of former members receiving a deferred vested retirement allowance from the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 24–403
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 771 – Delegates Griffith, Branch, Conway, and Proctor

AN ACT concerning

Blue Ribbon Commission to Study Retiree Health Care Funding Options – Extension of Reporting and Termination Dates

FOR the purpose of altering the date by which the Blue Ribbon Commission to Study Retiree Health Care Funding Options is required to submit a certain report; extending the termination date of the Commission until a certain date; and generally relating to the reporting and termination dates of the Blue Ribbon Commission to Study Retiree Health Care Funding Options.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 34–201(g)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 433 of the Acts of the General Assembly of 2006, as amended by Chapter 229 of the Acts of the General Assembly of 2008
Section 3

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

House Bill 772 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Noncontributory Former Vested Members – Vested Retirement Allowance

FOR the purpose of repealing certain provisions of the State Personnel and Pensions Article that permit certain former members of the State Retirement and Pension System to withdraw certain member contributions plus interest and receive a vested retirement allowance based only on certain employer contributions; and generally relating to vested retirement allowances for noncontributory former members of the State Retirement and Pension System.

BY repealing
Article – State Personnel and Pensions
Section 29–303(h)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 773 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

Law Enforcement Officers' Pension System – Deferred Retirement Option Program – Participation

FOR the purpose of clarifying that "creditable service" does not include certain unused sick leave with regard to determining eligibility to participate in the Deferred Retirement Option Program (DROP) by certain members of the Law Enforcement Officers' Pension System; clarifying that "creditable service" does not include certain unused sick leave with regard to determining the length of time certain members of the Law Enforcement Officers' Pension System may participate in the DROP; and generally relating to participation in the Deferred Retirement Option Program in the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 26–401.1(c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 774 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Aumann, Bates, Branch, Haynes, Heller, James, and Levy

AN ACT concerning

State Retirement and Pension System – Reemployment Earnings Limitation – Exemptions

FOR the purpose of increasing the maximum average final compensation that certain retirees of the State Retirement and Pension System must have at the time of retirement in order to be exempt from a certain reemployment earnings limitation; and generally relating to exemptions from a reemployment earnings limitation for retirees of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 22–406(c)(1) and (3) and 23–407(c)(1) and (3)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 22–406(c)(4)(ii) and 23–407(c)(4)(i)
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 775 – Delegates Griffith, Branch, Bronrott, Conway, Gaines, Guzzone, Haynes, Heller, James, Jones, Levy, and Proctor

EMERGENCY BILL

AN ACT concerning

State Retirement and Pension System – Retirees and Beneficiaries of Retirees – Annual Retirement Allowance Adjustments

FOR the purpose of providing that certain annual retirement allowance adjustments shall be a certain amount under certain circumstances; requiring the Board of Trustees for the State Retirement and Pension System to conduct a certain study regarding the effects of a certain Consumer Price Index on other public state pension plans; requiring the Board of Trustees to submit a report to the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on Pensions by a certain date; defining certain terms; making this Act an emergency measure; and generally relating to annual retirement allowance adjustments for retirees of the several systems of the State Retirement and Pension System.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 53 – Chair, Finance Committee (By Request – Departmental – Military) and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Middleton, Pipkin, ~~and Pugh~~ Pugh, and Harris

AN ACT concerning

Workers' Compensation – Average Weekly Wage – Militia

FOR the purpose of authorizing, for the purpose of computing the average weekly wage for workers' compensation benefits for specified members of the organized militia, the use of actual wages earned by the member in the member's civilian employment at the time of entry into State active duty; and generally relating to the computation of the average weekly wage of members of the organized militia of the State.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–602(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 58 – Chair, Finance Committee (By Request – Departmental – Education)

AN ACT concerning

Workers' Compensation – Division of Rehabilitation Services – Unpaid Work–Based Learning Experiences

FOR the purpose of providing that certain individuals in unpaid work–based learning experiences with the Division of Rehabilitation Services in the State Department of Education are covered employees for the purpose of coverage under the State workers' compensation laws; designating the employer of a certain individual in an unpaid work–based learning experience for the purpose of coverage under the State workers' compensation laws; requiring the participating employer to secure certain workers' compensation coverage; requiring the Department to reimburse an employer for certain costs; defining certain terms; providing for the application of this Act; and generally relating to workers' compensation coverage for certain individuals in unpaid work–based learning experiences with the Division of Rehabilitation Services in the State Department of Education.

BY adding to
Article – Education
Section 21–310
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–228
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 117 Members present.

(See Roll Call No. 53)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #1

House Bill 80 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board for Professional Engineers

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

Affirmative – 119 Negative – 0 (See Roll Call No. 54)

The Bill was then sent to the Senate.

House Bill 84 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Heating, Ventilation, Air–Conditioning, and Refrigeration Contractors – Membership

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

Affirmative – 119 Negative – 0 (See Roll Call No. 55)

The Bill was then sent to the Senate.

House Bill 130 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board for Professional Land Surveyors – Sunset Extension and Program Evaluation

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

Affirmative – 118 Negative – 0 (See Roll Call No. 56)

The Bill was then sent to the Senate.

House Bill 133 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Pilots – Sunset Extension and Program Evaluation

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

Affirmative – 119 Negative – 0 (See Roll Call No. 57)

The Bill was then sent to the Senate.

House Bill 134 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Examiners of Landscape Architects – Sunset Extension and Program Evaluation

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

Affirmative – 116 Negative – 0 (See Roll Call No. 58)

The Bill was then sent to the Senate.

House Bill 136 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

State Board of Plumbing – Sunset Extension and Program Evaluation

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

Affirmative – 117 Negative – 0 (See Roll Call No. 59)

The Bill was then sent to the Senate.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Maggie McIntosh, Chairman, ENV
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No. Reassignment
HB 416 HGO

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 118 Members present.

(See Roll Call No. 60)

ADJOURNMENT

At 11:20 A.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 8, 2010.

Annapolis, Maryland
Monday, February 8, 2010

Notation: Monday, February 8, 2010, Session was cancelled due to a blizzard.

Annapolis, Maryland
Tuesday, February 9, 2010

The House met at 10:09 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Susan K. McComas of Harford County.

QUORUM CALL

The presiding officer announced a quorum call, showing 107 Members present.

(See Roll Call No. 61)

The Journal of February 5, 2010 was read and approved.

EXCUSES:
Due to a severe blizzard over the weekend some Delegates were not able to make session.
Del. Anderson – late – inclement weather
Del. Benson – late – inclement weather
Del. Boteler – illness
Del. Braveboy – illness
Del. Bronrott – late – inclement weather
Del. V. Clagett – medical – fractured ankle
Del. DeBoy – late – inclement weather
Del. Doory – inclement weather
Del. Hixson – late – inclement weather
Del. James – inclement weather
Del. Kelly – inclement weather
Del. Kullen – inclement weather
Del. McIntosh – dental appointment
Del. Minnick – knee injury
Del. Murphy – inclement weather
Del. Proctor – late – inclement weather
Del. Ross – late – inclement weather
Del. Shank – late – traffic
Del. Stifler – personal
Del. Stocksdale – late – inclement weather
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 776 – Delegates Lee, Barkley, Bartlett, Benson, Boteler, Bronrott, Conaway, DeBoy, Doory, Frick, Frush, Glenn, Healey, Hecht, Jameson, Kullen, Manno, Mathias, Montgomery, Robinson, Shank, Shewell, Stocksdale, Stukes, and Valderrama

AN ACT concerning

Criminal Law – Home Invasion Crime of Violence

FOR the purpose of prohibiting a person from breaking and entering the dwelling of another and committing a crime of violence against a certain victim; prohibiting a person from employing or displaying a dangerous weapon while committing a certain crime; establishing certain criminal penalties; requiring a certain sentence imposed under this Act to be imposed consecutive to and not concurrent with a certain other sentence; and generally relating to the prohibition of home invasion crimes of violence.

BY adding to
Article – Criminal Law
Section 3–406 to be under the amended subtitle "Subtitle 4. Robbery and Home Invasion Crime of Violence"
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 14–101(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 777 – The Speaker (By Request – Department of Legislative Services)

AN ACT concerning

Local Government – Applicability of Laws to Counties and Baltimore City

FOR the purpose of specifying that certain powers are granted to code home rule and charter home rule counties in addition to powers granted in the Express Powers Act under Article 25A, § 5 of the Annotated Code; providing that the additional powers are supplemental and not intended to limit certain other powers; clarifying that certain other provisions of law apply to certain types of counties; clarifying that certain provisions of law apply to Baltimore City; making stylistic changes; defining certain terms; and generally relating to the applicability of certain provisions of law to certain counties and Baltimore City.

BY renumbering
Article 25 – County Commissioners
Section 1
to be Section 1–1
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25A – Chartered Counties of Maryland
Section 4(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25B – Home Rule for Code Counties
Section 13
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 25 – County Commissioners
Section 1
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 25 – County Commissioners
Section 4, 16, 17, 18, 20, 29, 34, 122A, 135, and 153
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 778 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Hecht, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Crimes – Unauthorized Computer Access for Sabotage of State Government or Public Utilities

FOR the purpose of prohibiting a person from intentionally and willfully gaining unauthorized access to computer services with the intent to interrupt or impair

the functioning of the State government or a service provided in the State by a public service company; establishing certain penalties; and generally relating to the unauthorized access of computer services to interrupt or impair the State government or certain public utility services.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–302
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 779 – Delegates Lee, Boteler, Cane, Glenn, Heller, Howard, Kach, Kaiser, Kipke, Montgomery, Pendergrass, and Shewell

AN ACT concerning

Police Training Commission – Additional Minimum Training Requirements

FOR the purpose of requiring the Police Training Commission to expand a certain curriculum and the minimum courses of study of certain police training conducted by certain police training schools to include special training on, attention to, and the study of the exploitation of children, the contact with and treatment of victims of crimes and delinquent acts, the notices, services, support, and rights under State law available to certain victims and victims' representatives, and notification of the rights of victims of identity fraud under federal law; and generally relating to minimum requirements for police training.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 780 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Hecht, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud – Restitution for Credit Restoration and Satisfaction of Financial Obligations

FOR the purpose of authorizing a court to enter a judgment of restitution if a certain victim incurred certain reasonable costs, including reasonable attorney's fees, for clearing the victim's credit history or credit rating or in connection with a certain proceeding to satisfy a debt, lien, judgment, or other obligation of a certain victim that arose due to a certain act; providing that a judgment of restitution does not preclude a certain property owner or victim who suffered certain losses of support or benefits, or who received a certain award or other amount, from bringing a civil action to recover damages from a certain obligor; and generally relating to criminal restitution.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(i)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–603
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 781 – Delegates Howard, Harrison, Ivey, Proctor, Robinson, Vaughn, and Walker

AN ACT concerning

Teachers and Other Personnel – Transfer – Notice

FOR the purpose of requiring a county superintendent to provide certain written notice within a certain time frame to a certain individual before the transfer of the individual; and generally relating to the provision of notice before the transfer of a teacher or other personnel.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–201(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 6–201.1
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 782 – Delegates Lee, Barkley, Boteler, Bronrott, DeBoy, Dumais, Eckardt, Frick, Glenn, Gutierrez, Healey, Heller, Howard, Impallaria, Kipke, Kramer, Kullen, Manno, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Pendergrass, Reznik, Rice, Robinson, Shewell, F. Turner, V. Turner, Valderrama, and Waldstreicher

AN ACT concerning

Department of Information Technology – Security of Computer Systems

FOR the purpose of requiring the Secretary of Information Technology to develop and adopt, by regulation, certain security procedures; including in the duties of the Secretary the duty to develop standards and make recommendations concerning the security of certain computer systems; requiring the Secretary to consider certain matters when developing and adopting certain regulations; and generally relating to the security of computer systems used by State government and educational institutions.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 783 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Hecht, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud Crimes – Restitution – Time Lost by Victim

FOR the purpose of authorizing restitution for an amount equal to the value of time reasonably spent by a certain victim for clearing a certain victim's credit history or credit rating or in connection with certain civil or administrative proceedings; and generally relating to restitution for identity fraud crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(i)

Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 784 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Glenn, Hecht, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, and Stocksdale

AN ACT concerning

Criminal Injuries Compensation Notification – Law Enforcement Agencies

FOR the purpose of requiring a law enforcement unit, whenever a report of a crime or delinquent act is reported to that unit, to give to a victim of the offense certain written information about compensation or certain pamphlets that notify victims of rights, services, and procedures; expanding the definition of "law enforcement unit"; and generally relating to providing notification to victims of crimes or delinquent acts.

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–104(b) and (c) and 11–914(9) and (10)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–807
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 785 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud – Uniform Reporting Form

FOR the purpose of requiring the Police Training Commission, in cooperation with the Office of the Attorney General, the Governor's Office of Crime Control and Prevention, and the Federal Trade Commission, to develop a uniform reporting form that makes certain transmitted data available for use by State and local law enforcement agencies by a certain date and that may authorize that certain

data may be transmitted to a certain program within the Federal Trade Commission; and generally relating to the reporting of identity fraud.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 786 – Delegates Healey, Beidle, Bobo, Carr, Frush, Gaines, Glenn, Ivey, Lafferty, Niemann, Ross, and Sossi

AN ACT concerning

State Highway Administration – Sidewalk Construction in Priority Funding Areas

FOR the purpose of requiring the State Highway Administration to categorize in a certain manner and give certain funding priority to sidewalk construction projects along urban highways in priority funding areas under certain circumstances; and generally relating to sidewalk construction in priority funding areas.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–630
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 787 – Delegates Lee, Aumann, Barkley, Boteler, Cane, Frick, Glenn, Hecht, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Identity Fraud Crimes – Restitution

FOR the purpose of expanding the circumstances under which a court is authorized to enter a judgment of restitution that orders a defendant or child respondent to make restitution to situations where the victim suffered certain losses or incurred certain expenses as a direct result of identity fraud; establishing that circumstances eligible for restitution include alteration of a victim's consumer report or the imposition of financial damage or loss on an identity fraud victim;

authorizing a court to accept a certain affidavit as evidence of financial damage or loss that is eligible for restitution; expanding the circumstances under which certain State's Attorneys are required to help certain victims prepare a certain request for restitution and to advise certain victims regarding collection of restitution; establishing that if certain victims suffer identity fraud, certain State's Attorneys are required to consult with the Office of the Attorney General under certain circumstances for certain advice and assistance; authorizing the Office of the Attorney General to provide to identity fraud victims certain information and assistance on recovery from financial damage or loss and how to make a restitution claim; requiring that certain assistance to identity fraud victims include establishing a certain monetary value for financial damage or loss; requiring the Office of the Attorney General to develop a certain affidavit form for victims of identity fraud; authorizing the Office of the Attorney General to adopt regulations; making conforming changes; defining certain terms; and generally relating to restitution.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–1201(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–301(i)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–601, 11–603, 11–614, and 11–615
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 11–614.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 788 – Delegates Olszewski, Frank, Heller, Kach, Kaiser, Manno, Morhaim, Riley, and Shewell

AN ACT concerning

Campaign Finance – Contributions – Disclosure

FOR the purpose of requiring a campaign finance entity to report certain information on its campaign finance reports for each contribution it receives; authorizing a campaign finance entity to report a maximum of a certain amount of contributions in an election cycle on its campaign finance reports without providing certain information about each contribution; providing for a delayed effective date; and generally relating to the disclosure of information concerning contributions in campaign finance reports.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–240 and 13–304
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 789 – Delegates Howard, Cane, G. Clagett, DeBoy, Glenn, Harrison, Haynes, Kirk, Proctor, Robinson, Sophocleus, Stukes, and F. Turner

AN ACT concerning

Elementary and Secondary Education – Health Curriculum – Diabetes Education

FOR the purpose of requiring each county board of education, with the assistance of the county health department, to include instruction in diabetes education in the health education curriculum that county boards are to provide in the public schools; and generally relating to diabetes education in the health curriculum of public schools.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–401
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 790 – Delegates Kramer, Barkley, Bates, Frank, Hecht, Heller, Ivey, Jenkins, Kelly, Manno, McConkey, Miller, O'Donnell, Shank, Smigiel, and Waldstreicher

AN ACT concerning

Correctional Services – Limitation on Total Number of Diminution Credits – Primary Drug, Violent, and Sexual Offenders

FOR the purpose of providing that a certain provision of law limiting a certain deduction from a term of confinement that can be earned applies to a certain single sentence as well as a certain consecutive or concurrent sentence; reducing the maximum total number of diminution credits that an inmate is allowed for a calendar month if the inmate's term of confinement includes a sentence for certain crimes; and generally relating to diminution credits.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 3–701
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704 and 3–708
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 791 – Delegates Beitzel, Bates, G. Clagett, DeBoy, Feldman, Frank, Frush, Jenkins, Kaiser, Kelly, McComas, McConkey, Miller, Myers, Norman, Riley, Serafini, Smigiel, Sophocleus, Stocksdale, Stukes, Stull, and F. Turner

AN ACT concerning

Public Utility Companies – Wind Turbines – Performance Standards

FOR the purpose of requiring the Public Service Commission and the Department of Natural Resources 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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 792 – Delegates Lee, Barkley, Boteler, Cane, Frick, Glenn, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Criminal Restitution – Expansion

FOR the purpose of authorizing a court to enter a judgment of restitution if, as a direct result of a certain act, the victim suffered certain actual or threatened harm, other financial expenses or losses, loss of certain earnings, benefits, or support, or incurred certain rehabilitation expenses; authorizing a court to enter a judgment of restitution if the victim incurred medical expenses, including mental health expenses; providing that a judgment of restitution does not preclude a certain property owner or victim who suffered certain losses, or received a certain award or other amount, from bringing a civil action; altering the definition of a certain term; and generally relating to criminal restitution.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–601(j) and 11–603
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 793 – Delegates Taylor, Barnes, Carr, Carter, Feldman, Howard, Hucker, Ivey, Montgomery, O'Donnell, Ramirez, Reznik, Rice, Robinson, Shewell, V. Turner, Vaughn, and Walker

AN ACT concerning

State Retirement and Pension Boards of Trustees – Membership – Diversity

FOR the purpose of requiring that, to the extent practicable, the members of the Board of Trustees for the State Retirement and Pension System and of the Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans reasonably reflect the geographic, racial, ethnic, cultural, and gender diversity of the State; and generally relating to the membership of certain State retirement and pension boards of trustees.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–104 and 35–202
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 794 – Delegates Lee, Barkley, Boteler, Cane, Frick, Glenn, Heller, Howard, Kach, Kipke, Montgomery, Pendergrass, Shewell, and Stocksdale

AN ACT concerning

Criminal Injuries Compensation – Crime Victim – Definition

FOR the purpose of expanding the definition of "victim" under certain laws relating to restitution to mean a person who suffers actual or threatened physical, emotional, or financial harm as a direct result of a crime or delinquent act; and generally relating to restitution and criminal injuries compensation.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–801(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–811
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 795 – Delegates Lee, Barkley, G. Clagett, Doory, Dumais, Frick, Gutierrez, Heller, Kaiser, McDonough, Montgomery, Nathan–Pulliam, Rice, Robinson, Tarrant, and Taylor

AN ACT concerning

Task Force to Study Nanotechnology and Nanobiotechnology

FOR the purpose of establishing a Task Force to Study Nanotechnology and Nanobiotechnology; providing for the membership of the Task Force; providing for the designation of cochairs of the Task Force; providing for the meeting times and places of the Task Force; providing for the staffing of the Task Force; prohibiting a member of the Task Force from receiving compensation and authorizing reimbursement of certain expenses; requiring the Task Force to study certain matters; requiring the Task Force to make certain recommendations; 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 establishment of a Task Force to Study Nanotechnology and Nanobiotechnology.

Read the first time and referred to the Committee on Economic Matters.

House Bill 796 – Delegates Murphy, Jameson, Levy, and Wood

AN ACT concerning

Charles County – Property Tax Credit for Homes Formerly Owned by Habitat for Humanity of Charles County

FOR the purpose of authorizing the governing body of Charles County to grant, by law, a property tax credit against the county property tax imposed on certain real property formerly owned by Habitat for Humanity of Charles County under certain circumstances; providing for the amount of the tax credit; providing for the application of this Act; and generally relating to a county property tax credit for certain property formerly owned by Habitat for Humanity of Charles County.

BY adding to
Article – Tax – Property
Section 9–310(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 797 – Delegates Bates, Bartlett, Beitzel, Boteler, Eckardt, Elmore, Frank, Haddaway, Jenkins, Kach, Kipke, Krebs, McComas, Miller, Norman, O'Donnell, Shank, Smigiel, Sossi, Stocksdale, Stull, and Wood

EMERGENCY BILL

AN ACT concerning

Election Law – Early Voting – Delay of Implementation

FOR the purpose of repealing certain provisions of law relating to early voting; reenacting certain provisions of law relating to early voting on a certain date; repealing a process to allow a voter in the State to vote in primary or general elections at early voting centers, instead of in the voter's assigned precinct on election day; repealing a requirement that each county have a specified number of early voting centers, based on the number of registered voters in the county; repealing a requirement that the State Board of Elections, in collaboration with the local board of elections in a county, designate the early voting polling centers in that county; repealing requirements that early voting centers be open

for voting during a certain period and during certain hours; repealing a requirement that the State Board and the local boards take certain steps to inform voters about early voting and the location of early voting centers; repealing a requirement that the State Board adopt regulations and guidelines for the conduct of early voting; repealing a requirement that local boards pay an election judge for each early voting day that the election judge actually serves; repealing authorization for a voter to cast a provisional ballot at an early voting center; establishing a process to allow a voter in the State to vote in primary or general elections at early voting centers, instead of in the voter's assigned precinct on election day; requiring each county to have a specified number of early voting centers, 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 centers in that county; requiring early voting centers to be open for voting during a certain period and during certain hours; requiring each early voting center to meet certain requirements; requiring the State Board and the local boards to take certain steps to inform voters about early voting and the location of early voting centers; making certain provisions of law applicable to early voting; requiring the State Board to adopt regulations and guidelines for the conduct of early voting; requiring local boards to pay an election judge for each early voting day that the election judge actually serves; authorizing a voter to cast a provisional ballot at an early voting center; making conforming changes; providing for the effective dates of this Act; and generally relating to delaying the implementation of early voting.

BY repealing
Article – Election Law
Section 1–101(x)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY renumbering
Article – Election Law
Section 1–101(y) through (ii), respectively
to be Section 1–101(x) through (hh), respectively
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 1–101(ii)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–404, 10–101, 10–205, and 10–310(a)

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 1–101(ii)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY renumbering
Article – Election Law
Section 1–101(x) through (hh), respectively
to be Section 1–101(y) through (ii), respectively
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 1–101(x)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–404, 10–101, 10–205, and 10–310(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

BY adding to
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 798 – Delegates Lee, Conway, Montgomery, Aumann, Barkley, Carr, Dumais, Eckardt, Elmore, Frick, Frush, Gutierrez, Guzzone, Haddaway, Healey, Heller, Kach, Love, Nathan–Pulliam, Pena–Melnyk, Rice, Robinson, Smigiel, Sophocleus, Sossi, and F. Turner

AN ACT concerning

Task Force to Study Lyme Disease

FOR the purpose of establishing a Task Force to Study Lyme Disease; providing for the membership, appointment, and staffing of the Task Force; requiring the Task Force to study and make recommendations to the General Assembly, on or before a certain date, on certain issues relating to Lyme disease; providing for the termination of this Act; and generally relating to the establishment of a Task Force to Study Lyme Disease.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 799 – Delegates Kramer and Manno

AN ACT concerning

Reverse Mortgage Homeowners Protection Act

FOR the purpose of authorizing a borrower under a reverse mortgage loan to prepay the loan at any time without penalty; authorizing certain interest rates and interest that is contingent on certain factors in connection with a reverse mortgage loan; authorizing certain costs and fees in connection with a reverse mortgage loan; prohibiting a reduction in the amount or number of periodic advances paid to a borrower under a reverse mortgage loan under certain circumstances; establishing a certain penalty for failing to make certain advances and cure a default under certain circumstances; providing for the circumstances under which a reverse mortgage loan may become due and payable; specifying when the statute of limitations begins to run in certain actions; requiring that an instrument granting a security interest in certain real property securing a reverse mortgage loan contain a certain statement; prohibiting certain persons from requiring a borrower to purchase an annuity as a condition to obtaining a reverse mortgage loan; prohibiting certain persons from engaging in, or being affiliated with or employing a person who engages in, the sale of certain financial or insurance products; establishing a certain exception; prohibiting certain persons from referring a borrower to any person for the purchase of certain financial or insurance products until after the occurrence of certain events; providing that certain provisions of this Act do not prohibit certain persons from offering to a borrower, or referring a borrower to a person for the purchase of certain financial or insurance products; providing that a person who complies with certain federal laws is deemed to be in compliance with certain provisions of this Act; requiring a lender to provide a borrower with a certain notice, checklist, and list of counseling agencies at the time the borrower completes a certain application; requiring a certain housing counseling agency to provide a borrower with a certain checklist under certain

circumstances; prohibiting a certain housing counseling agency from receiving compensation from certain persons; requiring a lender to provide a borrower with a certain summary of the principal terms and conditions of a reverse mortgage loan before closing the loan; prohibiting a lender from making a reverse mortgage loan or assessing any fees unless the lender receives certain documentation; requiring the lender to provide copies of certain documentation to the borrower and to retain the documentation for a certain period; providing for certain penalties for certain violations of this Act; providing for the application of this Act; defining certain terms; and generally relating to reverse mortgage loans.

BY adding to
Article – Commercial Law
Section 12–1201 through 12–1225 to be under the new subtitle "Subtitle 12. Reverse Mortgage Loans"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 800 – Delegates Dumais, Cardin, Feldman, Gilchrist, Kaiser, Kramer, Lafferty, and Montgomery

AN ACT concerning

Estates and Trusts – Estates in Probate, Guardianship Proceedings, and Small Estates – Fees

FOR the purpose of providing that a register of wills is not required to record certain documents or make copies of certain documents unless the applicable charge is paid; altering certain fees charged for the administration of an estate in probate and for guardianship proceedings; repealing certain administrative fees; adding certain administrative fees; altering certain fees charged for the administration of a small estate; adding categories related to the value of a small estate; adding fees based on the value of certain categories of small estates; making technical changes; and generally relating to fees charged for the administration of estates in probate, guardianship proceedings, and small estates.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–206 and 5–606
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 801 – Delegates McHale, Bartlett, Hammen, Hecht, and Krysiak

AN ACT concerning

Electricity – Net Energy Metering – Credits

FOR the purpose of requiring a certain net metering contract or tariff to credit in a certain manner electricity generated by certain eligible customer–generators calculated at certain rates under certain circumstances; repealing a limitation on the period of time that a certain eligible customer–generator may accrue certain generation credit; repealing a limitation on the time that a certain electric company is required to carry forward a generation credit or a negative kilowatt–hour reading; requiring a certain electric company to carry forward a certain generation credit in a certain manner until certain events occur; repealing a provision relating to the reversion of a certain generation credit to a certain electric company; requiring the amount of generation credit that a certain electric company credits to a certain eligible customer–generator to be calculated at certain rates under certain circumstances; requiring a certain electric company to reimburse a certain generation credit under certain circumstances; defining a certain term; and generally relating to net energy metering and payment for accrued generation credit.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 802 – Delegates McHale, Hammen, and Krysiak

AN ACT concerning

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

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

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

House Bill 803 – Delegates Rudolph and Kullen

AN ACT concerning

Health Insurance – High Deductible Plans and Limited Benefit Plans for Uninsured Individuals

FOR the purpose of authorizing a nonprofit health service plan to limit the issuance of a certain high deductible health plan to certain uninsured individuals who are residents of the State under certain circumstances; authorizing a nonprofit health service plan to issue a certain limited benefit health insurance contract to certain uninsured individuals who are residents of the State under certain circumstances; requiring a limited benefit health insurance contract to comply with certain requirements applicable to a certain health benefit plan and to comply with certain provisions of law; requiring a nonprofit health service plan to make a certain disclosure about a certain limited benefit health insurance contract in a certain manner; requiring the Maryland Insurance Administration, in consultation with a certain nonprofit health service plan, to report certain information to the Governor and certain legislative committees on or before a certain date; defining certain terms; providing for the applicability of this Act; providing for the termination of this Act; and generally relating to high deductible health plans and limited benefit health insurance contracts offered by nonprofit health service plans to certain uninsured individuals who are residents of certain counties.

BY adding to
Article – Insurance
Section 14–128
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 804 – Delegates Kach and Olszewski

AN ACT concerning

Health Insurance – Dental Provider Panels – Provider Contracts

FOR the purpose of prohibiting a provider contract from containing a provision that requires a dental provider, as a condition of participating in certain dental provider panels, to accept a new, revised, or amended fee schedule; providing for the application of this Act; and generally relating to dental provider panels and provider contracts.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112.2(a)

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 15–112.2(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 805 – Delegates Heller, Boteler, Eckardt, Hecht, Kipke, Kramer, Manno, Riley, Stocksdale, and F. Turner

AN ACT concerning

Property Tax – Homestead Credit for Seniors with Two Homes

FOR the purpose of extending eligibility for the homestead property tax credit to a second home for certain homeowners under certain circumstances; establishing the homestead credit at a certain percentage for the second home; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–105(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–105(d)(3)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – Property
Section 9–105(d)(7)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 806 – Delegate Heller

AN ACT concerning

Election Law – Campaign Account – Debit Card Disbursements

FOR the purpose of authorizing only the treasurer of a campaign finance entity to make a disbursement by debit card from a campaign account; authorizing the treasurer of a campaign finance entity to reimburse a person by debit card disbursement to pay an expense of the campaign finance entity; authorizing the treasurer of a campaign finance entity to replenish a petty cash fund by debit card disbursement; providing for a delayed effective date; and generally relating to debit card disbursements by the treasurer of a campaign finance entity.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 13–218
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–219 and 13–220
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 807 – Delegates Kach, Boteler, Bromwell, Olszewski, and Schuler

AN ACT concerning

State Retirement and Pension System – Military Service Credit – Reservists

FOR the purpose of authorizing certain members of the State Retirement and Pension System who are members of a reserve component of the armed forces of the United States, to receive a certain amount of service credit under certain circumstances for military service as a member of a reserve component of the armed forces of the United States; and generally relating to military service credit for members of a reserve component of the armed forces of the United States.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 38–103(d) and 38–104(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 808 – Delegates Barnes, McIntosh, Kaiser, Mizeur, Ali, Anderson, Barkley, Barve, Bobo, Bronrott, Carr, Carter, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Harrison, Heller, Hixson, Hubbard, Hucker, Ivey, Kirk, Kramer, Krysiak, Lee, Manno, Montgomery, Niemann, Pena–Melnyk, Pendergrass, Ramirez, Reznik, Rice, Rosenberg, Ross, Schuler, Simmons, Stukes, F. Turner, Valderrama, and Waldstreicher

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 2009 Supplement)

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

House Bill 809 – Delegates Dumais, Conway, DeBoy, Malone, and Mathias

AN ACT concerning

Criminal Procedure – Extended Parole Supervision Offender – Minor at Time of Act

FOR the purpose of altering the definition of "extended parole supervision offender" to include a person who was a minor at the time of a certain act and who is required to register with the person's supervising authority under a certain provision of law.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–704

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 810 – Delegate McHale

AN ACT concerning

Public Service Commission – Cost Reimbursement

FOR the purpose of authorizing the Public Service Commission to require a certain applicant for authorization of certain transactions to reimburse the Commission for certain costs; prohibiting a public service company from passing certain costs on to ratepayers; requiring the Commission to provide certain notice to certain applicants; providing that a reimbursement under this Act is not an assessment under a certain provision of law and not subject to certain limitations; and generally relating to reimbursable costs of the Public Service Commission.

BY adding to
Article – Public Utility Companies
Section 6–106
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 811 – Delegates Dumais, Conway, DeBoy, Malone, and Mathias

AN ACT concerning

Child Abuse and Neglect – Mandatory Reporting – Children in Contact with Sexual Offenders

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 child is at substantial risk of child abuse or neglect because the child's parent, guardian, or caregiver allows the child to reside with or regularly associate with a certain individual; providing certain exceptions; establishing certain reporting procedures; requiring the Secretary of Human Resources to adopt certain regulations; establishing certain investigation procedures; 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 reports and investigations concerning children at substantial risk of child abuse or neglect.

BY adding to
Article – Family Law
Section 5–705.2 and 5–706.2
Annotated Code of Maryland
(2006 Replacement Volume and 2009 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 2009 Supplement)

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

House Bill 812 – Delegate Rudolph

AN ACT concerning

Environment – Water Service – Property Owners

FOR the purpose of clarifying that a political subdivision shall send a bill for water service to each property owner for each property served on a monthly, quarterly, or semiannual basis; and generally relating to bills for water service.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–724(c)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–724(c)(2) and (3)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 813 – Delegates O'Donnell, Aumann, Dwyer, Jennings, Lafferty, Sossi, and Stein

AN ACT concerning

Agriculture – Sludge – Timing of Winter Application

FOR the purpose of requiring the Department of Agriculture to adopt regulations establishing criteria for the timing of the winter application of sludge that are

the same as or substantially similar to the criteria adopted for the timing of the winter application of animal manure; and generally relating to the timing of the winter application of sludge.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 8–803.1(e) and (f)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 8–804(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 814 – **Delegates Kach and Olszewski**

AN ACT concerning

Health Insurance – Individual Health Benefit Plans – Frequency of Premium Increases

FOR the purpose of prohibiting health insurance carriers from increasing the premium on an individual health benefit plan more frequently than once during a certain period of time; providing for the application of this Act; and generally relating to premiums for individual health benefit plans.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–1314
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 815 – Delegates DeBoy, Jones, Barkley, Bromwell, G. Clagett, Costa, Glenn, Guzzone, Haynes, Malone, McHale, Olszewski, Schuler, and Sophocleus

AN ACT concerning

Maryland Transportation Authority Police Officers – Collective Bargaining

FOR the purpose of authorizing the representatives of certain full–time Maryland Transportation Authority police officers to bargain collectively with the Maryland Transportation Authority concerning wages and benefits; authorizing certain police officers to take certain actions or refrain from taking certain actions in connection with certain labor organizations and collective bargaining activities; establishing procedures for certifying a labor organization as an exclusive representative of Maryland Transportation Authority police officers and for collective bargaining negotiations; requiring certain parties to engage in collective bargaining in good faith; requiring a collective bargaining agreement to contain certain matters; requiring a collective bargaining agreement to be ratified before becoming effective; providing for binding arbitration under certain circumstances; providing for the membership, procedures, powers, and duties of the arbitration panel; specifying that the decision of the arbitration panel is binding on both parties; providing for the payment of the costs of an arbitration proceeding under this Act; providing for the construction of certain provisions of this Act; and generally relating to collective bargaining rights of Maryland Transportation Authority police officers.

BY adding to
Article – Transportation
Section 4–208.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 816 – Delegates Cardin, Dumais, Hixson, Kaiser, Rice, and Ross

AN ACT concerning

Election Law – Voter Qualifications – Individuals Under Guardianship for Mental Disability

FOR the purpose of repealing the disqualification of individuals under guardianship for mental disability from voting; and generally relating to voter qualifications.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 3–102

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 817 – Delegates Frick, Barve, Branch, Cardin, Hixson, Miller, Minnick, Myers, Rice, Ross, Shank, and Stukes

AN ACT concerning

Personal Property Tax – Heavy Equipment

FOR the purpose of authorizing a county or municipal corporation to impose a tax, not exceeding a certain amount, on the gross receipts from the short–term lease or rental of certain heavy equipment property under certain circumstances; requiring a person who owns a business with gross receipts subject to the tax to collect and remit the tax by a certain day each quarter; providing that certain heavy equipment property is not subject to property tax; providing for a delayed effective date; and generally relating to the taxation of certain heavy equipment property.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–609
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – Property
Section 7–243
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 818 – Delegates Dumais, Simmons, and Sophocleus

AN ACT concerning

Criminal Law – Trespass on Posted Property and Wanton Trespass on Private Property – Penalties

FOR the purpose of increasing the penalties for subsequent violations of the crime of trespass on posted property; increasing the penalties for subsequent violations of the crime of wanton trespass on private property; and generally relating to penalties for the trespass crimes.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 6–402 and 6–403
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 819 – Delegates Love, Boteler, Cane, Carr, DeBoy, Elmore, George, Glenn, Hecht, Heller, Howard, Impallaria, James, Kach, Kipke, Manno, Mathias, McConkey, McDonough, McHale, Minnick, Montgomery, O'Donnell, Reznik, Riley, Shewell, Sophocleus, Sossi, F. Turner, and Wood

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; providing for the application of this Act; 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 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–207(w)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 820 – Delegate Rosenberg

AN ACT concerning

Firearm Safety Act of 2010

FOR the purpose of authorizing an investigative or law enforcement officer acting in a criminal investigation or another person acting at the prior direction and under

the supervision of an investigative or law enforcement officer to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of certain offenses relating to the sale, rental, purchase, or transfer of a regulated firearm under certain circumstances; requiring the Secretary of State Police or the Secretary's designee to disapprove an application of 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; authorizing a certain person to request a hearing under certain circumstances; prohibiting a person who has previously been convicted of certain crimes from possessing a firearm; requiring a valid Maryland handgun purchase permit for the purchase or receipt of a regulated firearm; establishing requirements and procedures for the issuance and renewal of a handgun purchase permit; authorizing the Secretary or the Secretary's designee to revoke a handgun purchase permit under certain circumstances; requiring that a hearing be granted to certain aggrieved persons under certain circumstances; 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; altering certain penalties; altering a certain definition; defining certain terms; and generally relating to firearms.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–402(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–101(a), (m), and (s)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 5–101(l), 5–110(a), 5–114, 5–115, 5–133, 5–134(d), 5–141, and 5–143
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 5–133.1 and 5–144
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 821 – Delegates Barkley, King, McHale, Taylor, and Vaughn

AN ACT concerning

Net Energy Metering – Fuel Cell

FOR the purpose of including, among the list of eligible customer–generators that are eligible for net energy metering, a customer that uses a certain fuel cell electric generating facility that meets certain conditions; defining a certain term; 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 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(b)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 822 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Arts and Entertainment District

FOR the purpose of providing that in Queen Anne's County, the governing body may establish an arts and entertainment district composed of noncontiguous areas in the county, including noncontiguous areas in a municipal corporation in the county, subject to the designation of the Secretary of Business and Economic

Development; requiring the governing body of Queen Anne's County to comply with certain application procedures; and generally relating to arts and entertainment districts in Queen Anne's County.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 4–703 and 4–704
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–705
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 823 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Winery Special Event Permits – Farmers' Markets

MC 9–10

FOR the purpose of authorizing the issuance of a certain number of additional winery special event permits to certain wineries for use in certain farmers' markets in Montgomery County; prohibiting a holder of a permit from selling wine by the glass; requiring that a certain individual who is certified by an alcohol awareness program be present during the hours when wine may be sold; and generally relating to farmers' markets in Montgomery County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–101(u)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(u)(7)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 824 – Delegates Rosenberg, Anderson, Kipke, McComas, Montgomery, and Waldstreicher

AN ACT concerning

Civil Actions – Immunity from Civil Liability – Health Care Providers

FOR the purpose of providing immunity from civil liability for certain causes of action to a health care provider or an agent or employee of a health care provider who detains or causes the arrest of any person if there is probable cause to believe that the person committed a certain offense on the premises of the health care provider or obtained certain information without authorization; and generally relating to immunity from civil liability for health care providers.

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 14–3501(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–402
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 4–301(g)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 825 – Delegates Barkley, Barnes, Davis, Feldman, Harrison, Hecht, Impallaria, King, Kirk, Krysiak, Love, Manno, McHale, Minnick, Schuler, Stifler, Taylor, and Vaughn

AN ACT concerning

Vehicle Laws – Required Security – 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
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 826 – Delegates Rosenberg, Carter, Dumais, Ramirez, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Wiretapping and Electronic Surveillance – Location of a Mobile Communications Device

FOR the purpose of modifying a certain definition to include the location of a mobile communications device; authorizing a provider of wireless telecommunications service to disclose to certain persons location information transmitted by a mobile communications device for a certain period of time under certain emergency circumstances; requiring a public safety official or emergency service provider to provide a certain notice to a certain person within a certain period of time under certain circumstances; and generally relating to wiretapping and electronic surveillance and stored wire and electronic communications and transactional records access.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–401(1), (2), and (11) and 10–402(a) and (b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–401(7) and 10–4A–03
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 827 – Delegates Hubbard, Barnes, Barve, Beidle, Bobo, Bohanan, Bronrott, Cardin, Carr, V. Clagett, Eckardt, Frush, Hecht, Hucker, Jameson, Krysiak, Kullen, Lafferty, Levy, Love, Morhaim, Niemann, O'Donnell, Ross, Schuh, Sossi, Stein, Taylor, and Wood

AN ACT concerning

Biomass and Biofuels – In–State Production Incentives

FOR the purpose of altering certain provisions relating to net energy metering to allow certain eligible customer–generators generating electricity from cellulosic feedstock to recover certain accrued generation credit for certain electricity fed back to the grid; requiring, on or after certain dates after a certain time and certification that a certain number of gallons of in–State production level of biodiesel is reached, a certain percentage of the total diesel sold by volume in the State be biodiesel produced from feedstock grown in the United States; requiring the Comptroller to adopt certain regulations; 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 Transportation and other applicable agencies, 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 certain 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, shall 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; requiring the Department of Agriculture, in consultation with certain agencies, to develop a plan for infrastructure development that will support certain requirements once the State reaches applicable production levels; requiring the Department of Agriculture to report on the plan, findings, and recommendations to the Governor and the General Assembly on or before a certain date; 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 2009 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 2009 Supplement)

BY adding to
Article – Business Regulation
Section 10–304.2
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 828 – Delegates Busch, V. Clagett, and George

AN ACT concerning

Creation of a State Debt – Anne Arundel County – William Paca House

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 Trustees of Historic Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 829 – Delegates Jameson, G. Clagett, Barkley, Bates, Beitzel, Bohanan, Bronrott, Conway, DeBoy, Donoghue, Eckardt, Elliott, Elmore, Gilchrist, Guzzone, Haddaway, Hecht, Jenkins, Kach, Kelly, King, Kramer, Kullen, Levy, Love, Miller, Murphy, Myers, Rudolph, Serafini, Sossi, Stull, and Wood

AN ACT concerning

Vehicle Laws – Traffic Citations – Option to Request Trial

FOR the purpose of requiring that a certain traffic citation issued to a person contain a notice that, if the citation is a payable violation, the person must comply with one of a certain list of options, including the option to request, within a certain time period, a trial date at the date, time, and place established by the District Court by writ or trial notice; making conforming changes; and generally relating to traffic citations.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–201(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 830 – Delegates Kramer, Ali, Barkley, Bates, Bronrott, Carr, Conaway, Dumais, Feldman, Frick, Gutierrez, Hecht, Heller, Hixson, Ivey, Jenkins, Kelly, Lee, Manno, McConkey, Miller, Mizeur, Montgomery, Murphy, Ramirez, Reznik, Rice, Shank, Simmons, Smigiel, Valderrama, and Waldstreicher

AN ACT concerning

Income Tax Checkoff for Developmental Disabilities

FOR the purpose of establishing a certain income tax checkoff system for voluntary contributions to the Waiting List Equity Fund to provide certain services for individuals with developmental disabilities; 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 system; providing that the Fund may consist of certain contributions from the income tax checkoff system and certain other money; providing for the application of this Act; and generally relating to an income tax checkoff system for contributions to provide certain services for individuals with developmental disabilities.

BY adding to
Article – Tax – General
Section 2–113 and 10–804(i)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 7–205(a), (b), and (c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–205(d)(1)

Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 831 – Delegates Beidle, Love, and Sophocleus

AN ACT concerning

Flea Markets – Sale of Baby Food, Cosmetics, and Nonprescription Drugs – Prohibited

FOR the purpose of prohibiting a person from selling, offering to sell, or knowingly permitting the sale of certain baby food, cosmetics, and nonprescription drugs at a flea market; providing certain exceptions to the prohibition; providing for the application of this Act; establishing a certain penalty for a violation of this Act; defining certain terms; and generally relating to the sale of goods at flea markets.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1801(a), (d), (f), and (g) and 17–1804(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17–1817
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 832 – Delegates Bronrott, Hubbard, Ali, Anderson, Barnes, Benson, Bobo, Burns, Carr, Carter, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hucker, Ivey, Kramer, Kullen, Lee, Levi, Manno, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Ramirez, Reznik, Robinson, Rosenberg, Ross, Simmons, Stukes, Tarrant, Taylor, Valderrama, and Waldstreicher

AN ACT concerning

The Lorraine Sheehan Health and Community Services Act of 2010

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 disabilities; 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; establishing the Mental Health Care Fund as a special fund to be used to support certain programs for the treatment and prevention of mental illness; establishing the Maryland Medicaid Trust Fund as a special fund to be used to provide certain health care services to certain individuals; 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 2009 Supplement)

BY adding to
Article – Health – General
Section 7–207, 8–207, 10–209, and 15–103.6
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means and the Committee on Health and Government Operations.

House Bill 833 – Prince George's County Delegation

AN ACT concerning

Prince George's County – Recycling Program – School Facilities

PG 402–10

FOR the purpose of requiring the Prince George's County Board of Education to develop and implement a certain recycling program for certain facilities under the jurisdiction of the county board; requiring the county board to address certain issues while developing a certain recycling program; requiring the county board to submit a certain report including certain information to the General Assembly on or before a certain date regarding a certain recycling program; defining certain terms; and generally relating to a recycling program in school facilities in Prince George's County.

BY adding to
Article – Education
Section 4–127

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 834 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

State Treasurer – Permissible Investments – Linked Deposit Program

FOR the purpose of altering the permissible investments that the State Treasurer may make with financial institutions participating in the Linked Deposit Program; and generally relating to permissible investments under the Linked Deposit Program.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–211
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 835 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Energy Performance Contracts – Financing – State Energy Performance Contract Loan of 2010

FOR the purpose of authorizing the financing of energy performance contracts by capital lease or general or special obligation bonds authorized by the General Assembly; providing for the timely payment of principal and interest on bonds and capital leases used to finance energy performance contracts; authorizing the issuance of $100,000,000 in general obligation bonds to finance State energy performance contracts; and generally relating to the financing of energy performance contracts.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 12–301
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 836 – Allegany County Delegation

AN ACT concerning

Education – Public School Construction – Procurement – Preference for Local Business Entities

FOR the purpose of authorizing a local governing body to adopt a preference–based arrangement that gives preference to local business entities for certain procurement for public school construction; requiring the Board of Public Works to adopt regulations that specify elements to be included in any preference–based arrangement adopted by a local governing body that gives preference to local business entities for certain procurement for public school construction; and generally relating to procurement for public school construction and a preference for local business entities.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–126
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 837 – Washington County Delegation

AN ACT concerning

Washington County – Procurement of Professional or Technical Services

FOR the purpose of exempting certain procurement expenditures for professional or technical services for Washington County from the requirements for procurement expenditures over $50,000; repealing language made obsolete by this Act; and generally relating to procurement expenditures for professional or technical services in Washington County.

BY repealing and reenacting, with amendments,
The Public Local Laws of Washington County
Section 1–106(b)(2)
Article 22 – The Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

BY adding to
The Public Local Laws of Washington County
Section 1–106.5

Article 22 – The Public Local Laws of Maryland
(2007 Edition and January 2009 Supplement, as amended)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 838 – Delegates Dumais, Cardin, DeBoy, Feldman, Gilchrist, Kaiser, Kramer, Malone, Manno, Minnick, Montgomery, Olszewski, and Stein

AN ACT concerning

Estates and Trusts – Register of Wills – Cost–of–Living Adjustment to Salary

FOR the purpose of providing a certain cost–of–living adjustment to the salary of a register of wills that is awarded in the same percentage and at the same time as that awarded to a State employee; making stylistic changes; providing that this Act does not apply to the salary or compensation of a register of wills during a certain term of office; and generally relating to the salary of a register of wills.

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–205(a)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–205(b)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 839 – Delegate Heller (Chair, Joint Committee on the Management of Public Funds) and Delegates Elmore, Howard, and Levy

AN ACT concerning

Political Subdivisions – Financial Reports

FOR the purpose of amending certain provisions relating to the timeframes for the submission of comprehensive annual reports on the financial condition of political subdivisions in the State to the Department of Legislative Services and the State Treasurer to conform those timeframes to those required for the submission to the Department of certain other reports of counties, municipal corporations, and special taxing districts in the State; making technical

changes; and generally relating to financial reports of political subdivisions in the State.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 2–101(b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 840 – Delegate Stein

AN ACT concerning

Homeowner's Insurance – Ordinance or Law Coverage

FOR the purpose of requiring an insurer that issues, sells, or delivers a policy of homeowner's insurance to offer to provide certain ordinance or law coverage for increased costs of repair or construction incurred in order to comply with certain laws or ordinances; establishing a certain minimum coverage amount for ordinance or law coverage; providing for the application of this Act; and generally relating to ordinance or law coverage under policies of homeowner's insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–202
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 841 – Delegates Conway, DeBoy, Eckardt, Elmore, Haddaway, Malone, Mathias, and Rudolph

AN ACT concerning

Crimes – Sexual Offenses – Children Under the Age of 15

FOR the purpose of altering certain provisions concerning the age of a victim for purposes of certain prohibitions against certain sexual acts by certain persons involving victims who are children under a certain age; and generally relating to sexual offenses and children under a certain age.

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

Section 3–303 through 3–306
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 842 – Delegates Conway, Bobo, Frush, Glenn, Lafferty, Mathias, Niemann, Stein, and Stull

AN ACT concerning

Condominiums and Homeowners Associations – Priority of Liens – "The Residential Association Sustainability Act of 2010"

FOR the purpose of providing that a certain portion of a certain lien on a condominium unit, including certain late fees, interest, and any attorney's fees and costs for establishing the lien, has priority over a first mortgage or deed of trust under certain circumstances; providing that certain lot owners in a homeowners association are liable for certain assessments and charges; allowing a homeowners association to enforce the payment of certain assessments and charges by imposition of a contract lien under certain circumstances; providing that a certain portion of a homeowners association lien, including certain late fees, interest, and any attorney's fees and costs for establishing the lien, has priority over a first mortgage or deed of trust under certain circumstances; providing that certain provisions of this Act do not affect or limit the priority of certain liens, mortgages, or deeds of trust; providing for the abrogation of certain provisions of this Act on the occurrence of certain contingencies; making stylistic changes; and generally relating to liens on condominium units and lots in developments with homeowners associations.

BY renumbering
Article – Real Property
Section 11B–117
to be Section 11B–118
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–110(d)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 11B–117
Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 843 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

FOR the purpose of increasing the bonding authority for the University System of Maryland; approving certain projects for the acquisition, development, and improvement of certain academic facilities for the University System of Maryland; authorizing the issuance of bonds by the University System of Maryland for financing the projects; providing that certain bonds are not a debt or an obligation of the State or any of its subdivisions; and generally relating to the authority to issue academic facilities bonds.

BY repealing and reenacting, with amendments,
Article – Education
Section 19–102(c)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 844 – Delegates Conway, Mathias, and Rudolph

AN ACT concerning

Local Government Funds – Redeposit into Insured Accounts

FOR the purpose of authorizing a local government to deposit unexpended or surplus money in any federally insured bank or savings and loan association without certain security under certain conditions; and generally relating to the deposit of local government funds.

BY repealing and reenacting, with amendments,
Article 95 – Treasurer
Section 22–O
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

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

QUORUM CALL

The presiding officer announced a quorum call, showing 125 Members present.

(See Roll Call No. 62)

ADJOURNMENT

At 10:34 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 10, 2010 in memory of former Delegate Michael H. Weir, Sr.

Annapolis, Maryland
Wednesday, February 10, 2010

The House met at 10:07 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Pamela G. Beidle of Anne Arundel County.

QUORUM CALL

The presiding officer announced a quorum call, showing 101 Members present.

(See Roll Call No. 63)

The Journal of February 9, 2010 was read and approved.

EXCUSES:
Due to a severe blizzard today the Speaker has excused any member who did not make it to session.
Del. Boteler – illness
Del. Braveboy – illness
Del. Bronrott – inclement weather
Del. Cane – inclement weather
Del. Carr – inclement weather
Del. V. Clagett – medical – fractured ankle
Del. Conaway – inclement weather
Del. Costa – inclement weather
Del. Davis – inclement weather
Del. Donoghue – inclement weather
Del. Doory – inclement weather
Del. Elliott – inclement weather
Del. Harrison – inclement weather
Del. Holmes – inclement weather
Del. Hubbard – inclement weather
Del. Jenkins – inclement weather
Del. Jennings – inclement weather
Del. Kaiser – inclement weather
Del. King – inclement weather
Del. Kramer – inclement weather
Del. Krysiak – inclement weather
Del. Kullen – inclement weather
Del. Levy – inclement weather
Del. McDonough – inclement weather
Del. Minnick – knee injury
Del. Mizeur – inclement weather

Del. Morhaim – inclement weather
Del. Murphy – inclement weather
Del. Niemann – inclement weather
Del. Rice – inclement weather
Del. Sophocleus – inclement weather
Del. Stifler – inclement weather
Del. Stukes – inclement weather
Del. Stull – inclement weather
Del. Vallario – inclement weather
Del. Waldstreicher – inclement weather
Del. Walkup – medical – fractured knee
Del. Weir – inclement weather

INTRODUCTION OF BILLS

House Bill 845 – **Delegates Feldman, Lee, Miller, Morhaim, and Rice**

AN ACT concerning

State Retirement and Pension System – Investments – Qualified Information Technology, Green Technology, Medical Device Technology, or Bioscience Businesses

FOR the purpose of requiring the Board of Trustees of the State Retirement and Pension System to invest a certain amount of the assets of the several systems of the State Retirement and Pension System within a certain period of time in certain venture capital funds focused on certain types of businesses; requiring certain venture capital funds to invest a certain amount of the assets of the several systems in certain types of businesses; requiring the Board of Trustees to submit certain reports containing certain information on or before a certain date; providing for the termination of this Act; defining certain terms; and generally relating to the Board of Trustees investing the assets of the several systems in qualified information technology, green technology, medical device technology, or bioscience businesses.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–123
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 846 – **Delegates Feldman, Dumais, and Rice**

AN ACT concerning

Creation of a State Debt – Montgomery County – Cabin John Park Tai Chi Court

FOR the purpose of authorizing the creation of a State Debt not to exceed $40,000, 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 Appropriations.

House Bill 847 – Delegate McDonough

AN ACT concerning

State Government – Notary Public – Requirements

FOR the purpose of requiring that a notary public be a United States citizen; requiring that an applicant for notary public submit proof of citizenship with the application; specifying the types of documents that establish proof of United States citizenship; and generally relating to the requirements for notary public.

BY repealing and reenacting, with amendments,
Article – State Government
Section 18–102 and 18–103(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 848 – Delegate McDonough

AN ACT concerning

Elections – Campaign Finance Entities – Transfer Limits and Termination

FOR the purpose of making a certain limit on monetary transfers between campaign finance entities applicable to transfers between a slate and the campaign finance entities of the members of the slate; repealing an exemption to a certain limit on monetary transfers between a slate and the campaign finance entities of the members of the slate; altering the number of years after which a campaign finance entity is required to terminate and file a certain report under certain circumstances; and generally relating to campaign finance entities.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–227 and 13–310
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 849 – Delegate Hubbard

AN ACT concerning

Department of Health and Mental Hygiene – Home– and Community–Based Services Waiver – Denial of Access Prohibited

FOR the purpose of prohibiting the Department of Health and Mental Hygiene from denying an individual access to a home– and community–based services waiver due to lack of funding if, in addition to existing criteria, the individual is eligible for a certain number of days of nursing facility services paid for by the Maryland Medical Assistance Program; making a technical correction; and generally relating to the Department of Health and Mental Hygiene and the home– and community–based services waiver.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–137
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 850 – Delegates Barve, Branch, Cane, Donoghue, Dumais, Elmore, Frick, Hammen, Hixson, James, Jones, Kach, Love, Mathias, McHale, Morhaim, Murphy, O'Donnell, Shank, Sophocleus, and Stifler

AN ACT concerning

Property Tax Credit – Habitat for Humanity

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on certain real property owned by Habitat for Humanity; requiring Habitat for Humanity to submit an annual report to certain governing bodies under certain circumstances; authorizing the Mayor and City Council of Baltimore City or the

governing body of a county or municipal corporation to set, by law, the amount, terms, scope, and duration of the tax 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.

BY adding to
Article – Tax – Property
Section 9–252
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 851 – Talbot County Delegation

AN ACT concerning

Talbot County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Talbot County to hunt deer on private property with a bow and arrow on certain Sundays in certain months; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 852 – Delegates George, Barkley, Elmore, Haddaway, Hecht, Impallaria, King, Love, Mathias, McHale, Minnick, and Shewell

AN ACT concerning

Energy Companies – Net Energy Metering Credit Transfers – Municipalities

FOR the purpose of authorizing certain municipalities to transfer certain generation credits to certain properties; requiring the Public Service Commission to adopt certain regulations; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306(a) and (i)

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–306(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 853 – Delegates Stein and Krebs

AN ACT concerning

State Department of Education – Personal Financial Literacy State Curriculum

FOR the purpose of requiring certain county boards of education to make certain certifications regarding a certain curriculum on or before a certain date each year; requiring the State Department of Education to develop a process to monitor certain implementation of a certain curriculum; requiring the Department to report certain information to the Governor and General Assembly on or before a certain date each year; and generally relating to the monitoring and implementation of the Personal Financial Literacy State Curriculum.

BY adding to
Article – Education
Section 4–111.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 854 – Delegates Stein, Barkley, Cardin, Manno, and Minnick

AN ACT concerning

Homeowner's, Farmowner's, and Dwelling Insurance Policies – Claims for Additional Payments

FOR the purpose of requiring each policy of homeowner's, farmowner's, or dwelling insurance issued, sold, or delivered in the State that provides certain coverage for a dwelling or personal property to contain a provision that allows an insured to file a claim for certain additional payments for at least a certain period of time; providing for the application of this Act; and generally relating to policies of homeowner's, farmowner's, and dwelling insurance.

BY adding to
Article – Insurance
Section 19–213
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 855 – Montgomery County Delegation

AN ACT concerning

Sales and Use Tax – Exemption – Lodging at Corporate Training Center in Montgomery County

MC 22–10

FOR the purpose of providing an exemption under the sales and use tax for the sale of a right to occupy a room or lodgings as a transient guest at certain facilities in a certain county operated primarily in support of certain facilities or campuses; and generally relating to a sales and use tax exemption for the sale of certain lodging at certain facilities.

BY adding to
Article – Tax – General
Section 11–231
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 856 – Montgomery County Delegation

AN ACT concerning

Election Law – Montgomery County Republican Party Central Committee – Membership
MC 15–10

FOR the purpose of repealing certain provisions of law specifying the membership of the Montgomery County Republican Party Central Committee; making stylistic changes; providing for the application of this Act; and generally relating to the membership of the Montgomery County Republican Party Central Committee.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 4–202(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–203(f)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 857 – Montgomery County Delegation

AN ACT concerning

Montgomery County Board of Education – Student Member – Voting

MC 12–10

FOR the purpose of authorizing the student member of the Montgomery County Board of Education to attend an executive session of the Board of Education that relates to a certain matter; authorizing the student member of the Montgomery County Board of Education to vote on certain matters; and generally relating to the voting rights of the student member of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–901(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 6–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 858 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Leghold or Body–Gripping Traps – Prohibition

MC 16–10

FOR the purpose of expanding the application of the prohibition against the use, setting, placement, or maintenance of a leghold or body–gripping trap in Montgomery County; making a certain technical correction; making a stylistic change; and generally relating to the leghold or body–gripping trap prohibition in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(o)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 10–410(o–1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 859 – Montgomery County Delegation

AN ACT concerning

Election Law – Montgomery County Democratic Party Central Committee – Membership Criteria

MC 13–10

FOR the purpose of altering the membership criteria for the Montgomery County Democratic Party Central Committee; specifying that certain central committee members are elected in a certain manner; limiting the number of members elected at large that may reside in the same legislative district; providing for the application of this Act; and generally relating to the membership criteria for the Montgomery County Democratic Party Central Committee.

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

Section 4–203(f)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 860 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Tenant Credit Check Restriction Act

MC 4–10

FOR the purpose of prohibiting the owner or landlord of rental housing from conducting a credit check of a tenant applicant who qualifies for a certain monthly housing assistance payment from the Housing Opportunities Commission of Montgomery County under certain circumstances; defining a certain term; and generally relating to tenant credit checks in Montgomery County.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 16–101(a), (d), and (e) and 16–108
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

BY adding to
Article – Housing and Community Development
Section 16–501 and 16–502 to be under the new subtitle "Subtitle 5. Housing Choice Voucher Program"
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 861 – Montgomery County Delegation

AN ACT concerning

Montgomery County – Enterprise Zones – County Tax Credits

MC 2–10

FOR the purpose of authorizing Montgomery 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 Montgomery 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 Montgomery County to impose limits on the amount of credits issued for any taxable year; authorizing Montgomery County to make the credit refundable; authorizing Montgomery County to provide for the recapture of the credit; and generally relating to the authority of Montgomery 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 and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 862 – Delegate Hubbard

AN ACT concerning

Statewide Advisory Commission on Immunizations – Membership and Sunset Repeal

FOR the purpose of requiring the Secretary of Health and Mental Hygiene, in consultation with Med Chi, the Maryland State Medical Society, to appoint the chair of the Statewide Advisory Commission on Immunizations; establishing the terms of the members of the Commission; repealing a provision that requires the Commission to study and make recommendations about immunizations required by children entering schools in times of vaccine shortage; requiring the Commission to study and make recommendations about a public campaign in the event of a public health emergency involving immunizations; making certain technical corrections; repealing a certain termination provision; and generally relating to the Statewide Advisory Commission on Immunizations.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–214
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 337 of the Acts of the General Assembly of 2002, as amended by Chapter 200 of the Acts of the General Assembly of 2005 and Chapter 504 of the Acts of the General Assembly of 2007
Section 2

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 863 – Delegate Hubbard

AN ACT concerning

Maryland Professional Counselors and Therapists Act – Corrections

FOR the purpose of requiring applicants for a license to practice clinical marriage and family therapy to hold a master's or doctoral degree in a certain field from an accredited educational institution that is approved by the State Board of Professional Counselors and Therapists; altering the number of credit hours in alcohol and drug counselor training that are required for qualification as a certified professional counselor–alcohol and drug or certified association counselor–alcohol and drug; and generally relating to corrections of the Maryland Professional Counselors and Therapists Act.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 17–303(a) and 17–402(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 17–303(d), 17–402(d), and 17–403
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 864 – Delegate McDonough

AN ACT concerning

Jessica's Law Part II – Truth in Sentencing

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence in a State or local correctional facility for committing a certain sexual crime against a child under

a certain age; providing for the application of this Act; and generally relating to the earning of diminution credits by persons serving sentences for committing certain sexual crimes against children.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–702 and 11–502
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 865 – Delegates McDonough, Aumann, Boteler, Impallaria, Jennings, and Kach

AN ACT concerning

Baltimore County – English Language – Formal Recognition

FOR the purpose of designating the English language as the official language of Baltimore County; making provisions of this Act applicable to certain Baltimore County functions and agencies; providing for certain exceptions; providing that this Act may not be construed to require the translation into English of any official motto or slogan; making provisions of this Act severable; and generally relating to the designation of English as the official language of Baltimore County.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 to be under the new title "Title 22. Official Language of Baltimore County"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 866 – Delegates McDonough, Elliott, Elmore, George, Impallaria, Krebs, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Public Safety – Enforcement of Federal Immigration Law by Law Enforcement Agencies

FOR the purpose of requiring each law enforcement agency in the State to enter into a certain memorandum of understanding to enforce federal immigration law;

requiring each law enforcement agency in the State to provide certain training to certain law enforcement officers; defining certain terms; and generally relating to the enforcement of federal immigration law by State and local law enforcement agencies.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 2–101(g)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 3–508
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 867 – Delegates Robinson and Glenn

AN ACT concerning

State Units – Contracts – Reporting Requirements – Reports

FOR the purpose of requiring certain units that contract with certain residential programs or group homes to collect data concerning certain certification as a minority–owned, woman–owned, or disability–owned business and certain suspensions or revocations of licensure; requiring certain units to submit a certain annual report to the Governor's Office of Minority Affairs; and generally relating to reporting requirements for contracts with residential programs or group homes.

BY adding to
Article – State Finance and Procurement
Section 15–112
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 868 – Delegates Montgomery, Carr, Frick, George, Heller, Howard, and Manno

AN ACT concerning

State Board of Pharmacy – Wholesale Distributors – Accreditation and Reciprocity

FOR the purpose of altering certain circumstances when the State Board of Pharmacy may grant "deemed status" to wholesale distributors; requiring wholesale distributors that receive a permit by reciprocity to comply with certain requirements; requiring wholesale distributors that are not eligible for reciprocity to be accredited; requiring the Board to grant "deemed status" to certain wholesale distributors under certain circumstances; altering the definition of "deemed status" and defining certain other terms; and generally relating to the accreditation of and granting of reciprocity to wholesale distributors of prescription drugs.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 12–6C–01(a), (h), (n), (v), and (w)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6C–04
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 869 – Delegates V. Clagett, Niemann, Ali, Anderson, Beidle, Bobo, Carr, Frush, Gilchrist, Healey, Hucker, Lafferty, and Sossi

AN ACT concerning

Real Property – Affordable Housing Land Trusts

FOR the purpose of authorizing a certain affordable housing land trust agreement to be recorded in the land records; exempting a certain affordable housing land trust agreement from certain provisions relating to a possibility of reverter and right of entry; exempting a certain affordable housing land trust agreement from certain provisions relating to the creation and redemption of reversionary interests; providing for the applicability of this Act; requiring an affordable housing land trust to register with the State Department of Assessments and Taxation; requiring the Department to maintain an online list of registered affordable housing land trusts; authorizing an affordable housing land trust to conduct certain activities relating to the acquisition, leasing, management, maintenance, and preservation of residential real property under certain circumstances; imposing certain conditions on an affordable housing land trust

agreement; authorizing an affordable housing land trust to repurchase any interest in or take possession of certain residential property under certain circumstances; limiting the reversionary interest of an affordable housing land trust under certain circumstances; requiring a tax assessment of certain affordable housing trust property to be done in a certain manner; prohibiting a nonprofit organization from operating an affordable housing land trust under certain circumstances; providing for the transfer of certain property interests under certain circumstances; defining certain terms; and generally relating to affordable housing land trusts.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 3–102(a), 6–101, 8–110(a), and 8–111.2
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 14–501 through 14–511 to be under the new subtitle "Subtitle 5. Affordable Housing Land Trusts"
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 870 – Delegate Reznik

AN ACT concerning

State Board of Physicians – Facilities for Performing Elective Cosmetic Surgical Procedures

FOR the purpose of authorizing the State Board of Physicians to discipline certain licensees that perform elective cosmetic surgical procedures in facilities that are not accredited by certain associations or organizations or certified to participate in a certain program; defining certain terms; and generally relating to the State Board of Physicians and facilities for performing elective cosmetic surgical procedures.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 14–101 and 14–404(a)(39) and (40)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations

Section 14–404(a)(41)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 871 – Delegates Howard, Kach, Proctor, Stukes, and F. Turner

AN ACT concerning

Vehicle Laws – Registration of Vehicles – New Residents

FOR the purpose of reducing the period of time during which a vehicle owned by a new resident of the State and displaying valid registration issued by the jurisdiction of the resident's former domicile is not subject to the requirement that certain vehicles driven on a highway be registered in accordance with certain provisions of law; and generally relating to new residents and the registration of vehicles.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–402(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–402(c)(7)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 872 – Delegates Howard, Jones, Proctor, Stukes, and Vaughn

AN ACT concerning

Higher Education – Private Career Schools – Financial Guarantee Requirements

FOR the purpose of requiring certain private career schools to maintain certain financial guarantees under certain circumstances; requiring the financial guarantees to be in certain forms and in certain amounts; and generally relating to financial guarantee requirements at private career schools.

BY repealing and reenacting, with amendments,
Article – Education

Section 11–203
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 873 – Delegate Davis

AN ACT concerning

Business Occupations and Professions – Individual Tax Preparers – Registration Requirements

FOR the purpose of requiring a person applying for a registration to provide individual tax preparation services, if required by regulations adopted by the State Board of Individual Tax Preparers, to complete successfully a certain tax preparation program; requiring the Board to prepare, in consultation with the Department of Labor, Licensing, and Regulation and representatives of the tax preparation industry, a certain examination; repealing certain requirements relating to the examination to be given by the Board; and generally relating to registration requirements for individual tax preparers.

BY repealing and reenacting, without amendments,
Article – Business Occupations and Professions
Section 21–301 and 21–303
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 21–302 and 21–304
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 874 – Delegates Howard, Frush, Hecht, Ivey, Kaiser, Manno, Montgomery, Proctor, Robinson, Stein, and Vaughn

AN ACT concerning

Oversight Committee on Monitoring and Quality of Care in Group Homes

FOR the purpose of creating the Oversight Committee on Monitoring and Quality of Care in Group Homes; providing for the composition, chair, and staffing of the Oversight Committee; providing that a member of the Oversight Committee may not receive compensation, but may be reimbursed for certain expenses;

requiring the Oversight Committee to evaluate the progress in improving the monitoring and quality of care in group homes and develop certain recommendations; requiring the Oversight Committee to report certain findings and recommendations to the Governor and the General Assembly; providing for the termination of this Act; and generally relating to the Oversight Committee on Monitoring and Quality of Care in Group Homes.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 875 – Delegates Howard, Ivey, Proctor, Robinson, Shewell, Stukes, and F. Turner

AN ACT concerning

Vehicle Laws – Parking Spaces for Individuals with Disabilities – Professional Sports Stadiums

FOR the purpose of requiring a certain percentage of the parking spaces in the portion of the parking lot of a professional sports stadium that is open to the public or to general ticket holders to be designated for the use of individuals with disabilities and to conform to certain standards; and generally relating to parking spaces for individuals with disabilities.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1006
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 876 – Delegate Weir

AN ACT concerning

Department of Natural Resources – Deer Hunting Licenses and Permits – Crossbow

FOR the purpose of prohibiting the Department of Natural Resources from requiring a person who holds a certain license or permit to hunt deer with a bow and arrow during bow season to obtain a separate license or permit to hunt deer with a crossbow during bow season; and generally relating to deer hunting in the State.

BY repealing and reenacting, with amendments,
Article – Natural Resources

Section 10–301(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 877 – **Delegates Weir, Boteler, and Impallaria**

AN ACT concerning

Baltimore County – Deer Hunting on Private Property – Sundays

FOR the purpose of authorizing a person in Baltimore County to hunt deer on certain Sundays on private property with a bow and arrow during certain months; removing Baltimore County from a list of counties in which certain Sunday deer hunting privileges do not apply; and generally relating to hunting on Sundays in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–410(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 878 – **Delegate Mizeur**

AN ACT concerning

Health Insurance – Annual Preventive Care

FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations that provide covered benefits for annual preventive care from denying coverage solely because a certain number of days has not elapsed since the previous annual preventive care occurred; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for the annual preventive care if certain conditions are met; prohibiting certain provisions from being construed to require coverage for a certain service; making certain requirements applicable to health maintenance organizations; defining a certain term; and generally relating to health insurance coverage for annual preventive care.

BY adding to
Article – Insurance
Section 15–134
Annotated Code of Maryland

(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 879 – Delegates Kramer, Barkley, Barnes, Bates, Carr, Conaway, Feldman, Frank, Hecht, Heller, Ivey, Jenkins, Kaiser, Kelly, Lee, Manno, McConkey, Miller, Murphy, Reznik, Rice, Shank, and Smigiel

AN ACT concerning

Assisted Living and Nursing Home Residents Protection Act of 2010

FOR the purpose of requiring that, during a certain application process, nursing homes and assisted living facilities apply for a State criminal history records check of certain residents and check a certain registry; requiring certain facilities to require a State criminal history records check for certain residents on or before a certain date; requiring certain facilities to place certain residents in private rooms, provide certain notice to certain employees, and develop certain care plans; requiring certain facilities to provide certain individuals with a certain notice and a certain signed statement; requiring certain facilities to require certain individuals to sign a certain statement; requiring certain facilities to file certain statements for certain periods of time; requiring certain facilities to place prominently a certain notice in the facility; defining certain terms; requiring local law enforcement units to send a certain notice to certain facilities under certain circumstances; and generally relating to the protection of residents in assisted living facilities and nursing home facilities.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–709
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–2401 through 19–2404 to be under the new subtitle "Subtitle 24. Criminal Background Check and Notice Requirements for Residents of Assisted Living Programs or Related Institutions"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 880 – Delegates Kramer, Conaway, Ivey, McConkey, Montgomery, Ramirez, Shank, Simmons, and Smigiel

AN ACT concerning

Telephone Companies and Resellers – Third–Party Vendor Billing

FOR the purpose of prohibiting a telephone company or reseller from engaging in certain third–party vendor billing without certain express authorization from a customer; requiring the authorization to be separate from certain other documents and to include certain information; requiring a telephone company or reseller to retain a certain copy of the express authorization for a certain period of time; requiring a telephone company or reseller to offer customers a certain blocking option under certain circumstances at no charge; requiring a telephone company or reseller to provide customers with certain notice concerning third–party vendor billing; prohibiting disconnection of a customer's telephone service or imposition of certain additional fees or interest charges for nonpayment of certain charges; authorizing the Public Service Commission to adopt certain regulations; providing that a telephone company or reseller subject to this Act is liable to a customer for certain charges; authorizing the Commission to assess a certain administrative penalty on a telephone company or reseller under certain circumstances; defining certain terms; and generally relating to third–party vendor billing.

BY adding to
Article – Public Utility Companies
Section 8–701 through 8–708 to be under the new subtitle "Subtitle 7. Third–Party Vendor Billing"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 881 – Delegates Hucker, Ali, Barkley, Barnes, Barve, Beidle, Benson, Bronrott, Davis, DeBoy, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Healey, Heller, Hixson, Holmes, Howard, Ivey, Jones, Kaiser, Lee, Levi, Manno, McIntosh, Mizeur, Montgomery, Niemann, Oaks, Proctor, Ramirez, Reznik, Rice, Robinson, Ross, Sophocleus, V. Turner, Vaughn, and Waldstreicher

AN ACT concerning

Libraries – Collective Bargaining

FOR the purpose of establishing a process for collective bargaining between certain library employees and certain library system employers; authorizing employees to perform certain acts related to collective bargaining; authorizing an exclusive representative to enforce certain collective bargaining agreement provisions; prohibiting an employer and an employer's agents from performing certain acts related to collective bargaining; prohibiting an employee organization and an employee organization's agents from performing certain acts related to collective bargaining; establishing certain collective bargaining units to represent certain employees; requiring an employer to recognize the right of an exclusive representative to represent certain employees in certain matters; requiring an exclusive representative to serve as the sole bargaining agent for certain employees in certain matters; providing that certain provisions of law supersede certain other provisions of law under certain circumstances; requiring an exclusive representative to represent certain employees in a certain manner; authorizing an employee or an employee organization seeking to designate an employee organization as an exclusive representative to perform certain acts; requiring a neutral third party to certify an employee organization as the exclusive representative of a bargaining unit under certain circumstances; establishing a certain process to resolve certain disputes related to the representation of certain employees in collective bargaining; requiring certain parties to pay certain costs of a neutral third party under certain circumstances; requiring an employer and an exclusive representative to execute a collective bargaining agreement incorporating certain topics of agreement; requiring an employer and an exclusive representative to bargain collectively about certain topics of negotiation; prohibiting a neutral third party from amending the provisions of a collective bargaining agreement under certain circumstances; establishing a process for the resolution of certain disputes about the negotiability of certain topics; requiring uniform salaries and wages for employees in the same classification under a collective bargaining agreement; requiring a grievance procedure under a collective bargaining agreement to exclusively govern grievance for certain employees; establishing that a collective bargaining agreement supersedes a conflicting employer policy; requiring a collective bargaining agreement to expire at the end of a fiscal year; making a term of a collective bargaining agreement with a certain fiscal impact effective on the approval of a board of library trustees; establishing a process for the resolution of differences over topics of negotiation in collective bargaining; establishing a process for the board of library trustees to consider whether to approve or reject a term of a collective bargaining agreement with a certain fiscal impact; establishing a process to address the rejection of a rejected term of a collective bargaining agreement with a certain fiscal impact; requiring certain goals for an employer and an exclusive representative in collective bargaining; making an employer and an exclusive representative responsible for fostering a certain labor relations environment for a certain purpose; requiring an employer and an exclusive representative to communicate openly about certain issues; requiring an employer and an exclusive representative to bargain in good faith about certain matters; prohibiting certain provisions of law and

certain agreements made under certain provisions of law from impairing the right and responsibility of an employer to perform certain acts; providing for the application of certain provisions of this Act; prohibiting an employee or an employee organization from engaging in, inducing, initiating, or ratifying a strike; authorizing a court to enjoin a strike under certain circumstances; prohibiting an employee from receiving compensation from an employer while the employee is engaged in a strike; establishing a process to address certain violations of certain provisions of law related to strikes; requiring an employer to retain and make available in a certain format a decision issued by a neutral third party or under certain grievance procedures; requiring an employer to bear certain costs related to making certain decisions available in a certain format; defining certain terms; and generally relating to collective bargaining between library employees and library system employers.

BY adding to
Article – Education
Section 23–601 through 23–613 to be under the new subtitle "Subtitle 6. Collective Bargaining for County Public Library Employees"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 882 – Delegates Kramer, Barkley, Barnes, Conaway, Frick, Heller, Ivey, Manno, McConkey, Ramirez, Reznik, and Simmons

AN ACT concerning

Life and Health Insurance – Senior Investment Protection

FOR the purpose of prohibiting a person from using a senior–specific certification or professional designation in a way that would mislead a purchaser of life insurance, health insurance, or an annuity about certain matters; stating the intent of this Act; requiring the Maryland Insurance Commissioner to specify certain misleading uses of certain certifications and designations by regulation or order; providing that certain uses shall be specified as being misleading under this Act; requiring the Commissioner to consult with the Securities Commissioner of the Securities Division on certain matters; establishing a rebuttable presumption concerning certain organizations that issue certain certifications and designations; establishing certain factors to consider in interpreting certain certifications and designations; establishing a penalty for violating this Act, including imprisonment and a fine; providing for the application of this Act; providing for the construction of this Act, including certain conflict of laws; defining certain terms; and generally relating to the sale and purchase of life insurance, health insurance, and annuities.

BY repealing and reenacting, without amendments,

Article – Insurance
Section 27–201
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 27–223
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 883 – **Delegates V. Turner, Valderrama, and Walker**

AN ACT concerning

Maryland Consolidated Capital Bond Loan of 2008 – Prince George's County – Forest Heights Municipal Building

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to remove the requirement that the Mayor and Town Council of the Town of Forest Heights provide a certain matching fund.

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item ZA01(BY) and ZA02(BI)

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

House Bill 884 – **Delegates V. Turner, Walker, and Valderrama**

AN ACT concerning

Creation of a State Debt – Prince George's County – Daughter for the Day

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 Daughter for the Day, 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 Appropriations.

House Bill 885 – Delegates Simmons, Barkley, Gilchrist, Kramer, and Rice

AN ACT concerning

Video Lottery Terminal Revenues – School Construction and Improvement

FOR the purpose of repealing a provision of law that establishes a Purse Dedication Account; altering the distribution of revenues from video lottery terminals to provide that a certain percentage of those revenues are to be used for public school construction and improvement in accordance with certain provisions of law; authorizing the State to borrow money, through the sale of general obligation bonds, in anticipation of certain revenues; requiring the State to use certain bond proceeds to fund public school construction and improvement; and generally relating to the use of revenues from video lottery terminals.

BY repealing
Article – State Government
Section 9–1A–28
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–27
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 886 – Delegates Benson, Nathan–Pulliam, Niemann, and V. Turner

AN ACT concerning

Cigarette Business Licenses – Sale of Single Cigarettes – Investigation and Penalties

FOR the purpose of authorizing the Comptroller of the State to investigate the sale of single cigarettes; prohibiting a person from selling, offering for sale, giving away, or delivering single cigarettes from a vending machine or in a retail establishment; establishing certain penalties; defining a certain term; and generally relating to the sale of single cigarettes.

BY adding to
Article – Business Regulation
Section 16–224
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 887 – Delegates Benson, Cane, Costa, Eckardt, Frush, Gaines, Howard, Ivey, Mathias, Montgomery, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, V. Turner, Valderrama, and Walker

AN ACT concerning

General Assembly – Fiscal Notes – Analysis of Long–Term Savings

FOR the purpose of requiring a fiscal note for a bill to include an analysis of any potential long–term reduction in certain expenditures and other long–term savings that could result from the bill; requiring the analysis to project the potential long–term savings for a certain time period; and generally relating to analyses included in fiscal notes.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–1505(e)
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 888 – Delegates Benson, Cane, Nathan–Pulliam, Ross, Stukes, and V. Turner

AN ACT concerning

Land Use – Community Benefit Agreements

FOR the purpose of authorizing a certain governing body to recommend that a developer negotiate and enter into a certain community benefit agreement as part of a review of a site plan or development permit required by law; requiring, with a certain exception, that the governing body be a party to a community benefit agreement; authorizing the governing body to seek to enforce the terms of a community benefit agreement; providing that this Act applies to charter counties and Baltimore City; defining certain terms; and generally relating to community benefit agreements.

BY repealing and reenacting, without amendments,
Article 66B – Land Use
Section 1.03(a) and (c) and 2.13(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 1.03(b)(15) through (17) and 2.13(b)(14) and (15)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article 66B – Land Use
Section 1.03(b)(15) and 2.13(b)(16); and 13.02 to be under the amended subtitle "Subtitle 13. Development Rights and Responsibilities and Community Benefit Agreements"
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 889 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

Montgomery County – Election Law – Days of Early Voting

MC 23–10

FOR the purpose of altering the required days for early voting before the 2010 gubernatorial primary and general elections in Montgomery County; making this Act an emergency measure; and generally relating to the days of early voting in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 890 – Delegates Reznik, Ali, Barkley, Bronrott, Feldman, Heller, Kaiser, Kramer, Manno, Montgomery, and Waldstreicher

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 not to exceed $100,000, 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 Appropriations.

House Bill 891 – Montgomery County Delegation

AN ACT concerning

Montgomery County Department of Economic Development – Investment Authority

MC 18–10

FOR the purpose of authorizing the Montgomery County Department of Economic Development to make a certain investment in a certain company; requiring the investment to be consistent with certain investment guidelines; and generally relating to the investment authority of the Montgomery County Department of Economic Development.

BY adding to
Article 95 – Treasurer
Section 22P
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 892 – Delegate Niemann

AN ACT concerning

Property Taxes – Homestead Property Tax Credit

FOR the purpose of providing that the homestead property tax credit applies to any State, county, or municipal corporation property tax, including certain taxes imposed by a county for a bicounty commission and certain taxes imposed for special taxing districts; providing for the application of this Act; and generally relating to the homestead property tax credit.

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 9–105(b)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 893 – Delegates McComas, Bartlett, Bates, Beitzel, Boteler, Carter, Dwyer, Eckardt, Elmore, Frank, George, Impallaria, Jennings, Kelly, Kipke, Krebs, McConkey, McDonough, Myers, Norman, Schuh, Schuler, Serafini, Shewell, Smigiel, Sossi, Stocksdale, and Stull

AN ACT concerning

Public Safety – Handgun Permits – Victims of Domestic Violence

FOR the purpose of authorizing the Secretary of State Police, in determining whether a handgun permit is necessary as a reasonable precaution against apprehended danger, to consider whether the applicant is a certain person for whose benefit a court has issued a final protective order under the domestic violence law; making a certain stylistic change; and generally relating to the issuance of handgun permits by the Secretary of State Police.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–301(a) and (d)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 5–306
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 894 – Delegates McComas, Bates, Beitzel, Boteler, Eckardt, Frank, Impallaria, Lee, Miller, Norman, Shewell, Smigiel, Sossi, and Stocksdale

AN ACT concerning

Natural Resources – Hand–Launched Vessels – Statewide Pass

FOR the purpose of requiring the Department of Natural Resources to establish a certain statewide pass for certain hand–launched vessels; requiring the

Department to issue a pass to certain persons who apply and pay a certain fee to the Department; authorizing a certain holder of a pass to use certain boating access facilities subject to certain requirements; requiring a pass to be displayed in a certain manner; requiring certain fees be distributed to a special fund for a certain purpose; defining certain terms; and generally relating to a statewide pass for hand–launched vessels.

BY adding to
Article – Natural Resources
Section 8–703.3
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 895 – Delegates McComas, Bartlett, Bates, Beitzel, Boteler, Eckardt, Frank, Impallaria, Jenkins, Jennings, Kach, Krebs, McConkey, McDonough, Myers, Norman, Schuh, Shewell, Smigiel, Sossi, and Stull

EMERGENCY BILL

AN ACT concerning

Election Law – Early Voting – Delay of Implementation

FOR the purpose of repealing certain provisions of law relating to early voting; reenacting certain provisions of law relating to early voting, subject to a certain contingency; repealing a process to allow a voter in the State to vote in primary or general elections at early voting centers, instead of in the voter's assigned precinct on election day; repealing a requirement that each county have a specified number of early voting centers, based on the number of registered voters in the county; repealing a requirement that the State Board of Elections, in collaboration with the local board of elections in a county, designate the early voting polling centers in that county; repealing requirements that early voting centers be open for voting during a certain period and during certain hours; repealing a requirement that the State Board and the local boards take certain steps to inform voters about early voting and the location of early voting centers; repealing a requirement that the State Board adopt regulations and guidelines for the conduct of early voting; repealing a requirement that local boards pay an election judge for each early voting day that the election judge actually serves; repealing authorization for a voter to cast a provisional ballot at an early voting center; establishing a process to allow a voter in the State to vote in primary or general elections at early voting centers, instead of in the voter's assigned precinct on election day; requiring each county to have a specified number of early voting centers, 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 centers in that county; requiring early voting centers to be open for voting during a certain period and during certain hours; requiring each early voting center to meet certain requirements; requiring the State Board and the local boards to take certain steps to inform voters about early voting and the location of early voting centers; making certain provisions of law applicable to early voting; requiring the State Board to adopt regulations and guidelines for the conduct of early voting; requiring local boards to pay an election judge for each early voting day that the election judge actually serves; authorizing a voter to cast a provisional ballot at an early voting center; making conforming changes; requiring the Department of Legislative Services to notify the State Board of Elections of whether the State is projected to have a structural budget deficit for the fiscal year or years in which the next primary and general election will be held on certain dates; providing that certain provisions of this Act shall take effect at the beginning of the first fiscal year in which a regularly scheduled election will be held and the State is not projected to have a structural budget deficit, according to a notice provided by the Department; defining certain terms; making this Act an emergency measure; and generally relating to delaying the implementation of early voting.

BY repealing
Article – Election Law
Section 1–101(x)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY renumbering
Article – Election Law
Section 1–101(y) through (ii), respectively
to be Section 1–101(x) through (hh), respectively
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 1–101(ii)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–404, 10–101, and 10–205
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law

Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–310(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Article – Election Law
Section 1–101(ii)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

BY renumbering
Article – Election Law
Section 1–101(x) through (hh), respectively
to be Section 1–101(y) through (ii), respectively
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Section 2 of this Act)

BY adding to
Article – Election Law
Section 1–101(x)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–404, 10–101, and 10–205
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

BY adding to
Article – Election Law
Section 10–301.1
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 10–310(a)

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Section 3 of this Act)

Read the first time and referred to the Committee on Ways and Means.

House Bill 896 – Delegates Gilchrist and Murphy

AN ACT concerning

Income Tax – Standard Deduction

FOR the purpose of altering the determination of the amount of the standard deduction allowed for an individual under the Maryland income tax; providing for the application of this Act; and generally relating to the standard deduction allowed for an individual under the Maryland income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–217
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 897 – Delegates McComas, Ali, Aumann, Bartlett, Bates, Beitzel, Boteler, Bronrott, Carter, DeBoy, Doory, Eckardt, Elliott, Frank, Hecht, Howard, Hucker, James, Jameson, Jenkins, Jennings, Kaiser, Kelly, Kramer, Kullen, Levi, Manno, McConkey, McDonough, Montgomery, Norman, Proctor, Riley, Schuh, Schuler, Shewell, Smigiel, Sossi, Stocksdale, Stull, and Waldstreicher

AN ACT concerning

Health – Task Force on Alzheimer's Disease

FOR the purpose of establishing a Task Force on Alzheimer's Disease; providing for the membership of the Task Force; designating the chair of the Task Force; prohibiting a member of the Task Force from receiving compensation; authorizing a member of the Task Force to receive certain reimbursement; requiring a certain person to designate certain staff for the Task Force; requiring the Task Force to survey certain research, practices, and approaches regarding Alzheimer's disease; requiring the Task Force to make certain recommendations; 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 the Task Force on Alzheimer's Disease.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 898 – Delegates Gilchrist, Barkley, Cardin, DeBoy, Jennings, Kaiser, Malone, Murphy, Reznik, Simmons, Stein, Stifler, Stull, Waldstreicher, and Weir

AN ACT concerning

Hometown Heroes Act of 2010 – Income Tax – Subtraction Modification for Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel

FOR the purpose of providing a subtraction modification under the Maryland income tax under certain circumstances for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain retirement income attributable to a resident's employment as a law enforcement officer or the individual's service as fire, rescue, or emergency services personnel.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–209
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 899 – Delegate Hubbard

AN ACT concerning

Nursing Facility Residents – Home–Based and Community Services – Access Assistance

FOR the purpose of requiring social workers to provide certain nursing facility residents with certain information about certain services under the home– and community–based waiver programs on admission and discharge from the nursing facility; requiring the Department of Health and Mental Hygiene or the Department's designee to provide certain information to certain nursing facility residents within a certain number of days; requiring the Department to provide certain assistance to certain residents within certain time frames; requiring certain employees or representatives of certain designated protection and advocacy systems agencies to have certain access to certain residents; providing

for the confidentiality of certain information provided by a nursing facility resident to employees or representatives of designated protection and advocacy systems agencies; prohibiting a nursing facility from denying certain employees or representatives access to certain nursing facility residents; providing for a certain penalty and appeal procedures; defining a certain term; and generally relating to providing nursing facility residents access assistance to home–based and community services.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15–135
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 900 – Delegates Montgomery, Benson, Bobo, Bohanan, Bronrott, Carr, Costa, Gaines, Guzzone, Heller, Hubbard, Kaiser, Kullen, Love, Manno, Mizeur, Niemann, Pena–Melnyk, Robinson, and Waldstreicher

AN ACT concerning

Developmental Disabilities Administration – Recipient Reevaluations

FOR the purpose of requiring a recipient of certain services from the Developmental Disabilities Administration to be reevaluated under certain circumstances to determine the needs of and funding levels required by the recipient; authorizing certain individuals to request the reevaluation; authorizing a recipient who has been denied a reevaluation to request a hearing in accordance with a certain provision of law; and generally relating to reevaluations of recipients of services from the Developmental Disabilities Administration.

BY adding to
Article – Health – General
Section 7–404.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 901 – Delegates Haddaway, Eckardt, and Sossi

AN ACT concerning

Juvenile Law – Truancy Reduction Pilot Program – Caroline County and Talbot County

FOR the purpose of authorizing the Circuit Administrative Judge of the Second Circuit to establish a Truancy Reduction Pilot Program in Caroline County and Talbot County; making certain provisions relating to Truancy Reduction Pilot Programs in certain counties applicable to Caroline County and Talbot County; and generally relating to Truancy Reduction Pilot Programs.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–01
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8C–02
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 902 – Delegates George, Elmore, Haddaway, Hecht, Impallaria, King, Love, McHale, Minnick, and Shewell

AN ACT concerning

Energy Companies – Net Energy Metering – Credit Transfers

FOR the purpose of authorizing certain not–for–profit customers to transfer certain generation credits accrued from electricity produced from certain renewable sources to certain properties; requiring the Public Service Commission to adopt certain regulations; defining a certain term; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306(a) and (i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utility Companies
Section 7–306(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–306(i)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 903 – Delegates Kramer, Barkley, Barnes, Bobo, Bronrott, Conaway, Frick, Hecht, Heller, Ivey, Kaiser, Kullen, Manno, Morhaim, O'Donnell, Ramirez, Reznik, Shank, Shewell, Simmons, and Waldstreicher

AN ACT concerning

Environment – Road Salt Management Programs

FOR the purpose of requiring the State Highway Administration and each local jurisdiction that is responsible for highway maintenance to establish and implement a best practices road salt management program by a certain date; requiring the Administration and a responsible local jurisdiction to submit a preliminary program to the Department of the Environment for review and comment by a certain date, to review and update the program annually, to submit the annual review and update to the Department for review and comment, and to make the program and program updates available to the public in certain manners; establishing certain standards and requirements for a road salt management program; authorizing the Administration, in consultation with the Department, to establish a road salt management program or to review and update the program for a local jurisdiction under certain circumstances; stating certain findings of the General Assembly and the intent of the General Assembly in enacting this Act; and generally relating to the establishment of road salt management programs.

BY adding to
Article – Environment
Section 4–2A–01 through 4–2A–04 to be under the new subtitle "Subtitle 2A. Road Salt Management Programs"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–602(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 904 – Delegate Howard

AN ACT concerning

Civil Actions – Transmission of Altered Electronic Mail

FOR the purpose of providing that a person who receives a communication through electronic mail and, after altering the communication, transmits the communication through electronic mail to a third party with the intent to defame, defraud, or otherwise harm the author of the communication is liable to the author in a civil action for certain damages; providing that a person entitled to bring an action under this Act may recover certain damages; authorizing a court to award reasonable attorney's fees to a person who is awarded damages under this Act; and generally relating to civil actions and electronic mail.

BY adding to
Article – Courts and Judicial Proceedings
Section 13–701 and 13–702 to be under the new subtitle "Subtitle 7. Civil Liability – Transmission of Altered Electronic Mail"
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 905 – Delegates Valderrama, Anderson, Carter, Dumais, Rosenberg, Schuler, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Criminal Law – Prohibitions on Wearing, Carrying, or Transporting Firearms – Exceptions

FOR the purpose of establishing an exception to the prohibition against wearing, carrying, or transporting a handgun for a person who is carrying a certain court order if the handgun is unloaded, the person notifies a certain law enforcement unit that the person is transporting the handgun to the unit in accordance with the court order, and the person transports the handgun directly to the unit; prohibiting a local government from prohibiting a person from transporting a certain firearm, ammunition, or firearm component if the person is carrying a certain court order and, if applicable, the firearm is unloaded, the person notifies a certain law enforcement unit that the person is transporting the firearm, ammunition, or firearm component to the unit in accordance with the court order, and the person transports the firearm, ammunition, or firearm component directly to the unit; authorizing a person who lawfully possesses an assault pistol and who is carrying a certain court order to transport the assault

pistol if the assault pistol is unloaded, the person notifies a certain law enforcement unit that the person is transporting the assault pistol to the unit in accordance with the court order, and the person transports the assault pistol directly to the unit; authorizing a person who lawfully possesses a machine gun and who is carrying a certain court order to transport the machine gun if the machine gun is unloaded, the person notifies a certain law enforcement unit that the person is transporting the machine gun to the unit in accordance with the court order, and the person transports the machine gun directly to the unit; establishing that, notwithstanding any other law, a respondent against whom a certain protective order has been issued and who is carrying the protective order may transport the firearm if the firearm is unloaded, the person notifies a certain law enforcement unit that the person is transporting the firearm to the unit in accordance with the protective order, and the person transports the firearm directly to the unit; establishing that a respondent who is carrying a certain protective order may transport the regulated firearm if the regulated firearm is unloaded, the person notifies a certain law enforcement unit that the person is transporting the regulated firearm to the unit in accordance with the protective order, and the person transports the regulated firearm directly to the unit; making stylistic changes; and generally relating to exceptions to the prohibitions on wearing, carrying, or transporting firearms.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 4–203(a) and 4–209(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–203(b)(7) and (8), 4–303, and 4–402(b)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 4–203(b)(9) and 4–209(b)(3)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–506.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety

Section 5–133(b)(8)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Public Safety
Section 5–133(e)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 906 – Delegates Robinson and Oaks

AN ACT concerning

Minority Business Enterprises – Signing Bids or Proposals – Submitting Subcontracts

FOR the purpose of requiring certain bids or proposals to be signed by certain certified minority business enterprises; requiring certain contractors to submit certain subcontracts with minority business enterprises to certain units; authorizing an extension of a certain requirement under certain circumstances; and generally relating to minority business enterprises.

BY adding to
Article – State Finance and Procurement
Section 14–302(a)(9)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303(b)(13)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 907 – Delegates Valderrama, G. Clagett, Frank, Jennings, Kramer, Ramirez, Schuler, and Waldstreicher

AN ACT concerning

Civil Actions – Limitation of Actions – Land Surveyors

FOR the purpose of altering the time period after which a person may not seek damages incurred as a result of an error in a land survey; providing for the application of this Act; and generally relating to the limitation of actions against land surveyors.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–112
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 908 – Delegates Feldman, Hecht, and Rice

AN ACT concerning

Maryland Clean Energy Center – Miscellaneous Provisions

FOR the purpose of altering the quorum requirement for the Maryland Clean Energy Center Board; altering the minimum vote required for the Board to act; designating employees and officials of the Maryland Clean Energy Center as State personnel under the Maryland Tort Claims Act; authorizing employees and retirees of the Maryland Clean Energy Center to participate in the State Employee and Retiree Health and Welfare Benefits Program, and requiring the Maryland Clean Energy Center to pay to the State the Center's share of the cost of the Program; authorizing the Maryland Clean Energy Center to participate in the Employees' Pension System; and generally relating to the Maryland Clean Energy Center.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–809
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)(2)(xii) and (xiii)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 12–101(a)(2)(xiv)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–511 and 31–102(2)(xxii) and (xxiii)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 31–101(a) and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31–102(2)(xxiv)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters and the Committee on Appropriations.

House Bill 909 – **Delegates Carter, Anderson, and Oaks**

AN ACT concerning

Baltimore City – Law Enforcement Officers' Bill of Rights – Hearing Boards

FOR the purpose of providing that certain provisions of law relating to the membership of a hearing board that may conduct a hearing regarding certain charges against a law enforcement officer do not apply to certain law enforcement officers who are members of certain law enforcement agencies in Baltimore City; establishing certain requirements, applicable to a law enforcement officer who is a member of a certain law enforcement agency in Baltimore City, relating to the membership of a hearing board that may conduct a hearing regarding certain charges against a law enforcement officer; establishing that a certain hearing board consists of a certain judge, rotated from a pool selected by a committee composed of certain individuals, with a certain exception; requiring a certain hearing board to review certain charges for a certain purpose prior to a certain hearing; authorizing a certain hearing board to dismiss certain charges under certain circumstances; and generally relating to a hearing board under the Law Enforcement Officers' Bill of Rights concerning certain law enforcement officers in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–107

Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 910 – Delegates Malone, Conway, Costa, Jennings, Mathias, Morhaim, Stull, and Weir

AN ACT concerning

State Government – Commemorative Days – Fire, Rescue, and Emergency Services Workers

FOR the purpose of requiring the Governor to proclaim a certain day in June each year as the day to honor certain fire, rescue, and emergency services workers in the State; requiring the Governor to order the State flag to be flown at half–staff on a certain day in June each year; requiring certain memorial plaques to be placed by a certain organization on a certain memorial in a certain city on a certain day in June each year; and generally relating to the commemoration of fire, rescue, and emergency services workers.

BY adding to
Article – State Government
Section 13–409
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 911 – Delegates Carter, Anderson, Carr, Dumais, Love, McComas, Montgomery, Oaks, Pena–Melnyk, Ross, Shank, Simmons, Stukes, Taylor, F. Turner, and Walker

AN ACT concerning

Education – Tween/Teen Dating Violence
(Kristin Marie Mitchell Law)

FOR the purpose of requiring the State Board of Education to adopt in the public schools a program to educate students about dating violence on or before a certain date; requiring the program to include education on services provided to victims of dating violence; requiring the program to be started in each public school before a certain grade; altering the definition of "victim of domestic violence" for purposes of certain provisions of law to include a certain person; requiring the Governor to proclaim the first week in February each year

"Tween/Teen Dating Violence Education and Awareness Week"; and generally relating to dating violence.

BY repealing and reenacting, without amendments,
Article – Education
Section 7–411.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 7–411.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–513
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Government
Section 13–601 to be under the new subtitle "Subtitle 6. Commemorative Weeks"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means and the Committee on Judiciary.

House Bill 912 – Delegates Carr, Carter, Glenn, Gutierrez, Harrison, Howard, Montgomery, Stein, and Waldstreicher

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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 913 – Delegates Howard, Conaway, Kullen, Proctor, and Walker

AN ACT concerning

Consumer Protection – Prohibition on Placement of Unsolicited Commercial Advertisements on Motor Vehicles

FOR the purpose of prohibiting certain publishers from placing or causing to be placed certain unsolicited commercial advertisements on a motor vehicle; defining certain terms; and generally relating to placement of unsolicited materials on motor vehicles.

BY adding to
Article – Commercial Law

Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 914 – **Delegate Smigiel**

AN ACT concerning

Cecil County Property Tax Rate – Constant Yield Tax Rate

FOR the purpose of prohibiting the County Commissioners of Cecil County from setting a county property tax rate that exceeds the constant yield tax rate, excluding certain revenue; providing for the application of this Act; and generally relating to the county property tax rate in Cecil County.

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 6–308(b) and (h)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – Property
Section 6–308(k)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 915 – **Delegates Jones, Benson, Bohanan, Burns, Cane, Carr, Davis, Gaines, Glenn, Griffith, Harrison, Haynes, Howard, Ivey, Kirk, Levi, Nathan–Pulliam, Oaks, Proctor, Rice, Robinson, Stukes, Taylor, F. Turner, Vallario, and Walker**

AN ACT concerning

African American Heritage Preservation Program

FOR the purpose of establishing the African American Heritage Preservation Program in the Maryland Historical Trust to identify and preserve certain buildings, communities, and sites of historical and cultural importance to the African American experience; requiring the Trust to develop and administer the Program in consultation with the Commission on African American History and Culture; authorizing certain entities to submit, on or before a certain date, an application to receive a grant for an African American heritage preservation

capital project; requiring that grants under the Program require a certain matching fund; requiring the Trust to review grant applications before a certain date and make certain recommendations to the Commission; requiring the Trust and Commission to approve capital projects for funding in the State capital budget; requiring the Governor to include certain funding in the annual capital budget submission; requiring the Trust to report to the Governor and General Assembly on or before a certain date; requiring the Trust to adopt certain regulations to implement the Program; defining certain terms; providing for the termination of this Act; and generally relating to a State capital grant program for African American heritage preservation.

BY adding to
Article – State Finance and Procurement
Section 5A–330
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 916 – Cecil County Delegation

AN ACT concerning

Cecil County – Collective Bargaining – Representation of Deputy Sheriffs – Arbitration – Referendum

FOR the purpose of authorizing the representatives of certain full–time sworn law enforcement deputy sheriffs in the Cecil County Sheriff's Office and the County Commissioners of Cecil County to bargain collectively with the Sheriff and the County Commissioners on certain issues; authorizing certain sworn law enforcement deputy sheriffs to take or refrain from taking certain actions in connection with certain labor organizations with regard to certain collective bargaining activities; providing for the procedures for certifying a labor organization as a certified labor organization for certain collective bargaining negotiations; requiring the certified labor organization, the Sheriff, and the County Commissioners to follow certain procedures for collective bargaining; providing for certain means to resolve a dispute if the certified labor organization and the Sheriff and the County Commissioners are unable to negotiate a certain agreement; requiring a collective bargaining agreement to contain certain matters; providing for certain rights and responsibilities of the Sheriff that are not impaired by the provisions of this Act; requiring that any additional funding required as a result of a certain agreement be subject to approval by the County Commissioners; providing a certain cost–sharing cap for certain costs associated with this Act; providing for the construction of this Act; submitting this Act to a referendum of the legally qualified voters of Cecil County; and generally relating to collective bargaining of deputy sheriffs in Cecil County.

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(i)(4)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 917 – Delegates Carr, Cardin, Bobo, Gutierrez, Hucker, Montgomery, Ramirez, and Shewell

AN ACT concerning

Elections – Campaign Finance – Prohibition of Contributions by Business Entities

FOR the purpose of prohibiting certain business entities from making a contribution to a campaign finance entity; defining a certain term; providing for a delayed effective date; and generally relating to campaign finance contributions by business entities.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–226
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 918 – Delegate Kullen

AN ACT concerning

Prescription Drug Monitoring Program

FOR the purpose of establishing the Prescription Drug Monitoring Program in the Department of Health and Mental Hygiene; establishing the mission of the Program; requiring the Program to carry out its mission by monitoring the prescribing and dispensing of certain substances by certain prescribers and dispensers; establishing the powers and duties of the Department and the Secretary of Health and Mental Hygiene under the Program; requiring dispensers to submit electronically certain information to the Program except in certain circumstances; requiring prescription monitoring data to be destroyed after a certain time period unless a certain request for retention of certain information is submitted to the Department; creating a certain Advisory Board on Prescription Drug Monitoring to assist in the design, implementation, and

evaluation of the Program; establishing the membership, chair, terms of members, staff support, reimbursement, and responsibilities of the Board; requiring the Secretary to appoint a multidisciplinary consultation team to assist in the interpretation of prescription monitoring data; making prescription monitoring data confidential and privileged and not subject to certain means of legal compulsion except under certain circumstances; requiring the Program to disclose prescription monitoring data to certain agencies and persons under certain circumstances; establishing immunity from liability for certain agencies and persons relating to the operation and use of the Program; establishing penalties and disciplinary action for violations of the requirements of the Program; defining certain terms; and generally relating to the creation and operation of the Prescription Drug Monitoring Program.

BY adding to
Article – Health – General
Section 21–2B–01 through 21–2B–09 to be under the new subtitle "Subtitle 2B. Prescription Drug Monitoring Program"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 42 – Senators Colburn and Pipkin

AN ACT concerning

Caroline County – Orphans' Court Judges – Pensions

FOR the purpose of removing Caroline County from the list of counties that are excepted from the requirement to pay a certain pension to each judge of the Orphans' Court under certain circumstances.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–108(y)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

Senate Bill 59 – Chair, Budget and Taxation Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Agricultural Land Transfer Tax – Distribution and Use of Revenue

FOR the purpose of altering the distribution of certain revenues attributable to the agricultural land transfer tax; repealing a certain provision altering the distribution of the State transfer tax revenues under certain circumstances; altering the authorized uses of certain revenues received by the Maryland Agricultural and Resource–Based Industry Development Corporation; authorizing the use of certain funds for certain easement purchase payments approved by the Maryland Agricultural Land Preservation Foundation under certain circumstances; repealing a certain provision declaring the intent of the General Assembly relating to the establishment of Priority Preservation Areas and the use of certain funds for agricultural land preservation; and generally relating to the distribution and use of the agricultural land transfer tax.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 13–306(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 610 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523(d)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing
Chapter 610 of the Acts of the General Assembly of 2008
Section 4 and 5

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 64 – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development) and Senators Garagiola and Jones

AN ACT concerning

Maryland Research and Development Tax Credit – Sunset Extension

FOR the purpose of extending the termination date applicable to the Maryland Research and Development Tax Credit; extending the applicability of the credit to certain taxable years; and generally relating to the Maryland Research and Development Tax Credit.

BY repealing and reenacting, with amendments,
Chapter 515 of the Acts of the General Assembly of 2000, as amended by Chapter 98 of the Acts of the General Assembly of 2005
Section 2 and 4

BY repealing and reenacting, with amendments,
Chapter 516 of the Acts of the General Assembly of 2000, as amended by Chapter 98 of the Acts of the General Assembly of 2005
Section 2 and 4

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 26 – Senators Miller, Kasemeyer, and Kittleman

AN ACT concerning

Maryland Constitutional Convention – Sense of the Voters

FOR the purpose of providing, at the general election to be held in November 2010, for the taking of the sense of the voters of the State as to the calling of a convention for altering the Maryland Constitution or for framing a new one under Article XIV, Section 2 of the Maryland Constitution.

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

THE COMMITTEE ON APPROPRIATIONS REPORT #1

Delegate Conway, Chair, for the Committee on Appropriations reported favorably with amendments:

House Joint Resolution 3 – The Speaker (By Request – Governor's Salary Commission)

A House Joint Resolution concerning

Governor's Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

HJ0003/444360/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE JOINT RESOLUTION 3
(First Reading File Joint Resolution)

AMENDMENT NO. 1

On page 1, strike beginning with "establishing" in line 4 down through "2011" in line 6 and substitute "rejecting certain recommendations of the Governor's Salary Commission in accordance with Article II, Section 21A of the Maryland Constitution for the 4–year term of office beginning January 19, 2011, that address the salaries to be paid to the Governor and Lieutenant Governor".

AMENDMENT NO. 2

On page 2, in line 8, after "Governor:" insert "$150,000; and"; strike beginning with "For" in line 9 down through "and" in line 12; in line 13, after "Governor:" insert "$125,000"; and strike beginning with "For" in line 14 down through "$133,333" in line 17.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Conway, Chair, for the Committee on Appropriations reported favorably:

House Joint Resolution 5 – The Speaker (By Request)

A House Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate O'Donnell moved to reconsider the vote by which **House Joint Resolution 5** was ordered printed for Third Reading.

The motion was rejected by a roll call vote as follows:

Affirmative – 41 Negative – 59 (See Roll Call No. 64)

THE COMMITTEE ON ECONOMIC MATTERS REPORT #2

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama

AN ACT concerning

International Marriage Brokers – Regulation

HB0065/983092/1
BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 65
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, strike "request" and substitute "conduct a"; in the same line, strike "checks" and substitute "check"; and strike beginning with "from" in line 8 down through "fees" in line 10.

AMENDMENT NO. 2

On page 2, strike in their entirety, lines 12 through 15, inclusive; in lines 16, 19, and 22, strike "**(D)**", "**(E)**", and "**(F)**", respectively, and substitute "**(C)**", "**(D)**", and "**(E)**", respectively; and in line 21, strike "**THAT IS OBTAINED FROM THE CENTRAL REPOSITORY**".

On page 3, in line 5, after "**STATES;**" insert "**OR**"; in line 8 strike "**PROVIDED; OR**" and substitute "**PROVIDED.**"; strike line 9 in its entirety; and in lines 10 and 16, strike "**(G)**" and "**(H)**", respectively, and substitute "**(F)**" and "**(G)**", respectively.

On page 4, strike beginning with "**THAT**" in line 10 down through "**SUBTITLE**" in line 11; in line 27, strike "**REQUESTED CRIMINAL HISTORY RECORD**"; and in line

28, strike "**IN ACCORDANCE WITH**" and substitute "**FROM THE CRIMINAL HISTORY RECORDS CHECK REQUIRED UNDER**".

On page 5, in line 5, strike "**(A) THE**" and substitute "**AT THE TIME AN INTERNATIONAL MARRIAGE BROKER CONTRACTS FOR SERVICES WITH A CLIENT, THE**"; strike beginning with "**REQUEST**" in line 5 down through "**CLIENT**" in line 6 and substitute "**CONDUCT A**"; strike in their entirety lines 7 and 8 and substitute "**CHECK OF THE CLIENT, INCLUDING A SEARCH OF THE SEX OFFENDER REGISTRY.**"; and strike in their entirety lines 9 through 28, inclusive.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Davis, Chair, for the Committee on Economic Matters reported favorably with amendments:

House Bill 82 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Pilots – Limited Licenses

HB0082/323896/1

BY: Economic Matters Committee

AMENDMENT TO HOUSE BILL 82
(First Reading File Bill)

On page 3, in line 25, strike "October" and substitute "July".

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 JUDICIARY REPORT #1

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 119 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Firearm Applications – Authority of Secretary

HB0119/402412/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 119
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "any other method pre-approved" and substitute "electronic means approved".

AMENDMENT NO. 2

On page 2, in line 1, strike "**ANY OTHER METHOD PRE-APPROVED**" and substitute "**ELECTRONIC MEANS APPROVED**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 126 – Delegates Ramirez, Vallario, Barnes, Conaway, and Simmons

AN ACT concerning

Outstanding Arrest Warrants – Drivers' Licenses and Vehicle Registrations

HB0126/642014/1

BY: House Judiciary Committee

AMENDMENT TO HOUSE BILL 126
(First Reading File Bill)

On page 2, in line 9, strike "**91**" and substitute "**61**".

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Delegate O'Donnell moved to make the Bill a Special Order for February 16, 2010.

The motion was adopted.

BALTIMORE CITY BOND RESOLUTIONS

In accordance with Article XI, Section 7 of the Maryland Constitution the following Resolutions were presented to and approved by a majority of the members of the General Assembly representing Baltimore City.

(See Exhibit H of Appendix II)

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 103 Members present.

(See Roll Call No. 65)

ADJOURNMENT

At 10:35 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Thursday, February 11, 2010.

Annapolis, Maryland
Thursday, February 11, 2010

The House met at 11:19 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate John A. Olszewski, Jr. of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 66)

The Journal of February 10, 2010 was read and approved.

EXCUSES:
Due to a severe blizzard yesterday the Speaker has excused any member who did not make it to session.
Del. Boteler – illness
Del. Braveboy – illness
Del. Carr – inclement weather
Del. V. Clagett – medical – fractured ankle
Del. Costa – inclement weather – business
Del. Donoghue – inclement weather
Del. Doory – inclement weather
Del. Holmes – inclement weather
Del. Hubbard – inclement weather
Del. Kaiser – inclement weather
Del. King – inclement weather
Del. Krysiak – inclement weather
Del. Levy – inclement weather
Del. McDonough – inclement weather
Del. Minnick – knee injury
Del. Mizeur – inclement weather
Del. Murphy – inclement weather
Del. Stifler – inclement weather
Del. Waldstreicher – inclement weather
Del. Walkup – medical – fractured knee
Del. Weir – father's death

SUSPENSION OF HOUSE RULES

Delegate Barve moved to suspend the House Rules in order to allow House Bills and House Joint Resolutions to go directly to committee until Thursday, February 18, 2010.

The motion was adopted by roll call vote as follows:

Affirmative – 120 Negative – 0 (See Roll Call No. 67)

QUORUM CALL

The presiding officer announced a quorum call, showing 120 Members present.

(See Roll Call No. 68)

ADJOURNMENT

At 11:35 A.M. on motion of Delegate Barve the House adjourned until 11:00 A.M. on Friday, February 12, 2010.

Annapolis, Maryland
Friday, February 12, 2010

The House met at 11:10 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Keith E. Haynes of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 128 Members present.

(See Roll Call No. 69)

The Journal of February 11, 2010 was read and approved.

EXCUSES:
Del. Braveboy – illness
Del. V. Clagett – medical – fractured ankle
Del. Doory – inclement weather
Del. Elmore – illness
Del. Holmes – inclement weather
Del. Hubbard – late – business
Del. Krysiak – inclement weather
Del. Minnick – knee injury
Del. Murphy – inclement weather
Del. Myers – personal
Del. Walkup – medical – fractured knee
Del. Weir – father's death

INTRODUCTION OF BILLS

House Bill 919 – Delegates Anderson and Dumais (By Request)

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Petition for Writ of Actual Innocence – Newly Discovered Evidence

FOR the purpose of altering certain provisions relating to the filing of a petition for a writ of actual innocence; providing that a person may file a petition for a writ of

actual innocence only if the person is convicted of a felony, an attempt to commit a felony, or a solicitation to commit a felony and the person entered a plea of not guilty to the charges; establishing that a person may file a petition if newly discovered evidence creates a substantial possibility that a certain result would have been different; requiring the court to allow the State to file a certain response in a certain period of time; establishing that the only relief that may be granted from a certain petition is a new trial; providing that a petitioner in a certain proceeding has the burden of proving certain grounds by a standard of clear and convincing evidence; authorizing a person to file only a certain number of petitions within a certain period of time; authorizing a person aggrieved by a certain order to appeal to the Court of Special Appeals within a certain time period; authorizing the court to stay an order and set bail under certain circumstances; authorizing the Court of Special Appeals to affirm, modify, or reverse an order or remand a case for further proceedings under certain circumstances; authorizing the Court of Special Appeals to direct a political subdivision to pay certain costs under certain circumstances; making this Act an emergency measure; and generally relating to petitions for writ of actual innocence and newly discovered evidence.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 8–302 and 8–303
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 920 – Delegates Pena–Melnyk, Hammen, Ivey, Levi, Nathan–Pulliam, Oaks, and V. Turner

AN ACT concerning

Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process

FOR the purpose of establishing a Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process; providing for the membership, purposes, and staffing of the Commission; requiring the Commission to study certain matters; requiring the Commission to report to certain persons by a certain date; providing for the termination of this Act; and generally relating to

the Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 921 – Delegates Love, Bates, Beidle, Bromwell, Cane, Cardin, V. Clagett, Costa, DeBoy, Eckardt, Elliott, Elmore, Frush, George, Haddaway, Jameson, Kipke, Krebs, Mathias, McHale, Miller, Myers, Schuh, Schuler, Shewell, Smigiel, Sophocleus, Sossi, and Wood

AN ACT concerning

Maryland Winery Modernization Act

FOR the purpose of authorizing the Comptroller to issue a farmer's market permit to certain alcoholic beverages licensees; specifying that a permit may be used only at a certain time and place and for certain purposes; limiting the number of permits that the Comptroller may issue; altering the scope of the Class 4 limited winery license; authorizing a licensee to exercise certain privileges under certain conditions, including fermenting and bottling wine, distilling and bottling pomace brandy, providing samples of wine and pomace brandy, and selling or serving certain foods; specifying certain license restrictions in Garrett County; requiring a licensee to file a certain notice with the Comptroller under certain conditions; altering the amount of pomace brandy a licensee is authorized to distill and bottle; authorizing a licensee to purchase a certain amount of bulk wine for a certain purpose; authorizing a licensee to conduct winemaking and packaging activities at certain locations under certain circumstances; requiring that throughout the winemaking process, the licensee maintain ownership of the wine or pomace brandy and ensure that the wine or pomace brandy returns to the location of the limited winery; repealing certain provisions that are inconsistent with this Act; providing that this Act applies to certain licensees; requiring the Comptroller to make a certain report on or before a certain date on the growth of the Maryland wine industry; and generally relating to alcoholic beverages in the State.

BY adding to
Article 2B – Alcoholic Beverages
Section 2–101(x)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 2–201, 2–205, 11–507, and 11–511
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 922 – Delegate Hecht

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 2009 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 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–209.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 923 – Delegates Levi, Benson, Haynes, Howard, Nathan–Pulliam, Oaks, Pena–Melnyk, Ramirez, Rice, Robinson, Stukes, Tarrant, Taylor, Valderrama, and Vaughn

AN ACT concerning

Procurement – Minority Business Enterprises – Review of Application for Certification and Notice to Applicant

FOR the purpose of requiring the Board of Public Works to adopt regulations that require the agency designated to certify minority business enterprises to complete its review and provide notice of its decision to the applicant, absent extenuating circumstances, within a certain period of time; and generally relating to review and notice concerning an application for certification as a minority business enterprise.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 924 – Delegates Bates, Frank, Jenkins, Schuh, Serafini, and Sossi

AN ACT concerning

State Personnel – Land Records Employees – Salaries and Benefits

FOR the purpose of requiring that the operating expenses for the salaries and benefits of the employees of the land records office of the clerk of the circuit court for each county and Baltimore City be paid from the General Fund of the State, instead of the Circuit Court Real Property Records Improvement Fund, beginning with a certain fiscal year; and generally relating to the funding for payment of the salaries and expenses of employees of local land records offices in the State.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 13–603
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 925 – Delegates Carter, Howard, O'Donnell, and Shank

AN ACT concerning

Family Law – Child Custody Determinations

FOR the purpose of creating a rebuttable presumption that certain custodial arrangements are in the best interest of the child in certain child custody proceedings; and generally relating to child custody determinations.

BY adding to
Article – Family Law
Section 9–109
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 926 – Delegates Proctor and Vallario

AN ACT concerning

State Retirement and Pension System – Retiree Organizations – Direct Mailings

FOR the purpose of providing that certain retiree organizations may make a certain number of annual requests to the Board of Trustees of the State Retirement and Pension System for certain member and retiree information that is necessary for certain direct mailings by the retiree organizations; prohibiting certain retiree organizations from including certain information in certain direct mailings; requiring the Board of Trustees to provide certain retiree organizations with certain information subject to certain agreements; requiring certain retiree organizations to provide certain supplies required for certain direct mailings and to pay certain costs with regard to those direct mailings; providing that the Board of Trustees is not liable for certain information included in certain direct mailings; defining a certain term; and generally relating to direct mailings by retiree organizations to members and retirees of the State Retirement and Pension System.

BY adding to
Article – State Personnel and Pensions
Section 21–128
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 927 – Delegates Nathan–Pulliam, Griffith, Benson, Howard, Kach, Morhaim, Oaks, Pena–Melnyk, Reznik, Robinson, Tarrant, and V. Turner

AN ACT concerning

State Board of Social Work Examiners – Out–of–State Applicants – Licensure

FOR the purpose of exempting certain applicants for licensure as a certain social worker or a certain social worker–clinical from certain requirements under certain circumstances; requiring certain applicants to meet certain requirements, hold certain licensure or registration, have passed certain examinations, and have performed certain practice over a certain period of time; repealing the requirement that the State Board of Social Work Examiners waive certain examination requirements under certain circumstances; and generally relating to the licensure of out–of–state applicants for licensure as a certified social worker or a certified social worker–clinical.

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 19–302(a) and (g)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 19–302(d) and (e)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 19–302.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing
Article – Health Occupations
Section 19–305
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 928 – Delegates Schuler, Barnes, Simmons, Smigiel, and Waldstreicher

AN ACT concerning

Punitive Damages – High–Risk Drunk Drivers

FOR the purpose of authorizing a finder of fact to determine that a person with a certain alcohol concentration in the blood or breath of the person who causes personal injury or wrongful death while driving or attempting to drive a motor vehicle was acting with malice and award punitive damages under certain circumstances; requiring a party who seeks to recover punitive damages under this Act to plead certain facts with particularity; providing for a standard of proof of clear and convincing evidence for a claim of punitive damages under this Act; providing that punitive damages under this Act may not be awarded in the absence of an award of compensatory damages; providing that evidence of the defendant's financial means is not admissible until there has been a finding of liability and that punitive damages under this Act are supportable under the facts; authorizing a motor vehicle insurer to exclude coverage for an award of punitive damages under this Act; providing that an exclusion of certain coverage for punitive damages does not constitute a reduction in coverage by a motor vehicle liability insurer; defining a certain term; providing for the application of this Act; and generally relating to authorizing a finder of fact to determine that a person who causes personal injury or wrongful death while driving or attempting to drive with a certain alcohol concentration in the blood or breath of the person was acting with malice and award punitive damages under certain circumstances.

BY adding to
Article – Courts and Judicial Proceedings
Section 10–913.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 929 – The Speaker (By Request – Administration) and Delegates Aumann, Benson, Bobo, Bromwell, Bronrott, Busch, Carter, Costa, Donoghue, Elliott, Feldman, Gaines, Gutierrez, Hammen, Hucker, Ivey, James, Kaiser, Kullen, Lee, Manno, Mizeur, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Reznik, Stein, Tarrant, V. Turner, and Waldstreicher

AN ACT concerning

Patient Centered Medical Home Program

FOR the purpose of requiring the Maryland Health Care Commission to establish a Maryland Patient Centered Medical Home Program under certain circumstances; authorizing certain health insurance carriers to elect to participate in the Program; requiring certain health insurance carriers to participate in the Program; authorizing the Department of Health and Mental Hygiene to require certain managed care organizations to participate in the Program under certain circumstances; authorizing the Commission to authorize

a health insurance carrier to implement a single carrier patient centered medical home program; providing for the construction of certain provisions of this Act; requiring the Commission to adopt certain standards and practices for the Program; requiring the Commission to adopt certain payment methods for the Program; requiring the Commission to adopt certain health care quality and performance measures to be reported to the Commission and to certain carriers; requiring the Commission to consider certain information when developing certain standards; requiring the Commission to consult with certain carriers and primary care practices in developing certain payment methods; establishing certain enrollment procedures for the Program; authorizing the Commission to adopt certain regulations; authorizing certain health insurance carriers to pay a patient centered medical home for certain services, pay certain bonuses and fees, and share certain medical information about certain individuals; requiring certain insurers, nonprofit health service plans, health maintenance organizations, and managed care organizations to comply with certain provisions of this Act pertaining to the Program; defining certain terms; requiring the Commission to retain a consultant or consulting firm to conduct a certain independent evaluation; requiring the Commission to consider certain information in the evaluation; requiring the Commission to report its findings to certain committees; and generally relating to the Maryland Patient Centered Medical Home Program.

BY adding to
Article – Insurance
Section 15–1801 and 15–1802 to be under the new subtitle "Subtitle 18. Exemption for a Patient Centered Medical Home Program"
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–1A–01 through 19–1A–04 to be under the new subtitle "Subtitle 1A. Patient Centered Medical Home Program"
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 930 – Delegates Frush, Hucker, Barnes, Gaines, Healey, Hubbard, Niemann, and Pena–Melnyk

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; 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 an annual revenue target; requiring the Department to set the revenue target and adjust the target based on certain conditions; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited into the Fund; requiring the surcharge fees to be used for a certain purpose; 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 931 – The Speaker (By Request – Administration) and Delegates Busch, Carter, G. Clagett, Conway, Ivey, Kelly, Schuler, Simmons, Valderrama, and Waldstreicher

AN ACT concerning

Public Safety – Sexual Offender Advisory Board

FOR the purpose of altering the composition of a certain Sexual Offender Advisory Board; requiring certain members of the Board to have certain expertise; providing for the terms of the appointed members of the Board to be staggered in a certain manner; altering the duties of the Board; requiring the Board to make a certain report by a certain date; repealing a requirement that the Department of Health and Mental Hygiene provide staff to the Board; making certain conforming changes; and generally relating to the Sexual Offender Advisory Board.

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 1–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 932 – Delegates Rice, Barkley, Bartlett, Barve, Carr, Feldman, Hixson, Montgomery, Reznik, and Walker

AN ACT concerning

Public Schools – New Construction or Renovation – Children's Environmental Health

FOR the purpose of requiring each county board of education to adopt an environmental health plan for school construction or renovation projects that includes certain standards; requiring a plan adopted under this Act to include certain additional provisions for school construction or renovation that will be conducted while the public school is occupied; requiring certain hazardous substance removal standards adopted under this Act to include certain provisions; requiring certain integrated pest management standards adopted under this Act to include certain provisions; requiring the Department of Health and Mental Hygiene to adopt regulations establishing a certain model environmental health plan; requiring the model plan to include certain minimum standards; requiring each county board to submit the plan developed under this Act to the Secretary of Health and Mental Hygiene for approval on or

before a certain date; providing that the provisions of this Act only apply to new construction or renovation of public schools in the State; defining certain terms; providing for the application of this Act; and generally relating to environmental health plans for new construction or renovation of public schools.

BY adding to
Article – Education
Section 7–4C–01 through 7–4C–07 to be under the new subtitle "Subtitle 4C. Children's Environmental Health"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 933 – Delegate Montgomery

AN ACT concerning

Hospitals – Financial Assistance and Debt Collection

FOR the purpose of requiring the State Health Services Cost Review Commission to require certain chronic care hospitals to develop a certain financial assistance policy for providing free and reduced–cost care to certain patients; requiring a certain hospital financial assistance policy to provide reduced–cost medically necessary care to certain patients who have a financial hardship; requiring a hospital to apply a reduction that is most favorable to a patient under certain circumstances; providing that a patient or any family member of the patient shall remain eligible for certain reduced–cost care under certain circumstances; requiring the patient or family member to inform a hospital of the patient's or family member's eligibility for certain reduced–cost care under certain circumstances; altering the requirements for a notice that a hospital must post regarding patient financial assistance; specifying that, for certain purposes, the rights and obligations of a patient with regard to a hospital bill include the rights and obligations with regard to certain reduced–cost care; requiring a hospital's policy on the collection of debts owed by patients to provide for a refund of certain amounts collected from a patient or the guarantor of a patient, require the hospital to seek to vacate a judgment or strike adverse information reported to a consumer reporting agency under certain circumstances, and provide a mechanism for a patient to request a reconsideration of the denial of free or reduced–cost care and file a complaint regarding the handling of the patient's bill; requiring a hospital, beginning on a certain date, to provide for a refund of certain amounts collected from a patient or the guarantor of a patient who, within a certain time period, was found to be eligible for free care; authorizing a hospital to reduce the time period under certain circumstances; requiring a hospital's refund policy to provide for a refund that complies with a patient's means–tested government health care plan under certain circumstances; prohibiting a hospital, for a certain period of time, from

reporting adverse information about a patient to a consumer reporting agency or commencing civil action against a patient for nonpayment of a bill unless the hospital documents a certain lack of cooperation; requiring a hospital to promptly report to a certain consumer reporting agency the fulfillment of a patient's payment obligation; prohibiting a hospital from forcing the sale or foreclosure of a patient's primary residence to collect a debt owed on a hospital bill; authorizing a hospital to maintain its position as a secured creditor under certain circumstances; requiring a hospital to fulfill certain requirements if the hospital delegates collection activity to an outside collection agency; requiring the board of directors of each hospital to review and approve the financial assistance and debt collection policies of the hospital at certain intervals; prohibiting a hospital from altering its financial assistance and debt collection policies without approval of its board of directors; requiring a hospital to provide to a patient, on request, a written estimate of certain charges; requiring the written estimate to include a certain statement; authorizing a hospital to restrict the availability of the written estimate; providing that the requirements pertaining to written estimates do not apply to emergency services; defining certain terms; making certain conforming changes; and generally relating to hospital financial assistance and debt collection requirements.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–214.1, 19–214.2, and 19–350(b)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 934 – Delegates McIntosh, Barkley, Beidle, Bobo, Bronrott, Cane, Carr, V. Clagett, Conaway, Donoghue, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kullen, Love, Manno, Minnick, Montgomery, Morhaim, Niemann, Olszewski, Pendergrass, Reznik, Rice, Riley, Stein, and Weir

AN ACT concerning

Vehicle Laws – Use of Wireless Telephone While Driving – Prohibitions

FOR the purpose of prohibiting a driver of a certain school vehicle from using a certain wireless 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 certain wireless telephone; prohibiting a certain driver of a motor vehicle that is in motion from using the driver's hands to use a certain wireless telephone 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 a wireless telephone while driving; requiring a driver education program and driver's license examination to include curriculum and questions, respectively, concerning the use of a wireless telephone and other electronic devices while driving; defining certain terms; providing for a delayed effective date; and generally relating to prohibitions against the use of a wireless telephone 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
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–110(a) and (b) and 21–1124
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–110(c) and 16–505
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 21–1124.2
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 935 – Delegates Proctor and Vallario

AN ACT concerning

Creation of a State Debt – Prince George's County – South County 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 South County Outreach 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; establishing a deadline for the

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

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

House Bill 936 – The Speaker (By Request – Administration) and Delegates Conway, Mathias, Busch, Carter, G. Clagett, Davis, Ivey, Kelly, Minnick, Schuler, Simmons, Valderrama, and Vaughn

AN ACT concerning

Criminal Procedure – Sex Offenders – Notification and Registration

FOR the purpose of altering certain requirements relating to the registration of individuals who have committed certain offenses on a certain registry; altering the offenses for which a person can be required to register on a certain registry for committing, attempting to commit, or conspiring to commit; requiring certain persons to register on a certain registry if they have been convicted of certain crimes in certain countries; altering the requirements for registration on a certain registry for a certain person granted probation before judgment; providing that certain requirements for a person to register on a certain registry are to be applied retroactively under certain circumstances; providing for the calculation of a certain term of registration; altering certain requirements for persons under a certain age to register on a certain registry under certain circumstances; establishing that certain individuals who are under the protection of certain witness protection programs are exempt from certain registration requirements; altering certain time periods relating to certain registration, notice, and reporting requirements; requiring certain sex offenders to register in person with a certain local law enforcement unit within certain time periods; providing that a certain sex offender may be required to provide certain additional information to a certain local law enforcement unit; establishing that a person is a resident for purposes of a certain offender registry if the person has a home or other place where the person habitually lives located in the State at the time of a certain event; establishing that a certain registrant shall register with a certain supervising authority within a certain period of time after the registrant begins to habitually live in the State; requiring a certain homeless registrant to register in person with a local law enforcement unit within certain time periods; requiring a certain homeless registrant to register with a local law enforcement unit at certain intervals; establishing that certain registration requirements for a homeless registrant are in addition to certain other requirements; requiring a registrant who was homeless and obtains a fixed address to register with a local law enforcement unit within a certain time period; requiring a certain registrant who makes changes in certain identifying information to send a certain notice to a local law enforcement unit within a certain time period; requiring certain notifications by certain registrants to be made by reporting in person; requiring certain registrants to notify a certain local law enforcement unit when the registrant

leaves the United States under certain circumstances or temporarily moves; requiring a certain notification to be made in a certain manner; adding to the requirements of a certain registration statement; requiring a certain registrant to provide a digital image instead of a photograph under certain circumstances; requiring a certain registrant to provide a palm print; repealing an exemption from a certain requirement to provide DNA for a certain person convicted of a misdemeanor; altering the terms of registration for certain sex offenders on a certain registry; authorizing certain terms of registration to be reduced under certain circumstances; requiring a certain notification relating to the registration of a certain sex offender to be sent to certain school superintendents, schools, school principals, police departments, and certain entities relating to children; requiring local law enforcement units to provide certain notifications to the Department of Public Safety and Correctional Services; expanding certain notification requirements relating to the residence of a certain registrant to include the county where the registrant habitually lives or intends to habitually live; requiring a certain supervising authority to notify the local law enforcement unit where a registrant resided or habitually lived in the event of a certain escape or recapture; expanding the authority of a local law enforcement unit to notify entities of the location of a certain sex offender to include notifying child care centers issued a certain letter of compliance; providing that the Department is responsible for receiving and distributing certain communications and notifying certain jurisdictions of certain information; prohibiting certain registration information provided to the public from including certain information; requiring the Department to provide certain information relating to out–of–state registration status on a certain Internet posting; altering a certain prohibition to provide that a registrant may not fail to provide certain notice, whether written or in person; providing that certain provisions of this Act are severable under certain circumstances; making certain conforming changes; defining certain terms; altering certain terms; repealing certain terms; and generally relating to sex offender registration.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–701, 11–702, 11–702.1, 11–704 through 11–710, 11–712, 11–713, 11–714, 11–717, 11–718(a), and 11–721 to be under the amended subtitle "Subtitle 7. Sex Offender Registration"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 11–703
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure

Section 11–704.1 and 11–704.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 937 – Delegates Hecht, Ali, Barkley, Barnes, Benson, Bohanan, Burns, Cardin, Carr, Guzzone, Harrison, Hucker, Ivey, Kelly, King, Lafferty, Levi, Manno, Mathias, McHale, Mizeur, Niemann, Pena–Melnyk, Ramirez, Rosenberg, Ross, Stein, Taylor, F. Turner, V. Turner, and Vaughn

AN ACT concerning

Telephone Companies – Acquisitions and Franchises

FOR the purpose of requiring a certain telephone company to provide the Public Service Commission with copies of certain documents at certain times under certain circumstances; requiring the Commission to provide a certain telephone company with certain confidentiality and other protections under certain circumstances; prohibiting certain persons from acquiring the power to exercise certain influence over the policies and actions of a telephone company under certain circumstances without prior authorization from the Commission; prohibiting a certain person from acquiring a certain franchise or right under a certain franchise without prior authorization from the Commission; authorizing the commission to order compliance with, and take certain actions authorized by, certain provisions under certain circumstances; requiring a certain application to include certain information; requiring the Commission to promptly examine and investigate certain applications and undertake certain proceedings to review the application in accordance with certain provisions and issue a certain order under certain circumstances; requiring the Commission to consider certain factors when considering a certain acquisition; requiring the Commission to issue a certain order granting a certain application under certain circumstances; authorizing the Commission to condition a certain order on the satisfactory performance or adherence to certain requirements; requiring the Commission to issue an order denying a certain application under certain circumstances; requiring the Commission to issue a certain order within a certain time period under certain circumstances; providing for an extension of a certain time period under certain circumstances; providing that the failure of the Commission to issue a certain order within a certain time period is considered to be approval of a certain acquisition; providing that nothing in certain provisions prohibits dissemination of certain information by any party under certain circumstances; providing for the application of certain provisions; and generally relating to the acquisition of a certain telephone company or the acquisition of a certain franchise to own or operate a telephone line in the State.

BY adding to

Article – Public Utility Companies
Section 6–106
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 938 – Delegates Rice, Ali, Bronrott, Feldman, Gilchrist, Gutierrez, Healey, Hixson, Hucker, Kramer, Kullen, Manno, Montgomery, Reznik, Tarrant, and Taylor

AN ACT concerning

Developmental Disabilities Administration – Waiting List Equity Fund

FOR the purpose of requiring the Governor to include in the annual budget bill a certain appropriation for the Waiting List Equity Fund for providing at least one community–based service to individuals eligible for those services from the Developmental Disabilities Administration; prohibiting certain individuals from being denied access to community–based services from the Developmental Disabilities Administration within a certain period of time; and generally relating to the Waiting List Equity Fund and community–based services provided by the Developmental Disabilities Administration.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–205
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 939 – Delegates Levi, Ali, Barnes, Benson, Bobo, Feldman, Frick, Gutierrez, Holmes, Howard, Nathan–Pulliam, Oaks, Ramirez, Riley, Robinson, Stukes, Tarrant, Taylor, Valderrama, and Vaughn

AN ACT concerning

General Assembly Members – Use of Funds – Grant Writers

FOR the purpose of authorizing a member of the General Assembly to use certain funds, up to a certain amount, to finance grant writers for nonprofit organizations under certain circumstances; authorizing two or more members to combine certain funds to finance a grant writer under certain circumstances; and generally relating to the use of funds by members of the General Assembly.

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–108
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 940 – Delegates Anderson, Carter, Conaway, Glenn, Ivey, Oaks, and Rosenberg

AN ACT concerning

Inmates – Life Imprisonment – Parole Approval and In Banc Review

FOR the purpose of repealing certain provisions that provide that inmates serving a term of life imprisonment may be paroled only by the Governor's approval; allowing a certain individual under certain circumstances to seek in banc review of any point or question relating to a certain conviction or sentence by filing a notice for in banc review after a certain time; and generally relating to sentences of life imprisonment.

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 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 8–109
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 8–109
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 941 – Delegates Ross, Gaines, and Healey

AN ACT concerning

Creation of a State Debt – Prince George's County – La Vida Sana (Healthy Living Farm)

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 Engaged Community Offshoots, 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 Appropriations.

House Bill 942 – Delegates Aumann, Bates, Boteler, Eckardt, Frank, Haddaway, Jones, Lafferty, McComas, Morhaim, Myers, Smigiel, Stocksdale, Stull, and Wood

AN ACT concerning

Public Safety – Electronic Control Devices – Training Program and Permit Process

FOR the purpose of prohibiting a person from possessing or using an electronic control device unless the person has been issued a certain permit; prohibiting the sale and activation of an electronic control device in the State unless the purchaser provides valid proof to the seller that the purchaser has completed successfully an electronic control device training program approved by the Maryland Police and Correctional Training Commission; requiring the Commission to establish standards for the approval and continuation of approval of a certain electronic control device training program; prohibiting a person from engaging in the business of selling, renting, or transferring an electronic control device without possessing a dealer's license issued by the Secretary of State Police; authorizing a person who lawfully possesses a certain license on or before a certain date to engage in a certain business; altering the Handgun Permit Review Board to establish the Handgun and Electronic Control Device Permit Review Board; requiring a person to have a certain permit issued before the person possesses or uses an electronic control device; providing that nothing in this Act is intended to preempt a county, municipality, or special taxing district from prohibiting the sale or possession of electronic control devices; requiring that an application for a permit to possess and use an electronic control device be under oath; authorizing the Secretary of State Police to charge certain permit fees; prohibiting the Secretary from charging a certain permit fee in certain circumstances; requiring the Secretary to apply to the Central Repository for a State and national criminal history records check for each applicant for a permit in a certain manner; authorizing the Secretary to issue the permit within a reasonable time to a certain person if the Secretary makes certain findings; providing that a certain permit is valid for each electronic control device legally

in possession of the person to whom the permit is issued; requiring a person to whom a permit is issued or renewed to carry the permit in the person's possession whenever the person possesses or uses an electronic control device; providing for the expiration of a permit; authorizing the Secretary to revoke a permit in certain circumstances; requiring the holder of a revoked permit to return the permit to the Secretary within a certain period after receipt of notice of the revocation; authorizing a person who is denied a permit or renewal of a permit or whose permit is revoked or limited to request a certain review in a certain manner; authorizing the Secretary to conduct a certain review; authorizing the Board to conduct a certain review; authorizing the Board to sustain, reverse, or modify a certain decision by the Secretary; requiring the Board to provide a certain writing to a certain applicant or holder of a permit in certain circumstances; providing for a certain judicial review; prohibiting a person from failing to return a revoked permit; prohibiting a person who holds a certain permit from possessing or using an electronic control device while the person is under the influence of alcohol or drugs; providing penalties for a violation of this Act; and generally relating to electronic control devices.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 4–109
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3–207 and 5–106; and 5–301 through 5–304, 5–306, 5–307, 5–308, and 5–314 to be under the amended subtitle "Subtitle 3. Handgun and Electronic Control Device Permits"
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 5–305 and 5–309 through 5–313
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

House Bill 943 – Delegates McIntosh, Beidle, Bobo, Bronrott, Cane, Carr, DeBoy, Dumais, Frick, Frush, Glenn, Healey, Hecht, Howard, Hucker, Kaiser, Kullen, Lafferty, McHale, Montgomery, Morhaim, Niemann, Olszewski, Ramirez, Reznik, Riley, and Weir

AN ACT concerning

Chesapeake Conservation Corps

FOR the purpose of establishing the Chesapeake Conservation Corps as a body politic and corporate; providing for the purposes of the Corps; establishing a Board of Directors of the Corps, with specified membership, officers, duties, and terms; providing for an Executive Director of the Corps, with certain duties and powers; providing that the Attorney General is the legal advisor of the Corps; authorizing the Corps to retain certain staff; providing for the application of certain laws to the Corps and its personnel; establishing the powers of the Corps; requiring the Corps to undertake certain projects for certain purposes; requiring the Corps to develop and implement certain volunteer service programs, including stipend volunteers; authorizing certain educational institutions to assist the Corps in certain manners; encouraging and requiring the Corps to seek assistance from certain sources in developing certain programs; providing that the Corps is exempt from State and local taxes; providing that the books and records of the Corps are subject to audit; requiring the Corps to report each year to certain persons on certain matters; providing for certain funding for the Corps in certain fiscal years from the Environmental Trust Fund; defining certain terms; making stylistic changes; providing for the initial terms of the members of the Board; and generally relating to the Chesapeake Conservation Corps.

BY renumbering
Article – Natural Resources
Section 8–1901 through 8–1909, respectively
to be Section 8–1902 through 8–1910, respectively
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 3–302(a)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 3–302(c)(1)(v)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 3–302(f); 8–1901 to be under the amended subtitle "Subtitle 19. Chesapeake Bay Trust and Related Units" and the new part "Part I. General Provisions"; and 8–1913 through 8–1931 to be under the new part "Part II. Chesapeake Conservation Corps"

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–1905
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)
(As enacted by Section 1 of this Act)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 944 – Delegates Niemann, Carter, Ali, Bobo, Carr, Frush, Gilchrist, Glenn, Hecht, Hucker, Montgomery, Ross, and Stein

AN ACT concerning

Recycling – Bars and Restaurants – Beverage Containers

FOR the purpose of requiring a certain distributor, on or before a certain date, to establish a certain program for the collection and recycling of certain beverage containers; requiring the Department of the Environment to provide certain financial assistance to certain distributors under certain circumstances; requiring a certain owner or manager of a certain bar or restaurant to separate, store, and arrange for the collection and recycling of certain beverage containers under certain circumstances; authorizing the Department to grant a waiver from certain requirements; requiring a certain local government to submit to the Department a certain annual report; requiring the Department to adopt certain regulations; defining certain terms; making this Act subject to a certain contingency; and generally relating to recycling requirements for distributors and bars and restaurants.

BY adding to
Article – Environment
Section 9–1711
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 945 – Delegates Robinson, Carter, and Tarrant

AN ACT concerning

Baltimore City – Alcoholic Beverages – 1–Day Licenses – Applications and Notice

FOR the purpose of requiring an applicant for certain 1–day licenses in Baltimore City to submit an application to the Board of License Commissioners at a certain time; requiring the Board to post notice on its website at a certain time of certain licenses the Board approves for issuance; requiring a notice to include certain information; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(1)(i) and (d)(1)(i)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 7–101(b)(3) and (d)(3)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 946 – Delegates Proctor, Walker, Vallario, Anderson, Aumann, Bartlett, Bates, Beidle, Beitzel, Benson, Bohanan, Boteler, Burns, Conaway, Conway, Davis, DeBoy, Donoghue, Doory, Dumais, Eckardt, Elliott, Elmore, Frank, Frush, Gaines, George, Glenn, Haddaway, Hammen, Haynes, Heller, Holmes, Hubbard, Ivey, James, Jameson, Jennings, Kach, Kelly, King, Kipke, Krebs, Krysiak, Kullen, Levi, Levy, Malone, Mathias, McConkey, McHale, Miller, Minnick, Myers, O'Donnell, Oaks, Ramirez, Robinson, Rosenberg, Ross, Schuh, Shank, Shewell, Sophocleus, Sossi, Stocksdale, Stukes, Stull, Tarrant, Taylor, V. Turner, Valderrama, Vaughn, Weir, and Wood

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 2009 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 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 947 – Delegates Frush, Barnes, Beidle, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Tasting Licenses

FOR the purpose of creating in Anne Arundel County a CBWT cordial, beer, and wine tasting (on–premises) license; specifying that the CBWT license may be issued to certain persons; creating a license fee schedule for a CBWT license and altering the fee schedule for a BWT beer and wine (on–premises) tasting license;

specifying certain limitations on the amount of alcoholic beverages that may be offered for on–premises consumption; and generally relating to alcoholic beverages licenses in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 8–402
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 948 – Delegates Olszewski, Aumann, Cardin, DeBoy, Lafferty, Malone, Minnick, and Schuler

AN ACT concerning

Baltimore County – Bargaining Unit for Public School Employees

FOR the purpose of altering certain provisions of law relating to the designation of the exclusive representative for certain public school employees in Baltimore County; repealing provisions that authorized Baltimore County to designate as a separate bargaining unit only certain registered nurses in certain schools in the county; prohibiting more than two bargaining units in Baltimore County and requiring each unit to consist of certain employees; and generally relating to bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, without amendments,
Article – Education
Section 6–401(d)(1) and (3)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 6–404
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 949 – Delegates Love, Beidle, Costa, Schuh, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Coordinating Center for Home and Community Care Building Facilities

FOR the purpose of authorizing the creation of a State Debt not to exceed $3,475,000, the proceeds to be used as a grant to the Board of Directors of the Coordinating Center for Home and Community Care, 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 Appropriations.

House Bill 950 – Delegates McConkey and Schuler

AN ACT concerning

Children – Joint Legal Custody and Equal Parenting Time – Preference

FOR the purpose of requiring a court in certain child custody proceedings to first consider an award of joint legal custody and physical custody for approximately equal periods of time for each parent; authorizing a court that does not find that award appropriate to order a disposition it finds appropriate for the circumstances; providing that this Act does not preclude the court's consideration of other provisions of law, including provisions providing protection from domestic violence; providing for the application of this Act; and generally relating to child custody.

BY adding to
Article – Family Law
Section 9–109
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 951 – Delegates Carter, Gutierrez, Montgomery, Nathan–Pulliam, Oaks, Reznik, and Robinson

AN ACT concerning

Health Insurance Carriers – Declinations of Applications for Coverage – Required Reporting

FOR the purpose of altering the information that health insurance carriers are required to submit to the Maryland Insurance Commissioner in a certain report to include the reason that an application for individual health insurance coverage was declined; requiring the Commissioner to post certain information

on the Maryland Insurance Administration's website; requiring the Commissioner to compile a certain summary report of certain information and to make the report available to the public; requiring the Commissioner to adopt certain regulations; and generally relating to reporting information about applications for health insurance coverage.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–1301(a) and (d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–1303
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 952 – Delegates Bates, Boteler, Burns, Dwyer, Elmore, Frank, George, Haddaway, Kipke, McComas, Miller, Myers, Norman, Serafini, Shank, Smigiel, Sossi, Stocksdale, and Stull

AN ACT concerning

Great Preschools Tax Credit Program

FOR the purpose of allowing an individual or a corporation a credit against the State income tax for certain contributions to certain scholarship–granting organizations, subject to certain limitations; providing for the carryover of certain unused credit under certain circumstances; requiring certain scholarship–granting organizations to take certain actions to be eligible for certain donations for which a tax credit may be claimed; requiring the Comptroller to administer the Great Preschools Tax Credit Program; requiring the Comptroller to adopt certain regulations; requiring the Comptroller to submit certain reports; defining certain terms; providing for the application of this Act; and generally relating to the Great Preschools Tax Credit Program.

BY adding to
Article – Tax – General
Section 10–728
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 953 – Delegates Hucker, Ali, Beidle, Bobo, Bronrott, Carr, Frush, Glenn, Healey, Holmes, Lafferty, Niemann, Ross, and Stein

AN ACT concerning

Agriculture – Commercial Feed – Arsenic Prohibition

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed that contains roxarsone or any other additive that contains arsenic; and generally relating to the contents of commercial feed.

BY adding to
Article – Agriculture
Section 6–107.3
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 954 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Vehicle Laws – Parking Violations – Administrative Enforcement by Counties and Municipal Corporations

FOR the purpose of authorizing a county or municipal corporation, by ordinance, to establish an alternative enforcement program for the issuance of civil parking citations for violations of certain restrictions on the stopping, standing, or parking of vehicles; establishing certain requirements for an ordinance adopted under this Act; requiring an ordinance adopted under this Act to provide for a certain judicial review in the District Court; requiring an ordinance adopted under this Act to require a certain agency or board to provide a certain notification to the Motor Vehicle Administration; requiring the Administration to treat the failure to pay a certain fine, request a certain adjudication, or appear at a certain adjudication in a certain manner; establishing that a civil parking citation issued under a certain ordinance is not a civil citation subject to the jurisdiction of the District Court; establishing that an adjudication of a certain civil parking citation is not a criminal conviction and does not impose certain liabilities; establishing that a certain person may appeal to the District Court in a certain manner from certain civil parking citations; establishing that the District Court does not have jurisdiction over certain civil parking citations, except under certain circumstances; providing that certain provisions limiting the authority of local jurisdictions over the Maryland Vehicle Law do not apply to an ordinance adopted in accordance with this Act; requiring the Chief Judge

of the District Court to adopt certain procedures for the appeal of civil parking citations issued in accordance with an ordinance adopted under this Act; prohibiting the Administration from registering or transferring the registration of a vehicle under certain circumstances; authorizing the Administration to suspend the registration of a vehicle under certain circumstances; establishing that certain provisions relating to the disposition and records of traffic citations do not affect or modify certain procedures established under an ordinance adopted in accordance with this Act; providing that certain provisions relating to violations of license restrictions or rules or regulations adopted under the Maryland Vehicle Law do not apply to an ordinance adopted in accordance with this Act; and generally relating to the enforcement of parking violations.

BY adding to
Article – Courts and Judicial Proceedings
Section 4–402(g); and 12–801 to be under the new subtitle "Subtitle 8. Review of Decisions of Local Adjudicatory Boards"
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1003, 25–102(a)(1), and 26–301(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 25–101.1(b) and (d), 26–303, 26–304, 26–407(a), and 27–102
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 26–301.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 26–305(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 955 – Delegate F. Turner

AN ACT concerning

State Personnel – Accrual of Annual Leave – Local Government Service

FOR the purpose of including certain service by certain former employees of counties and municipal corporations in the definition of "total State service" for purposes of determining the accrual of annual leave for certain State employees; and generally relating to the accrual of annual leave for State employees.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 9–301
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 9–302
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 956 – Delegate Myers

AN ACT concerning

Electricians, Gas Fitters, HVAC Contractors, and Plumbers – Display of Licenses and License Numbers

FOR the purpose of prohibiting a county or municipal corporation, subject to a certain exception, from requiring a certain licensed gas fitter, plumber, or heating, ventilation, air–conditioning, and refrigeration (HVAC) contractor to display a certain certificate number on certain vehicles used for providing certain services; prohibiting a county or municipal corporation, subject to certain exceptions, from requiring a certain licensed master electrician to display a certain license number on certain vehicles used for providing certain services; requiring a master electrician who holds a certain license or certain licenses to display a State license number on certain vehicles used for providing certain services; and generally relating to the display of licenses and license numbers on vehicles.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 6–301 and 12–311
Annotated Code of Maryland

(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 9A–401
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 957 – Delegates Tarrant, Hucker, Benson, Conaway, Glenn, Harrison, Howard, Levi, Manno, Oaks, Robinson, Stukes, and Taylor

AN ACT concerning

Tobacco–Related Products – Definitions and Distribution to Minors

FOR the purpose of altering the definition of "cigarette" in connection with tobacco taxes, the regulation of cigarette business, the sale of cigarettes below cost, and certain cigarette fire safety standards to include certain tobacco products that are wrapped in certain substances and weigh less than a certain amount and are likely to be offered to, or purchased by, consumers as cigarettes; 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; requiring photo identification checks in connection with the distribution of certain tobacco–related products to minors; prohibiting minors from purchasing, possessing, or using cigarette rolling papers or certain tobacco–related products; 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; providing that this Act does not preempt any county or municipal law that regulates tobacco products; and generally relating to tobacco–related products and distribution to minors.

BY repealing
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 15–102.1
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing
Article – Criminal Law
Section 10–108
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation
Section 16–101(b) and 16–601
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–501(c)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 24–1701 through 24–1707 to be under the new subtitle "Subtitle 17. Distribution of Tobacco–Related Products to Minors"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 12–101(b)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 12–101(c)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 958 – Delegate Carter

AN ACT concerning

Estates and Trusts – Minor Child or Incapacitated Child – Forced Shares

FOR the purpose of establishing that a certain minor child or incapacitated child may not be deprived of a certain share of the estate of a parent of the child unless the parent has just cause to disinherit the child; providing that a decedent with a certain child may not make donations to certain other persons beyond certain limitations; establishing the amount of a certain forced share; prohibiting the imposition of charges, conditions, or burdens on a certain forced share, with certain exceptions; defining certain terms; providing for the application of this Act; and generally relating to disinheriting a minor child or an incapacitated child.

BY adding to
Article – Estates and Trusts
Section 3–401 through 3–405 to be under the new subtitle "Subtitle 4. Forced Shares"
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 959 – Delegates Carter, Anderson, Montgomery, Oaks, Pena–Melnyk, and Taylor

AN ACT concerning

Procurement – Single Minority Business Enterprise Certification Agency for Local Government Procurement

FOR the purpose of requiring the Board of Public Works to adopt regulations to designate one State agency as the certification agency for business entities seeking minority business enterprise status to participate in certain local government procurement; and generally relating to the designation of a single State agency to serve as the certification agency for businesses seeking minority business enterprise status for purposes of local government procurement.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–303
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 960 – Delegates Olszewski and Kach

AN ACT concerning

Gaming – Video Lottery Terminals – Player Cards

FOR the purpose of requiring that each video lottery terminal in a video lottery facility be operated only by the insertion of a video lottery player card; requiring an individual who seeks to obtain a video lottery player card to provide the video lottery operation licensee with certain proof of identification; requiring the licensee to use video lottery player cards to prohibit an individual from playing a video lottery terminal under certain conditions; requiring the State Lottery

Commission to adopt certain regulations; and generally relating to video lottery terminals.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–02(b)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–02(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 961 – Delegates Manno, Hucker, and Montgomery

AN ACT concerning

Environment – Yard Waste Composting – Plastic Bag Prohibition

FOR the purpose of prohibiting a person from using a plastic bag for the final disposal of yard waste or natural wood waste under certain circumstances; allowing a person to transport yard waste or natural wood waste in a plastic bag under certain circumstances; and generally relating to plastic bags and composting yard waste.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–1701(a), (b), (c), (i), and (s)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–1725
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 962 – Delegates G. Clagett, Dumais, Burns, DeBoy, Hecht, Hixson, Howard, Jameson, Kullen, Miller, Sophocleus, Stocksdale, F. Turner, and Wood

AN ACT concerning

Crimes – Child Neglect – Penalties

FOR the purpose of prohibiting a parent or other person who has permanent or temporary care or custody or responsibility for supervision of a minor from neglecting the minor in a manner that causes substantial risk of physical injury to the minor, mental injury to the minor, or substantial risk of mental injury to the minor; providing penalties for a violation of this Act; providing that it is an affirmative defense to a charge of violating this Act that at the time of the neglect there was a reasonable apprehension in the mind of the defendant that acting to stop or prevent the neglect would result in substantial bodily harm to the defendant or the minor; defining certain terms; and generally relating to child neglect.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–601
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 963 – Delegates G. Clagett, Benson, DeBoy, Hecht, Heller, Shewell, Sossi, and Stocksdale

AN ACT concerning

Child Support Enforcement – Interception of Abandoned Property

FOR the purpose of adding certain abandoned property to certain provisions of law requiring the State Comptroller to withhold the amount of certain child support arrearages from certain payments due to certain obligors and to forward the amount withheld to the Child Support Enforcement Administration; and generally relating to collection of child support arrearages.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 10–113.2
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 964 – Delegates Haddaway, Bates, Beitzel, Conway, Eckardt, Elmore, Impallaria, Jenkins, Krebs, Mathias, McComas, McDonough, Myers, Norman, O'Donnell, Shewell, Smigiel, Sossi, and Stull

EMERGENCY BILL

AN ACT concerning

Environment – Stormwater Management – New Development and Redevelopment Projects

FOR the purpose of making certain stormwater management regulations adopted by the Department of the Environment applicable to certain new development and redevelopment projects that do not have certain final approvals by a certain date; making this Act an emergency measure; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–203
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 965 – Delegates Kelly, Anderson, Frank, and Schuler

AN ACT concerning

Real Property – Mechanics' Liens – Extent of Lien Applied to Tenant's Interest

FOR the purpose of altering the percentage of value of a building erected, repaired, rebuilt, or improved by a tenant for life or years or a person employed by the tenant for purposes of determining the extent of a mechanics' lien; and generally relating to mechanics' liens.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 9–101(a), (b), and (f) and 9–102(a)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 9–103(c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 966 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Process

FOR the purpose of altering the method of selecting an at large member of the Washington County Salary Study Commission; repealing the requirement that the Commission study the salary of the Washington County State's Attorney; requiring the County Commissioners for Washington County to set certain salaries within a certain period of time, subject to certain requirements; repealing a certain requirement that the County Commissioners submit certain recommendations to the legislative delegation; requiring the Commission to consider certain information when formulating its report and recommendations; and generally relating to the study of salaries of Washington County public officials.

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–202
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–203(b) and 12–205
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 12–206
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 967 – Washington County Delegation

AN ACT concerning

Washington County – Local Forest Conservation Fund – Fee–in–Lieu Rates

FOR the purpose of providing that the standard fee–in–lieu rate that a person is required to pay into a local forest conservation fund under certain circumstances does not apply in Washington County; requiring Washington

County, in consultation with the Department of Natural Resources and the Washington County Soil Conservation District, to establish fee–in–lieu rates to be paid into the Washington County Forest Conservation Fund under certain circumstances based on certain criteria; requiring the county to reexamine and adjust the fee–in–lieu rates over a certain periodic cycle; and generally relating to the fee–in–lieu rates for payments to the Washington County Forest Conservation Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–1610
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 968 – Delegate Barkley

AN ACT concerning

Workers' Compensation – Appeals – Evidence

FOR the purpose of authorizing the introduction of certain health care records as evidence in an appeal from a decision of the Workers' Compensation Commission under certain circumstances; providing for certain exceptions; requiring a certain notice to be served to all parties within a certain time period; establishing a certain limit on a certain judgment; requiring a court to alter a certain award under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to evidence introduced in appeals from Workers' Compensation Commission decisions.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–104(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–745
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 9–745.1
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 969 – Delegates Barkley, Bronrott, Feldman, Frick, Gaines, Gilchrist, and Kaiser

AN ACT concerning

Motor Fuel Tax – Adjustments

FOR the purpose of altering the motor fuel tax rates for certain motor fuel; providing for certain increases in the motor fuel tax rates for certain motor fuel for certain periods under certain circumstances; requiring the Comptroller to make certain determinations and announcements; providing for the payment of certain taxes on certain tax–paid motor fuel held as of certain dates; and generally relating to motor fuel tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 9–305
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 970 – Delegate Feldman

AN ACT concerning

Department of Assessments and Taxation – Processing Fees and Electronic Document Filing and Processing System

FOR the purpose of establishing certain fees that the State Department of Assessments and Taxation must collect for processing certain business entity documents within certain time periods; requiring the Department, contingent on the availability of funds, to develop and implement a system, accessible on the Department's website, for the electronic filing and processing of certain documents; and generally relating to filing documents with the State Department of Assessments and Taxation.

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 1–203(a) and (b)(1), (3)(i), and (4)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–203(b)(8)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 971 – Delegate Feldman

AN ACT concerning

Maryland Statutory Trust Act

FOR the purpose of clarifying and revising the Maryland Business Trust Act and renaming it to be the Maryland Statutory Trust Act; providing that a use of a certain designation or statement in a certain certificate of trust or governing instrument does not create a certain presumption or inference; providing for the construction of certain provisions of this Act; clarifying that a statutory trust has certain general powers under certain circumstances; clarifying the requirements for, and time at which, a statutory trust is formed; providing for the restatement of a certificate of trust under certain circumstances; providing for the execution and effective time of certain documents; clarifying that a governing instrument of a statutory trust may contain certain provisions relating to the nature and division of beneficial interests in the statutory trust, the rights of certain persons, amendments to the governing instrument, and actions by or on behalf of the statutory trust in the event there are no trustees; clarifying that a statutory trust is not required to execute its governing instrument and that it is bound by its governing instrument; clarifying that a beneficial owner or trustee of a statutory trust is bound by the statutory trust's governing instrument; clarifying the types of consideration that may be contributed for a beneficial interest in a statutory trust; clarifying and altering the powers of a statutory trust to indemnify and hold harmless, and to pay or reimburse certain expenses incurred by, certain persons; altering the circumstances under which certain records of a statutory trust may be inspected and copied; clarifying that, except as provided in the governing instrument of a statutory trust, meetings of beneficial owners or trustees may be held in a certain manner, beneficial owners or trustees may vote or consent to a certain action in a certain manner, and certain actions must be approved by the beneficial owners or trustees by a certain percentage of votes; clarifying certain powers, duties, and liabilities of the trustees of a statutory trust; providing that a governing instrument may not eliminate the duty of a trustee to perform the trustee's duties in good faith; providing for certain limits on the duties of a trustee; providing that no creditor of a trustee shall have the right to exercise any legal or equitable remedy with respect to certain property under certain circumstances; providing that a trustee of a certain statutory trust shall be deemed to be independent and disinterested when making a certain

determination or taking certain action; providing that certain persons, in the governing instrument of a statutory trust or other writing, may consent to be subject to certain jurisdiction or arbitration and to be served with legal process in a certain manner; altering the vote by which the trustees of a statutory trust must approve a merger or consolidation; altering certain requirements for articles of merger or consolidation; establishing that, subject to the Maryland Constitution, certain laws govern the organization, internal affairs, and liability of the trustees of a foreign statutory trust, and a foreign statutory trust may not be denied registration under certain circumstances; requiring a foreign statutory trust to register with the State Department of Assessments and Taxation before doing certain business in the State; establishing certain requirements for registration; prohibiting a foreign statutory trust from doing any kind of business in the State that a domestic statutory trust is prohibited from doing under the laws of the State; authorizing a foreign statutory trust to cancel its registration in a certain manner; establishing certain penalties for failing to register with the Department and for transacting certain business on behalf of a foreign statutory trust that has not registered with the Department; authorizing the Attorney General to bring a certain action; specifying certain actions that do and do not constitute doing business in the State; providing that by doing certain business in the State a foreign statutory trust assents to the laws of the State; providing for a merger of a foreign statutory trust; providing for the forfeiture of the right of a foreign statutory trust to do business in the State; defining certain terms; altering and repealing certain definitions; making certain conforming and stylistic changes; and generally relating to statutory trusts.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 12–101 through 12–610, 12–801 through 12–803, and 12–805 through 12–810 to be under the amended title "Title 12. Statutory Trusts"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Corporations and Associations
Section 12–105, 12–306, 12–404, 12–405, and 12–611; and 12–901 through 12–912 to be under the new subtitle "Subtitle 9. Foreign Statutory Trusts"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 12–701 and 12–804
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 1 – Rules of Interpretation
Section 15
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 66B – Land Use
Section 14.09(c)(4)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 4–401(i)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 1–201(28) and 8–103(a)
Annotated Code of Maryland
(2002 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 11–201(f), 11–301(j), 11–401(d), 11–501(f), 11–601(g), 11–701(c), 11–801(d), 11–901, 11–1101(d), 11–1201(d), 12–101(g), 12–301(f), 12–401(h), 12–501(k), 12–601(q), 12–701(f), 12–801(f), 12–901(f)(1), 12–1001(g)(1), 13–101(h), 14–101(d), 14–201(d), 14–301(e), 14–401(f), 14–501(d), 14–601(c), 14–701(d), 14–801(b), 14–901(i), 14–1001(d), 14–1201(j), 14–1301(c), 14–1901(g), 14–2801(d), 14–3401(c), 14–3601(h), 15–102(a)(2), 15–301(e), 16–101(d), 17–101(e) and (l), 18–101(e), 21–101(m), and 22–102(a)(51)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–101, 1–203(b)(3)(ii), 1–301(a), 3–101(b), 3–102(a)(3), 4A–101, 8–103(a), 8–501.1(a) and (c)(1), 9A–101(n), (o), and (p), 9A–902(c), and 10–208(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Corporations and Associations

Section 9A–101(n) and (q) and 9A–902(h) and (i)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 9–401(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 8–213(f)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–801(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 9–201(i), 11–102(b)(10), 15–201(d), 15–301(f), 15–401(g), and 15–501(j)
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 9.5–101(m) and 10–301(o)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 5–401(b) and (d), 8–101(b), 11–101(a)(4), 11–201(e), 11–401(h), and 11–501(p)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 5–608(a)(3)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 2–122(a)(3), 7–109(a)(2), and 10–501(h)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–102.1(a)(4)(iv) and (7)(iv)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 11–101(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 972 – Delegate Feldman

AN ACT concerning

Maryland General Corporation Law – Miscellaneous Provisions

FOR the purpose of altering the manner in which certain charter documents of certain business entities must be executed by authorizing certain officers, agents, and persons acting in a certain capacity to sign, acknowledge, witness, and attest the documents and to verify certain matters and facts; clarifying that a corporation may provide by its charter that holders of one or more classes or series of stock have certain voting rights under certain circumstances; clarifying that certain authority of a corporation to provide by its charter for classes of stock and certain rights, restrictions, and preferences of classes of stock applies to series of stock; altering the circumstances under which the board of directors of a corporation may effect a certain reverse stock split; expanding the authority of the board of directors of a corporation to delegate to certain committees powers of the board relating to the authorization of dividends on stock and other distributions; repealing certain unnecessary provisions of law relating to the time at which a stockholder of a corporation or a shareholder of a real estate investment trust who proposes a certain nominee or matter for consideration at a meeting of the stockholders or shareholders may be required to provide certain notice; altering the circumstances under which certain notice given by a corporation by a single notice to all stockholders who share an address is effective; providing that, prior to being convened, a meeting of stockholders may be postponed from time to time to a certain date; altering the contents of a certain notice of a proposed charter amendment that a corporation must give to

certain stockholders; exempting corporations that have a class of securities registered under a certain federal law from the application of certain provisions of law relating to the dissolution of a corporation; clarifying that certain restrictions on voting rights apply to the holders of certain shares and not to the shares; making conforming and stylistic changes; and generally relating to corporations and other business entities.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 1–301(a), 2–105(a), 2–309(d) and (e), 2–411(a), 2–504(f), 2–504.1, 2–511(d), 2–604, 3–413, and 3–702(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 8–601.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 973 – Delegates Aumann, Bates, Beitzel, Bronrott, Burns, Frank, Gaines, Gutierrez, Haynes, Howard, Jennings, Kach, Lafferty, McComas, Morhaim, Nathan–Pulliam, Olszewski, Pena–Melnyk, Shank, Shewell, Sossi, Stein, Stocksdale, Stukes, Weir, and Wood

AN ACT concerning

Public Schools – Maryland Youth Crisis Hotline – Distribution of Information

FOR the purpose of requiring each county board of education to provide certain students with the telephone number of the Maryland Youth Crisis Hotline in certain ways; requiring certain schools to hold a certain school assembly at a certain time each year; requiring certain students and school personnel to attend a certain school assembly; requiring certain schools to send certain information about the Maryland Youth Crisis Hotline to the parents or guardians of certain students at a certain time each year; and generally relating to the distribution of information about the Maryland Youth Crisis Hotline in public schools.

BY adding to
Article – Education
Section 7–430
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 974 – Chair, Environmental Matters Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Nutrient Trading – Voluntary Agricultural Nutrient Credit Certification Program

FOR the purpose of authorizing the State Department of Agriculture to establish requirements for the voluntary certification and registration of nutrient credits on agricultural land; establishing certain certification and registration requirements; authorizing the Secretary of Agriculture to suspend or revoke the approval or certification of certain credits under certain circumstances; preserving the authority of the Department of the Environment to establish eligibility and other requirements for use of nutrient offset credits under any State or federal permit or other regulatory program; providing for the application of this Act; and generally relating to the establishment of agricultural nutrient credit requirements.

BY adding to
Article – Agriculture
Section 8–901 through 8–904 to be under the new subtitle "Subtitle 9. Voluntary Agricultural Nutrient Credit Certification Program"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 975 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Highways

FOR the purpose of altering the definition of "vehicular crossing" for purposes of certain provisions of the Maryland Vehicle Law to include certain highways under the jurisdiction of the Maryland Transportation Authority, thereby applying certain provisions of law to certain highways under the jurisdiction of the Authority and providing that certain powers and authority granted to the Authority are applicable to certain highways under the jurisdiction of the Authority; making conforming changes; and generally relating to highways under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,

Article – Transportation
Section 11–127, 21–1402, and 21–1403
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1401, 21–1407, 21–1411, and 21–1413
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 976 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

EMERGENCY BILL

AN ACT concerning

Reduction of Lead Risk in Housing

FOR the purpose of repealing certain provisions of law relating to certain qualified offers in connection with the liability of an owner of certain rental property; repealing a provision of law relating to a certain window replacement program; repealing certain obsolete provisions of law relating to the reduction of lead risk in housing; altering certain definitions; repealing certain definitions; making this Act subject to a certain contingency; making this Act an emergency measure; and generally relating to the reduction of lead risk in housing.

BY repealing
Article – Environment
Section 6–801 through 6–852 and the subtitle "Subtitle 8. Reduction of Lead Risk in Housing"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 6–801 through 6–804, 6–807 through 6–809, 6–811 through 6–813, 6–815 through 6–825, 6–843 through 6–848.2, and 6–849 through 6–853 to be under the new subtitle "Subtitle 8. Reduction of Lead Risk in Housing"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 977 – Washington County Delegation

AN ACT concerning

Washington County – Local Government Tort Claims Act – Inclusion of Specified Nonprofit Entity

FOR the purpose of altering the definition of a "local government" under the Local Government Tort Claims Act to include a certain nonprofit corporation in Washington County; providing that a certain notice requirement does not apply to certain actions against a certain nonprofit corporation in Washington County or its employees; and generally relating to the inclusion of a certain nonprofit entity in Washington County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 5–301 and 5–304
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 978 – Harford County Delegation

AN ACT concerning

Harford County Board of Education – Student Member – Voting Rights

FOR the purpose of providing that the student member of the Harford County Board of Education has certain voting rights; prohibiting the student member from voting on certain matters; altering certain procedures for the election of the student member; requiring the Harford County Regional Association of Student Councils to conduct a certain nominating convention; altering the qualifications of the student member; providing for the reimbursement of certain expenses of the student member under certain circumstances; and generally relating to the voting rights of the student member of the Harford County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–6A–01 and 3–6A–04
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 979 – Delegate Montgomery

AN ACT concerning

Estates and Trusts – Relocation of Charitable Trust Administration Outside of State – Requirements

FOR the purpose of prohibiting, except in certain circumstances, a trustee of a certain charitable trust from changing the location in which the trust administration takes place from a location in this State to a location outside this State; requiring a trustee that decides to change the location in which a certain charitable trust is administered from a location in this State to a location outside this State to take certain steps; requiring the Attorney General to review a certain submission by a trustee and notify the trustee with a certain period of time whether the submission is approved; authorizing in certain circumstances a certain trustee to file an action seeking a certain court order in the circuit court in which the charitable trust was created; authorizing a court to exercise its equitable powers to effectuate the original purpose of a charitable trust in certain circumstances; providing that, except as provided in this Act, the location in which the administration of the charitable trust takes place may only be changed to a location outside this State if certain standards are met; authorizing the Attorney General of this State to bring an action to enforce the provisions of this Act; providing that if a trustee of a charitable trust fails to comply with the provisions of this Act a certain court may remove the trustee and appoint a new trustee; authorizing certain costs of a proceeding to remove a trustee to be assessed against a removed trustee; providing that this Act does not affect a trustee's authority to sell real estate owned by a charitable trust; providing for the application of this Act; defining certain terms; and generally relating to charitable trusts.

BY adding to
Article – Estates and Trusts
Section 14–308
Annotated Code of Maryland
(2001 Replacement Volume and 2009 Supplement)

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

House Bill 980 – Harford County Delegation

AN ACT concerning

Harford County – Casino Events

FOR the purpose of creating in Harford County a permit that authorizes certain nonprofit organizations to conduct a casino event; specifying certain standards and requirements that organizations must meet to be issued a permit; specifying a certain maximum number of events an organization may hold in a

year and the location and hours for conducting a casino event; authorizing certain games to be conducted at a casino event under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons or after certain costs are deducted for purposes other than the purposes of the organization; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the Sheriff of Harford County to refuse to issue a permit under certain conditions; requiring the Sheriff to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to casino nights in Harford County.

BY renumbering
Article – Criminal Law
Section 13–1512
to be Section 13–1513
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 13–1512
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 981 – St. Mary's County Delegation

AN ACT concerning

St. Mary's County Board of Education – Inclusion of Employees in Bargaining Unit

FOR the purpose of including certain employees of the St. Mary's County Board of Education who do not hold a teaching certificate in a certain bargaining unit; and generally relating to the inclusion of certain employees of the St. Mary's County Board of Education in a certain bargaining unit.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–404
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 982 – Delegates Niemann, Ali, Carr, Carter, Glenn, Hecht, Hucker, and Montgomery

AN ACT concerning

Solid Waste Management – Recycling – Requirements

FOR the purpose of requiring the Office of Recycling in the Department of the Environment to establish certain commodity–based solid waste reduction through recycling goals; requiring a certain annual report to include certain progress made in achieving certain solid waste reduction goals; altering certain county recycling requirements by requiring counties to include in certain county plans a certain commodity–based recycling plan by a certain date; requiring a certain recycling plan to be fully implemented by a certain date; requiring the Office of Recycling to establish a bar and restaurant recycling program to provide financial assistance for the collection and recycling of certain containers from a bar or restaurant; establishing a certain solid waste management fee; requiring a certain operator of a certain landfill or certain facility to collect the solid waste management fee and remit the fee to the Comptroller; authorizing the Department to grant a waiver from certain requirements; altering the conditions under which a certain county is required to conduct a certain public hearing and publish a certain notice; altering the conditions under which the Secretary shall review a certain county plan to make certain determinations; prohibiting the Secretary from issuing certain permits to install, materially alter, or materially extend a landfill in a county under certain circumstances; altering the requirements for a certain recycling plan that is developed by certain agencies; requiring the Comptroller to establish a certain separate account in the State Recycling Trust Fund for certain purposes; altering the definition of a certain term; and generally relating to solid waste management through recycling.

BY repealing and reenacting, without amendments,
Article – Environment
Section 9–204(n)(2) and 9–1701(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 9–204(n)(5)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–204(n)(5) and (6), 9–505(a)(18), (c), and (e), 9–1701(m)(1), 9–1702, 9–1703(b), 9–1704, 9–1706, and 9–1707(f)

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing
Article – Environment
Section 9–505(a)(19) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 983 – Delegates Rice, Ivey, Levi, Ross, and Walker

AN ACT concerning

Public Schools – Law Enforcement Officers – Cultural Competency Training Program

FOR the purpose of requiring the State Department of Education, in consultation with the Maryland Police Training Commission, to develop and implement a cultural competency training program for certain law enforcement officers; providing for the contents of the cultural competency training program; requiring certain law enforcement officers employed by a county board of education to complete the cultural competency training program before beginning a certain assignment; and generally relating to a cultural competency training program for law enforcement officers in public schools.

BY adding to
Article – Education
Section 7–430
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 984 – Delegates Robinson, Glenn, and Nathan–Pulliam

AN ACT concerning

Employment – Applications for Employment – Prohibitions

FOR the purpose of altering the employment policy of the State to provide fair employment practices to all citizens; prohibiting a person from failing or refusing to hire, or discharging a person because of the person's refusal to answer certain questions, unless the information is a certain occupational qualification for employment; prohibiting a person from requesting or requiring certain information from an applicant for employment on an employment

application, unless the information is a certain occupational qualification for employment; and generally relating to prohibitions for certain practices associated with applications for employment.

BY repealing and reenacting, without amendments,
Article – State Government
Section 20–602
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–606(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 985 – Delegates Hecht, Ali, Bronrott, Carr, Frush, Manno, Morhaim, and Stein

AN ACT concerning

Public and Commercial Buildings – Energy Benchmarking and Disclosure

FOR the purpose of requiring gas or electric companies to maintain, in a certain format, gas or electric consumption records for nonresidential retail gas or electric customers; requiring a gas or electric company to upload to the EPA Portfolio Manager certain gas or electric consumption records after receiving authorization from an owner or operator of a nonresidential building; requiring that certain commercial buildings be benchmarked each year, beginning in certain years, using the EPA Portfolio Manager, and that an owner or operator of the building submit certain energy benchmarking information to the Maryland Energy Administration; requiring the Administration to include certain information about certain commercial buildings in a certain report, unless the Administration makes the information available to the public in some other manner; requiring that, on or after a certain date, an owner or operator of certain publicly owned buildings and certain privately owned commercial buildings disclose certain energy benchmarking information to certain persons; requiring that certain State buildings be benchmarked annually, beginning in a certain year, using the EPA Portfolio Manager, and that the Department of General Services compile certain benchmarking information and submit the information to the Administration; requiring the Administration to include certain information about certain State buildings in a certain report, unless the Administration makes the information available to the public in some other manner; defining certain terms; and generally relating

to the disclosure of energy usage information for public buildings and privately owned commercial buildings.

BY adding to
Article – Public Utility Companies
Section 7–309
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 10A–101 through 10A–103 to be under the new title "Title 10A. Energy Benchmarking and Disclosure"
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Finance and Procurement
Section 4–8A–01 through 4–8A–04 to be under the new subtitle "Subtitle 8A. Energy Benchmarking"
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–20B–12
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 986 – Delegates Rosenberg, Cardin, Frick, and Hucker

AN ACT concerning

Corporations – Campaign Material – Stockholder Approval

FOR the purpose of prohibiting a corporation from publishing or distributing campaign material in the State unless certain conditions are met; authorizing stockholder approval of campaign material and the expenditure of funds for campaign material to occur at an annual or special meeting of the corporation; establishing certain requirements for notice of a stockholder vote on campaign material; authorizing a stockholder alleging a violation of this Act to bring an action directly against the directors of the corporation; providing that it is not a defense to a certain action that a director acted in accordance with certain provisions of law; and generally relating to the distribution or publication of campaign material in this State by corporations.

BY adding to
Article – Corporations and Associations
Section 1–407
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(k)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 987 – Delegates George, Beidle, Carr, V. Clagett, Frush, Holmes, Hucker, Lafferty, Niemann, Norman, Serafini, Shewell, Sossi, and Stein

AN ACT concerning

Marine Contractors – Licensure and Regulation – Wetland Permits and Authorizations

FOR the purpose of requiring certain persons to be licensed as marine contractors by the Department of the Environment before performing certain work in this State; authorizing the Secretary of the Environment to exercise certain powers to carry out the Secretary's duties with respect to the licensing and regulation of marine contractors; requiring the Secretary to adopt certain regulations and keep a certain roster containing certain information relating to licensed marine contractors; providing that an applicant for a marine contractor's license must meet certain criteria; requiring an applicant for a marine contractor's license to submit certain documents and pay a certain fee; requiring that the application form provided by the Secretary require certain information from the applicant; requiring that the application form provided by the Secretary contain a certain statement; requiring the applicant to sign the application form under oath; prohibiting the Secretary from issuing a license under certain circumstances; requiring the Secretary to issue a license of a certain duration to certain applicants; requiring the Secretary to include certain information on the license; providing that a license is void under certain circumstances; providing that while a license is in effect, it authorizes the licensee to take certain actions; requiring a licensed marine contractor to include the contractor's license number in certain advertising and to display it on certain equipment; requiring the Secretary to stagger the terms of licenses; providing for the expiration and renewal of licenses; requiring the Secretary to mail a renewal form and notice containing certain information to the applicant at a certain address by a certain time; authorizing a licensed marine contractor to renew the license under certain circumstances, including payment of a certain fee; requiring the

Secretary to renew the license of a licensed marine contractor under certain circumstances; requiring a licensee that is a firm to provide written notice to the Secretary under certain circumstances; authorizing the Secretary to deny, suspend, or revoke the license under certain circumstances; requiring the Secretary to follow certain notice procedures and hold a certain hearing before taking final action to deny, revoke, or suspend the license; providing that acts or omissions by certain parties may be attributed to certain applicants or licensees; providing for certain penalties for knowingly violating certain provisions of law; requiring the Department to grant, deny, or condition certain nontidal wetlands permits on or before a certain length of time under certain circumstances; exempting a certain project from a certain permit application fee; requiring a flat application fee for certain wetlands permits or authorizations under certain circumstances; providing licensed marine contractors with immunity from civil suit under certain circumstances; requiring the Department to provide certain information on the Department's website and make a final decision on a certain permit application by a certain time under certain circumstances; requiring the Department to exempt licensed marine contractors from certain permitting requirements for certain projects; requiring the Department to adopt by regulation certain criteria to identify the projects qualifying for exemption in consultation with a certain association; requiring a person to hire or consult a licensed marine contractor under certain circumstances; establishing certain administrative fines for failing to hire or consult a licensee as required; requiring the Department to adopt certain regulations for certain purposes; defining certain terms and altering the definition of a certain term; and generally relating to the licensure and regulation of marine contractors and the wetlands permitting and authorization process.

BY adding to
Article – Business Occupations and Professions
Section 22–101 through 22–401 to be under the new title "Title 22. Marine Contractors"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–607(b), 5–101, 5–203.1(a)(3), (b), (d), and (e), and 16–101
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment
Section 5–203.1(d), 16–106, 16–107, and 16–108
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 988 – Delegate George

AN ACT concerning

Department of Natural Resources – Regulation of For–Hire Water Carriers

FOR the purpose of requiring the Department of Natural Resources to require for–hire water carriers to show certain proof that the water carriers hold a certain insurance policy or bond in accordance with a certain regulation before vessel registration; authorizing the Department to adopt certain regulations; altering a certain definition to exclude for–hire water carriers from regulation by the Public Service Commission; establishing the intent of this Act to transfer the regulatory authority over for–hire water carriers from the Public Service Commission to the Department; encouraging the Department to adopt certain regulations; defining a certain term; and generally relating to the regulation of for–hire water carriers.

BY adding to
Article – Natural Resources
Section 8–744
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 1–101(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 989 – Delegates Proctor and Vallario

AN ACT concerning

State Personnel – Natural Resources Law Enforcement Officers – Appointment to Major or Lieutenant Colonel

FOR the purpose of authorizing the Secretary of Natural Resources to appoint a certain law enforcement officer to the rank of Major or Lieutenant Colonel without examination; establishing that a certain law enforcement officer appointed in accordance with certain provisions of this Act continues to serve at the pleasure of the Secretary; providing that on termination of a certain appointment, a certain law enforcement officer may return to a certain rank or be promoted to a certain higher rank under certain circumstances; establishing that in cases of inconsistency between certain provisions of this Act and certain other provisions of law, certain provisions of this Act shall control as to certain matters; making certain conforming changes; providing for the application of certain provisions of this Act; and generally relating to law enforcement officers of the Department of Natural Resources.

BY adding to
Article – Natural Resources
Section 1–107
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 1–203 and 5–206
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

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

House Bill 990 – Delegates Olszewski, Cardin, DeBoy, Frick, and Shewell

AN ACT concerning

Financial Institutions – Credit Unions – Authority to Conduct Savings Promotion Raffles

FOR the purpose of authorizing a credit union, subject to the approval of the Commissioner of Financial Regulation, to conduct a savings promotion raffle for the exclusive benefit of eligible members of the credit union; specifying the conditions under which a credit union may conduct a savings promotion raffle; exempting a savings promotion raffle from certain provisions of law relating to the award of prizes by chance; authorizing the Commissioner to take certain actions relating to a savings promotion raffle; authorizing a certain credit union to conduct a savings promotion raffle notwithstanding any other provision of the Criminal Law Article; defining certain terms; and generally relating to credit unions and savings promotion raffles.

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

Section 13–305
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–106
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Financial Institutions
Section 6–716
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 991 – **Delegate Conaway**

AN ACT concerning

Criminal Law – Self–Defense – Immunity for Use of Physical Force in Defense of Dwelling

FOR the purpose of establishing that an occupant of a dwelling is justified in using any degree of physical force, including deadly physical force, against another person when that other person has made an unlawful entry into the dwelling, and when the occupant has a reasonable belief that the other person has committed a crime in the dwelling in addition to the unlawful entry, or is committing or intends to commit a crime against a person or property in addition to the unlawful entry, and when the occupant reasonably believes that the other person might use physical force, no matter how slight, against an occupant; providing that an occupant of a dwelling using physical force, including deadly physical force, in accordance with the provisions this Act shall be immune from criminal prosecution and civil liability for the use of force; providing a certain exception to the provisions of this Act; and generally relating to the defense of self–defense.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–209
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 992 – **Delegate Conaway**

AN ACT concerning

Criminal Law – Self–Defense – Immunity for Use of Physical Force in Defense of Dwelling or Place of Business

FOR the purpose of establishing that an occupant of a dwelling or place of business is justified in using any degree of physical force, including deadly physical force, against another person when that other person has made an unlawful entry into the dwelling or place of business and the occupant has certain reasonable beliefs concerning the acts or intended acts of the other person; providing that an occupant of a dwelling or place of business using physical force, including deadly physical force, in accordance with this Act shall be immune from criminal prosecution and civil liability for the use of the force; providing certain exceptions to the provisions of this Act; and generally relating to the defense of self–defense.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 3–209
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 993 – **Delegate Conaway**

AN ACT concerning

Vehicle Laws – Use of Wireless Communication Devices – Prohibition

FOR the purpose of altering and expanding the scope of a certain provision of law prohibiting the use of a text messaging device while operating a motor vehicle under certain circumstances to prohibit the use of a wireless communication device while operating a motor vehicle under certain circumstances; repealing a certain exception; altering a certain exception to provide that this Act does not apply to a certain use of a wireless communication device; defining a certain term; and generally relating to a prohibition on the use of a wireless communication device while operating a motor vehicle.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 21–1124(a)(3)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–1124.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 994 – Delegates Conway, DeBoy, Eckardt, Elmore, Haddaway, Malone, Mathias, and Rudolph

AN ACT concerning

Criminal Law – Death Penalty – Scientific Evidence

FOR the purpose of including scientific evidence among the types of evidence that the State may present to the court or jury in order to sentence a defendant found guilty of murder in the first degree to death.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 2–202(a)
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 995 – Delegate Kach

AN ACT concerning

Regulation of Crematories

FOR the purpose of requiring the Office of Cemetery Oversight and the State Board of Morticians and Funeral Directors to establish a certain process and adopt certain regulations for regulating crematories; requiring that a certain process for regulating crematories provide for certain registration or licensure and renewal, certain applications, certain fees, certain inspections and oversight, certain grounds for discipline and penalties, and certain complaints and hearings; providing that certain registration, permitting, and licensure requirements do not apply to crematories with certain ownership and crematories or incinerators located at certain medical facilities or educational institutions; prohibiting the Director of Cemetery Oversight from assessing a certain occurrence cremation fee; providing certain registration, complaint, disciplinary, and hearing provisions for crematories regulated by the Office; requiring the Office and Board to determine whether to adopt certain financial

stability requirements; defining certain terms; and generally relating to the regulation of crematories.

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 5–101, 5–102, 5–204(a), (b), and (k), 5–205(b)(1), 5–301, 5–302, 5–303, 5–306, 5–308, 5–310(a) and (b), 5–311(c), 5–401, 5–402, 5–403, 5–701, 5–901, 5–902, and 5–903
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 7–101 and 7–102
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 7–205(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Economic Matters.

House Bill 996 – Delegates Conaway, Frank, Glenn, and McDonough

AN ACT concerning

Subsequent Sexual Offenders – Reduced Diminution Credits, Parole Elimination, and Restrictions on Pretrial Release

FOR the purpose of decreasing the number of days per month that an inmate who has been convicted of certain sexual offenses is allowed as a deduction in advance from the inmate's term of confinement; eliminating parole eligibility for sexual offenders who are serving terms of imprisonment for certain offenses against minors committed on or after a certain date after having been convicted previously of certain sexual offenses against minors; providing that a certain provision of law does not restrict a certain authority of the Governor to pardon or remit a certain sentence; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a certain sexual offense against a minor if the defendant has been convicted previously of a certain sexual offense against a minor; 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; making stylistic changes; and generally relating to diminution credits, parole eligibility, and pretrial release for subsequent sexual offenders.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–704 and 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 997 – Delegates Conaway, Anderson, and Oaks

AN ACT concerning

Maryland Transit Administration – Police Vehicles – Video Recording Devices

FOR the purpose of requiring the Maryland Transit Administration to install and activate a certain video recording device in certain police vehicles; requiring the Administration to post a certain notice on each police vehicle equipped with a video recording device; limiting, to certain persons and only for certain purposes, the review of any video recording that is made in a police vehicle used by a member of the Maryland Transit Administration police force while engaged in official duties; requiring the Administration, in cooperation with the Office of the Attorney General, to adopt certain regulations; and generally relating to video recording devices in Maryland Transit Administration police vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–207
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 998 – Delegates Conaway and Anderson

AN ACT concerning

Criminal Law – Juvenile Court Jurisdiction – Repeat Violent Offender

FOR the purpose of establishing that the circuit court for a county sitting as the juvenile court does not have jurisdiction over a child of at least a certain age alleged to have committed a certain crime of violence after previously being adjudicated and found to have committed at least three crimes of violence unless a certain order removing the proceeding to the court has been filed; and generally relating to children and crimes of violence.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–03
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 999 – Delegates Hucker, Cardin, Ali, Bobo, Bronrott, Carr, Feldman, Frush, Glenn, Hecht, Holmes, Mizeur, Montgomery, Niemann, Reznik, Ross, and Taylor

AN ACT concerning

Watershed Protection and Restoration Act

FOR the purpose of requiring each county and municipality to adopt certain laws or ordinances to establish a stormwater remediation fee and a local watershed protection and restoration fund on or before a certain date; establishing the purpose of a stormwater remediation fee; requiring each county and municipality to collect a stormwater remediation fee in accordance with this Act; requiring each county and municipality to set the amount of a residential stormwater remediation fee in a certain manner; requiring each county and municipality to set the amount of a nonresidential stormwater remediation fee in a certain manner; prohibiting each county and municipality from assessing a stormwater remediation fee on certain property owners and on certain State–owned property; requiring each county and municipality to report annually certain information to the Department of the Environment in a certain manner on or before a certain date; requiring the Department to report certain information to the BayStat Subcabinet in a certain manner; authorizing the Department to adopt certain regulations; defining a certain term; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–202
Annotated Code of Maryland

(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1000 – Delegates Conaway and Anderson

AN ACT concerning

Vehicle Laws – Police Vehicles Engaged in Traffic Stops – Video Recording Systems

FOR the purpose of requiring that, on or after a certain date, a motor vehicle of a certain law enforcement agency used to initiate a traffic stop shall be equipped with an in–car video recording system that activates on the activation of the vehicle's emergency lights and makes a video recording of any activity occurring immediately in front of the vehicle during the traffic stop; requiring that a video recording made in accordance with this Act be retained by the law enforcement agency for a certain period following the date of the recording; defining certain terms; and generally relating to police vehicles engaged in traffic stops.

BY adding to
Article – Transportation
Section 25–114
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1001 – Delegates Conaway and Anderson

AN ACT concerning

Baltimore City – Tax Credit – Use of City Recycling Bins

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to grant, by law, a property tax credit against the county property tax on certain dwellings if the occupant of the dwelling uses certain recycling bins; authorizing the Mayor and City Council of Baltimore City to provide by law for the provisions of the tax credit; defining a certain term; providing for the application of this Act; and generally relating to property tax credits in Baltimore City.

BY adding to
Article – Tax – Property
Section 9–304(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1002 – Delegate Conaway

AN ACT concerning

Baltimore City – Police Vehicles Engaged in Traffic Stops – Video Recording Systems

FOR the purpose of requiring that, on or after a certain date, a motor vehicle of a certain law enforcement agency in Baltimore City used to initiate a traffic stop shall be equipped with an in–car video recording system that activates on the activation of the vehicle's emergency lights and makes a video recording of any activity occurring immediately in front of the vehicle during the traffic stop; requiring that a video recording made in accordance with this Act be retained by the law enforcement agency for a certain period following the date of the recording; defining certain terms; and generally relating to police vehicles engaged in traffic stops.

BY adding to
Article – Transportation
Section 25–114
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1003 – Delegates Conaway, Anderson, and Oaks

AN ACT concerning

Marriage Ceremonies – Performance by Tax Court Judges

FOR the purpose of requiring a judge of the United States Tax Court who is authorized to perform a marriage ceremony in this State to be a resident of the 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 2009 Supplement)

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

House Bill 1004 – Delegates Conaway and Anderson

AN ACT concerning

Credit Regulation – Application Fees for Credit Cards and Loans – Prohibited

FOR the purpose of prohibiting a person who offers a credit card or a consumer, business, or mortgage loan from charging certain fees to a person applying for the credit card or loan; and generally relating to application fees for an extension of credit.

BY adding to
Article – Commercial Law
Section 12–1201 to be under the new subtitle "Subtitle 12. Application Fees"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1005 – Delegates Conaway and Glenn

AN ACT concerning

Parole Elimination and Restrictions on Pretrial Release – Cases Involving Victim at Least 35 Years Older Than Defendant

FOR the purpose of eliminating parole eligibility for a certain inmate who is serving a term of imprisonment for a certain crime of violence involving a victim who was at least a certain number of years older than the inmate; providing that a certain provision of law does not restrict a certain authority of the Governor to pardon or remit a certain sentence; prohibiting a District Court commissioner from authorizing the pretrial release of a defendant charged with a crime of violence involving a victim who is at least a certain number of years older than the defendant; 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 parole eligibility and pretrial release for a person who commits a crime of violence.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 5–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1006 – Delegates Conaway and Anderson

AN ACT concerning

Vehicle Laws – Emergency and Police Vehicle and Personnel Protection Act

FOR the purpose of requiring drivers approaching emergency or police vehicles stopped, standing, or parked on a highway and using any visual signals, except when otherwise directed by a police officer, to vacate the lane closest to the emergency or police vehicle under certain circumstances and to slow to a speed that is sufficient to ensure the safety of police officers or emergency services personnel in the vicinity of the emergency or police vehicle under certain circumstances; establishing a certain penalty for a violation of this Act; and generally relating to requiring drivers to take certain actions when approaching emergency or police vehicles on a highway.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 21–405
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1007 – Delegates Ali, Barkley, Barnes, Benson, Bronrott, Davis, Feldman, Gutierrez, Heller, Hucker, Ivey, Levi, Montgomery, Niemann, Pena–Melnyk, Ramirez, Reznik, Rice, Ross, Simmons, Taylor, and Valderrama

AN ACT concerning

Highway Electronic Toll and Fee Consolidation Act

FOR the purpose of providing that the Maryland Transportation Authority may send only one notice each week to the registered owner of a vehicle regarding unpaid tolls owed for the use of certain transportation facilities projects under certain circumstances; requiring the Authority to consolidate in the monthly notice all tolls owed for each use of a transportation facilities project during the week;

authorizing the Authority to assess one monthly fee for the collection of certain tolls and limiting the amount of the fee; requiring the Authority to develop a certain website that allows a vehicle owner who does not have an electronic toll collection account to access certain information in a certain manner; defining a certain term; and generally relating to the collection of tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY adding to
Article – Transportation
Section 4–312(d) and (e)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 3 – Senators Klausmeier, Middleton, ~~and Robey~~ Robey, Colburn, and Dyson

AN ACT concerning

Environment – Wetlands and Waterways Program Fees – Aquaculture

FOR the purpose of exempting aquacultural activities for which the Department of Natural Resources has issued a certain permit from a requirement to pay certain fees under the Wetlands and Waterways Program; requiring the Aquaculture Coordinating Council to report certain information to the Department of the Environment and the General Assembly on or before a certain date; and generally relating to the Wetlands and Waterways Program.

BY repealing and reenacting, without amendments,
Article – Environment
Section 5–203.1(a) and (b)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 5–203.1(b)(2)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 11 – ~~**Senator Conway**~~ **Senators Conway and Dyson**

AN ACT concerning

Business Regulation – Returnable Containers – Plastic Secondary Packaging

FOR the purpose of prohibiting certain persons from ~~accepting possession of~~ purchasing more than a certain number of items of plastic secondary packaging for a certain purpose; requiring certain persons that purchase certain plastic secondary packaging to make a certain record of each transaction in which a person sells a certain number of items of plastic secondary packaging; 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 the ~~possession and~~ purchase of plastic secondary packaging.

BY adding to
Article – Business Regulation
Section 19–308
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 13 – **Senator Raskin**

AN ACT concerning

Civil Proceedings – Foreign Defamation Judgments – Enforceability and Bases of Personal Jurisdiction

FOR the purpose of authorizing a court in this State to exercise personal jurisdiction for certain purposes and under certain circumstances over a certain person who obtains a certain foreign defamation judgment; prohibiting recognition of certain foreign judgments; establishing that ~~a~~ certain foreign defamation ~~judgment need~~ judgments may not be recognized in this State unless a certain court makes a certain ~~finding~~ determination; authorizing a court to award costs and reasonable attorney's fees to a party opposing recognition or enforcement of a certain foreign judgment; defining a certain term; and generally relating to enforceability of certain foreign judgments and personal jurisdiction over certain persons who obtain certain foreign judgments.

BY adding to

Article – Courts and Judicial Proceedings
Section 6–103.3
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–704
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 40 – Senator Colburn

AN ACT concerning

Dorchester County – Membership of Sanitary Commission

FOR the purpose of increasing the number of sanitary commissioners in the Dorchester County Sanitary Commission; and generally relating to the sanitary commission for Dorchester County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–622(a)(1)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 43 – Senator Haines

AN ACT concerning

Public Safety – Board of Boiler Rules – Membership

FOR the purpose of altering the membership of the Board of Boiler Rules in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation to include a representative of owners of agricultural, model, or historical steam engine equipment rather than a representative of owners and users of heating boilers.

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 12–904(a)
Annotated Code of Maryland

(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 12–904(b)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 46 – ~~**Senator Colburn**~~ **Senators Colburn, Brochin, Forehand, Haines, Jacobs, Mooney, Muse, Peters, Raskin, Simonaire, and Stone**

AN ACT concerning

Vehicle Laws – Registration and Driver's License Renewal Fees – No Charge for Recipients of Medal of Honor

FOR the purpose of prohibiting the Motor Vehicle Administration from charging a recipient of the Medal of Honor a fee for the renewal of the registration of a vehicle owned by the Medal of Honor recipient or for the renewal of the Medal of Honor recipient's noncommercial driver's license; and generally relating to vehicle registration and driver's license renewal fees.

BY adding to
Article – Transportation
Section 13–416
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–111.2(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 47 – Senator Colburn

AN ACT concerning

Dorchester County – Alcoholic Beverages – Restaurant Seating Requirement

FOR the purpose of lowering in Dorchester County the minimum seating requirement for certain restaurants, motels, or hotels having certain restaurant facilities;

making certain stylistic changes; and generally relating to alcoholic beverages licenses in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 51 – ~~**Senator Raskin**~~ **Senators Raskin and Forehand**

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, except under certain circumstances; requiring a driver of a vehicle to yield the right–of–way to a person who is riding a bicycle, an EPAMD, or a motor scooter in a designated bike lane or shoulder under certain circumstances; 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
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 60 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment) and Senators Harrington and Lenett

AN ACT concerning

Commission on Environmental Justice and Sustainable Communities – Membership

FOR the purpose of expanding the membership of the Commission on Environmental Justice and Sustainable Communities; and generally relating to the membership of the Commission on Environmental Justice and Sustainable Communities.

BY repealing and reenacting, without amendments,

Article – Environment
Section 1–101(a) and (k)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 1–701
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 61 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Family Law – Criminal History Records Checks – Employees and Employers in Facilities and Other Individuals That Care for or Supervise Children

FOR the purpose of altering the locations at which certain employees, employers, and individuals are required to apply for a certain criminal history records check; altering the facilities that are required to require employees and employers to obtain a criminal history records check; repealing a requirement that certain fingerprints be taken on standard fingerprint cards; altering the State unit authorized to waive a certain fingerprint requirement; altering the conditions under which a certain fingerprint requirement may be waived; repealing a requirement that the Department of Public Safety and Correctional Services mail certain receipts and statements to certain persons and units; altering certain procedures and requirements relating to issuance of certain printed statements; altering the procedure for contesting certain findings in a certain printed statement; defining certain terms; making certain conforming and technical changes; and generally relating to criminal history records checks.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–560, 5–561, 5–562, 5–563, 5–564, and 5–565
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

Senate Bill 62 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Horse Industry Fund – Fees

FOR the purpose of requiring certain revenue collected by the Maryland Horse Industry Board be paid into the Maryland Horse Industry Fund; establishing a certain fee for a certain license; altering the fees for certain licensure renewal and inspection of horse stables; and generally relating to the Maryland Horse Industry Fund fees.

BY repealing
Article – Agriculture
Section 2–708
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Agriculture
Section 2–708
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 2–708.2(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–708.2(f), 2–711, 2–712, and 2–713
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

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

AN ACT concerning

Education – Comprehensive Master Plans

FOR the purpose of requiring a local board of education to submit certain updates to the board's comprehensive master plan on or before certain dates; altering certain dates by which a local board is required to submit a certain plan and certain updates to the plan; altering the time frame for submitting copies of certain plans or updates to certain persons; authorizing a local board to submit

a preexisting management plan to satisfy certain requirements; requiring the State Superintendent of Education to approve the plan as the county board's plan or update if certain requirements are met; and generally relating to comprehensive master plans and updates to master plans submitted by local boards of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–401
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 77 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Public Safety and Correctional Services) and Senator Harrington

AN ACT concerning

Health General – Disease Prevention and Testing – Inmates of Correctional Institutions

FOR the purpose of expanding the definition of health care provider as it relates to certain provisions of law on testing for human immunodeficiency virus (HIV); adding a type of sample to be furnished by certain inmates for HIV testing; and generally relating to disease prevention and testing in correctional facilities.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 18–338(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 80 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)

AN ACT concerning

Maryland Higher Education Commission – Office of Student Financial Assistance

FOR the purpose of revising and clarifying certain provisions relating to student financial assistance administered by the Office of Student Financial Assistance in the Maryland Higher Education Commission; repealing provisions relating to the enforcement of certain bonds given by scholarship recipients; authorizing the Office of Student Financial Assistance to adopt rules and regulations that include certain provisions; and generally relating to administration of student financial assistance by the Office of Student Financial Assistance in the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–102, 18–103, 18–106 through 18–108, 18–110(a), 18–111 through 18–113, 18–204, and 18–205
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Education
Section 18–109
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

Senate Bill 81 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

State Board of Veterinary Medical Examiners – License Suspensions and Revocations – Maximum Penalties

FOR the purpose of ~~altering the~~ providing that a certain maximum penalty that may be imposed by the State Board of Veterinary Medical Examiners under certain circumstances applies only to a first offense; establishing a maximum penalty for a second or subsequent offense that may be imposed by the Board under certain circumstances; and generally relating to the authority of the State Board of Veterinary Medical Examiners to impose penalties on license suspension or revocation.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–310.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 82 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)

AN ACT concerning

Maryland Commercial Feed Law – Definitions – Prohibition on Sale

FOR the purpose of prohibiting a person from adulterating or misbranding a commercial feed, distributing, removing, or disposing of a commercial feed under certain circumstances, or altering certain labels; altering certain definitions; and generally relating to the sale of feed under the Maryland Commercial Feed Law.

BY repealing and reenacting, without amendments,
Article – Agriculture
Section 6–101(a)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 6–101(b) and (d)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Agriculture
Section 6–112.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 83 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Housing and Community Development)

AN ACT concerning

Department of Housing and Community Development – Group Home Financing Program – Refinancing

FOR the purpose of authorizing the Department of Housing and Community Development to refinance a certain mortgage loan on a group home, including the financing of certain closing costs; authorizing the Department to modify certain terms of certain loans at risk of being in default; and generally relating

to the Group Home Financing Program within the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–603 and 4–610
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 84 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Tidal Fisheries Advisory Commission – Sport Fisheries Advisory Commission – Membership

FOR the purpose of expanding the maximum number of members of the Tidal Fisheries Advisory Commission; requiring the composition of the Tidal Fisheries Advisory Commission to reflect the geographic regions of the State where the commercial fishing industry is operating; staggering the terms for the membership of the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission; expanding the membership of the Sport Fisheries Advisory Commission; specifying the terms of the members of the commissions; and generally relating to the membership of the Tidal Fisheries Advisory Commission and Sport Fisheries Advisory Commissions in the Department of Natural Resources.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–204(a) and (b)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

Senate Bill 88 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Controlled Hazardous Substance Advisory Council

FOR the purpose of providing that the Controlled Hazardous Substance Advisory Council is required to meet only at the request of the Secretary of the

Environment; altering the membership of the Council; altering the term of a member of the Council; deleting certain obsolete references; repealing the requirement that the Council elect a chairperson annually; and generally relating to the Controlled Hazardous Substance Advisory Council.

BY repealing and reenacting, with amendments,
Article – Environment
Section 7–211 through 7–214
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 7–215
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

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

AN ACT concerning

Secretary of Agriculture – Farm Quarantine

FOR the purpose of authorizing the Secretary of Agriculture to establish a farm quarantine and issue certain orders under certain circumstances; requiring the Secretary to consult with the Governor, the Secretary of Health and Mental Hygiene, and the Secretary of the Environment before establishing a quarantine; requiring the Secretary to give certain notice of a quarantine; requiring the Secretary to provide procedures to alter or remove a quarantine; authorizing the Secretary to take certain actions, including entering private property for certain purposes under certain circumstances; prohibiting a person from resisting a certain order or quarantine of the Secretary or concealing certain facts; authorizing a quarantine to provide for a civil penalty for certain purposes, not to exceed to a certain amount; authorizing the Secretary to bring an action for injunctive relief under certain circumstances; providing that certain provisions of this Act do not limit the authority of the Secretary of the Environment under a certain provision of law; authorizing the Secretary to apply to a court for an administrative search warrant under certain circumstances; authorizing a judge to issue an administrative search warrant under certain circumstances; and generally relating to the authority of the Secretary of Agriculture to establish and to enforce a quarantine order to control or restrict the use of farmland, crops, livestock, poultry, or a farm product.

BY adding to
Article – Agriculture
Section 2–103.1 and 2–103.2
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

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

AN ACT concerning

Maryland Higher Education Commission – Exempt Institutions

FOR the purpose of prohibiting a person from making a certain statement concerning the status of an institution that is allowed to operate without a certificate of approval from the Maryland Higher Education Commission; prohibiting a person from enrolling a student in an institution that is allowed to operate without a certain certificate of approval unless certain requirements are met; establishing certain penalties for certain violations; and generally relating to institutions that are exempt from the requirement to obtain a certificate of approval from the Maryland Higher Education Commission.

BY repealing and reenacting, with amendments,
Article – Education
Section 11–202
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 11–202.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 109 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Criminal Procedure – Expiration Date of Sentences – Repeal

FOR the purpose of repealing the requirement that a court sentence a defendant for a period of imprisonment that will expire between certain dates under certain circumstances; repealing a provision authorizing a court to sentence a defendant to a certain period of imprisonment that is less than the minimum punishment required under certain circumstances; and generally relating to criminal procedure and sentencing.

BY repealing
Article – Criminal Procedure
Section 6–227
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

Senate Bill 245 – Senator Simonaire

AN ACT concerning

School Bus Seat Belt Corrective Language Act

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; 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
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–412.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 70)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 65 – Delegates Haddaway, Aumann, Bates, Beidle, Benson, Braveboy, V. Clagett, Doory, Dumais, Eckardt, Frush, Gaines, Glenn, Harrison, Healey, Hecht, Ivey, Jameson, Kaiser, Kirk, Krebs, Krysiak, Kullen, Lee, Love, McComas, McIntosh, Montgomery, Nathan–Pulliam, Pena–Melnyk, Pendergrass, Shewell, Stifler, Stocksdale, V. Turner, and Valderrama

AN ACT concerning

International Marriage Brokers – Regulation

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

Affirmative – 130 Negative – 0 (See Roll Call No. 71)

The Bill was then sent to the Senate.

House Bill 82 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Pilots – Limited Licenses

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

Affirmative – 130 Negative – 0 (See Roll Call No. 72)

The Bill was then sent to the Senate.

House Bill 119 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Department of State Police – Firearm Applications – Authority of Secretary

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

Affirmative – 126 Negative – 0 (See Roll Call No. 73)

The Bill was then sent to the Senate.

House Joint Resolution 3 – The Speaker (By Request – Governor's Salary Commission)

A House Joint Resolution concerning

Governor's Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

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

Affirmative – 129 Negative – 0 (See Roll Call No. 74)

The Bill was then sent to the Senate.

House Joint Resolution 5 – The Speaker (By Request)

A House Joint Resolution concerning

General Assembly Compensation Commission – Recommendations

Delegate Frank moved the Bill be recommitted.

Delegate Ross moved the previous question.

The motion was adopted.

The motion to recommit the Bill was rejected by a roll call vote as follows:

Affirmative – 36 Negative – 94 (See Roll Call No. 75)

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

Affirmative – 129 Negative – 0 (See Roll Call No. 76)

The Bill was then sent to the Senate.

QUORUM CALL

The presiding officer announced a quorum call, showing 130 Members present.

(See Roll Call No. 77)

ADJOURNMENT

At 12:22 P.M. on motion of Delegate Barve the House adjourned until 8:00 P.M. on Monday, February 15, 2010.

Annapolis, Maryland
Monday, February 15, 2010

The House met at 8:05 P.M. and pledged Allegiance to the Flag.

Prayer by Delegate Anthony J. O'Donnell of Calvert and St. Mary's counties.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 78)

The Journal of February 12, 2010 was read and approved.

EXCUSES:
Del. V. Clagett – medical – fractured ankle
Del. Heller – business
Del. Hubbard – illness
Del. Hucker – business
Del. Impallaria – car accident
Del. Ross – personal
Del. Shewell – medical appointments
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1008 – Delegate Davis

AN ACT concerning

Injured Workers' Insurance Fund – Status and Renaming

FOR the purpose of renaming the Injured Workers' Insurance Fund as the Chesapeake Employers' Mutual Insurance Company; requiring the Company to be a certain authorized mutual insurer; requiring the Insurance Commissioner to issue and renew certain certificates of authority; altering the provisions of law that apply to the Company that applied to the Fund; specifying that the Company is a statutorily created nonprofit insurer that is not a unit of State government; providing that an employee of the Company is not an employee of the State and is not subject to certain laws; repealing certain provisions relating to the setting of compensation and removal of employees; including certain

earnings as assets of the Company; providing that if the Company is placed in conservatorship or receivership or becomes insolvent, the State has no liability or responsibility to certain parties; providing that the State has no interest in the assets of the Company; prohibiting the State from taking certain actions regarding the revenues, money, or assets of the Company; providing that certain employees shall continue as members of certain retirement systems under certain circumstances; providing that certain employees are not members of certain retirement systems under certain circumstances; providing that certain employees may elect to continue as members of certain retirement systems under certain circumstances; requiring that the Company is liable to certain retirement systems under certain circumstances; requiring the Company to notify policyholders of certain cancellations of insurance in accordance with a certain provision of law; repealing the requirement that employees of the Fund are State personnel; providing that the Company is a certain qualifying not–for–profit organization; requiring the Company to pay to the Board of Trustees certain employer contributions; providing that employees who were hired by the Fund on or before a certain date are subject to certain provisions relating to the removal of employees; providing that the Company is the successor of the Fund; providing that the Company may trade under a certain name for a certain period; requiring that functions, powers, duties, equipment, assets, property, liabilities, and employees of the Fund be transferred to the Company; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross–references and terminology; altering certain definitions; making stylistic changes; repealing duplicative provisions; and generally relating to the status and renaming of the Injured Workers' Insurance Fund.

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–101(a), (d), and (f) and 10–130(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–101(c) and (e), 10–104 through 10–109, 10–113, 10–114(b), 10–117, 10–118, 10–120, 10–122(c) through (e), 10–125 through 10–127, 10–130(b) and (c), 10–133, and 10–135 through 10–138 to be under the amended subtitle "Subtitle 1. Chesapeake Employers' Mutual Insurance Company"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Labor and Employment
Section 10–119
Annotated Code of Maryland

(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 12–101(a)(1)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 12–101(a)(2)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–512(a), 22–201(a)(8) and (9), and 23–201(a)(17) and (18) and (b)(10) and (11)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 21–307(p), 22–201(a)(10), and 23–201(a)(19) and (b)(12)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1009 – Delegate Feldman

AN ACT concerning

Corporations – B (For–Benefit) Corporation

FOR the purpose of authorizing a corporation to elect to be a certain B (for–benefit) corporation by amending or including in the charter of the corporation a statement that the corporation is a B corporation; providing for the application of this Act; requiring the election to be approved by the stockholders in a certain manner; authorizing a corporation to terminate status as a B corporation in a certain manner; requiring that clear reference to the fact that a corporation is a B corporation appear prominently in a certain charter document; establishing that every B corporation shall have the purpose of creating a public benefit; establishing that the creation of a public benefit as provided in this Act is in the best interests of the B corporation; requiring a director of a B corporation, in performing the duties of director, in determining what the director reasonably believes to be in the best interests of the B corporation, to consider the effects of

any action or decision not to act on certain factors; establishing that a certain director shall not have any duty to a certain person; providing that a certain director shall have a certain immunity from liability under certain circumstances; requiring a B corporation to deliver to each stockholder a certain annual report; defining certain terms; and generally relating to for–benefit corporations.

BY adding to
Article – Corporations and Associations
Section 5–6C–01 through 5–6C–08 to be under the new subtitle "Subtitle 6C. B (For–Benefit) Corporations"
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1010 – Delegates Conaway, Vallario, Anderson, Dumais, Glenn, Kelly, Ramirez, and Robinson

AN ACT concerning

Juvenile Law – Transfer of Case at Sentencing – Expungement of Criminal Charge

FOR the purpose of establishing that, if a court exercising criminal jurisdiction in a case involving a child transfers its jurisdiction to the juvenile court at sentencing under a certain provision of law, the court shall enter a written order transferring its jurisdiction and ordering that the child be subject to the jurisdiction and procedures of the juvenile court; repealing a provision concerning the transfer of a certain record to the juvenile court; authorizing the Court of Appeals to adopt certain rules; authorizing a person to file, and requiring a court to grant, a petition for expungement of a criminal charge transferred to the juvenile court under a certain provision of law and all court records related to that charge; repealing a certain obsolete definition; making a certain clarifying change; and generally relating to the transfer of certain cases to the juvenile court at sentencing and the expungement of certain criminal charges.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 4–202.2 and 10–106
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–101(c)

Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1011 – Delegates Carter, Anderson, Oaks, Pena–Melnyk, and Simmons

AN ACT concerning

Juvenile Law – Lead Testing – Required

FOR the purpose of requiring the juvenile court to order the Department of Health and Mental Hygiene to perform a blood lead level test on a child after a petition has been filed but before an adjudication; requiring a court exercising criminal jurisdiction in a case involving a child to order the Department to perform a blood lead level test on a child before trial; requiring a copy of certain test results to be provided to certain individuals; and generally relating to juvenile law and lead testing of a child before adjudication or trial.

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–16.1
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 4–205
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1012 – Delegate Jenkins

AN ACT concerning

Report and Record Immigration Status – Division of Correction and Division of Parole and Probation

FOR the purpose of requiring a certain case record that is assembled by the Division of Correction for an inmate to include certain information on the immigration status, if any, of the inmate under certain circumstances; requiring the Division of Correction to forward certain information from a case record to the United States Immigration and Customs Enforcement Agency if the case record indicates that the individual has an immigration status; requiring the Division

of Parole and Probation to forward certain information from a certain presentence investigation report to the United States Immigration and Customs Enforcement Agency if the presentence investigation report indicates that the individual who is the subject of the report has an immigration status; and generally relating to reports and records of the Division of Correction and the Division of Parole and Probation.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 3–601(a) and 6–112(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Correctional Services
Section 3–601(f)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1013 – Delegate Beitzel

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 certain 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 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1014 – Delegates Hecht, Waldstreicher, Barkley, Bobo, Bronrott, G. Clagett, Feldman, Frick, Gilchrist, Guzzone, Lafferty, Lee, Manno, McHale, Mizeur, Montgomery, Niemann, Rice, and Stull

AN ACT concerning

Clean Energy Loan Programs

FOR the purpose of altering the requirements of a certain Clean Energy Loan Program adopted by a political subdivision under certain circumstances; requiring a certain energy audit that is required to be performed before a political subdivision approves a certain loan to identify certain cost–effective energy efficiency projects and renewable energy projects that would generate a certain projected yearly energy cost savings; prohibiting the total amount of a certain loan from exceeding a certain percentage of the assessed value of certain property; requiring that a certain surcharge under local Clean Energy Loan Programs be limited to a certain amount; authorizing the principal of a certain loan to include the cost of a certain energy audit; requiring that the terms of a certain loan include a requirement that the loan be repaid over a certain period; prohibiting a certain loan from being made unless certain conditions are met; requiring a certain political subdivision to send certain notice by first–class certified mail to certain secured parties under certain circumstances; authorizing a certain secured party to collect and hold in escrow certain payments due on a certain loan in a certain manner; providing that a certain surcharge constitutes a lien on certain property; providing that a certain lien has a certain priority; providing that a certain lien is effective against a certain person; providing that a certain lien is not effective against any third party unless a certain notice of the lien is recorded and indexed in a certain manner; requiring the notice of a certain lien to contain certain information; requiring a certain clerk of a certain court to take certain action on the presentation of a release of a certain lien; limiting the liability of a certain loan assessment in certain property foreclosures; prohibiting the outstanding balance of a certain loan from being accelerated or made due in full; authorizing a certain political subdivision to offer the opportunity to participate in a certain Program to certain financial institutions; authorizing a certain political subdivision to refer certain applicants to other sources of funds, cooperate with other public and private sources of funds, and contract with a certain organization to implement, administer, or fund a certain Program; authorizing a political subdivision to

utilize certain services of the Maryland Clean Energy Center; requiring a political subdivision to provide certain information to the Maryland Clean Energy Center under certain circumstances; requiring a certain Program to comply with certain laws and include certain disclosures and training to certain persons under certain circumstances; requiring the Maryland Energy Administration to adopt certain regulations; requiring the Maryland Clean Energy Center to report yearly to the Governor and the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to local Clean Energy Loan Programs.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1502
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1015 – Delegate Rudolph

AN ACT concerning

Health Insurance – Purchasing Out of State – Feasibility Study

FOR the purpose of requiring the Maryland Insurance Administration to study the feasibility and desirability of allowing State residents to purchase health insurance out of state and of establishing an Interstate Health Insurance Compact for a certain purpose; requiring the study to examine certain items and issues; requiring the Administration, on or before a certain date, to report its findings and recommendations to the Governor and certain legislative committees; and generally relating to a study by the Maryland Insurance Administration of the purchase of health insurance out of state by residents of the State.

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1016 – Delegates Jones and DeBoy

AN ACT concerning

Baltimore County – Public School Employees – Collective Bargaining and Representation Fees

FOR the purpose of requiring the Board of Education of Baltimore County to negotiate certain fees with certain employee organizations representing certain certificated and noncertificated employees to be charged to certain nonmembers

for certain representation; and generally relating to collective bargaining and representation fees for certain certificated and noncertificated school personnel in Baltimore County.

BY repealing and reenacting, with amendments,
Article – Education
Section 6–504
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1017 – Delegates Reznik, Barkley, Bronrott, Carr, Hubbard, Kaiser, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, and V. Turner

AN ACT concerning

Health Insurance – Child Wellness Benefits

FOR the purpose of requiring certain individual, group, or blanket health insurance policies and nonprofit health service plans to cover, in the minimum package of child wellness services required to be provided under the policies' or plans' family member coverage, certain visits for obesity evaluation and treatment and certain visits for and costs of developmental testing as recommended by a certain organization; expanding the list of visits at which certain examinations, assessments, and guidance services must be covered; expanding the list of services that may result in coverage for certain laboratory tests; providing for the application of this Act; and generally relating to the expansion of child wellness benefits under health insurance policies and nonprofit health service plans.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–817(a), (b), and (f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–817(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1018 – Delegates Manno, Hucker, Ali, Barkley, Barnes, Feldman, Ramirez, Rice, Ross, Schuler, Taylor, and Vaughn

AN ACT concerning

Wireless Telephone Service – Trial Periods and Termination of Service

FOR the purpose of requiring wireless telephone service providers to provide customers with a certain trial period during which the customer may terminate service without incurring certain fees, charges, or penalties; requiring wireless telephone service providers to reduce by a certain amount certain fees and penalties related to the termination of service after the lapse of the trial period; 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 protection of customers of wireless telephone service providers.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxvi)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 13–301(14)(xxvii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Commercial Law
Section 13–301(14)(xxviii) and 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1019 – Delegates Hecht and Benson

AN ACT concerning

Nursing Homes – Electronic Monitoring (Vera's Law)

FOR the purpose of creating an exception to the prohibition against willfully intercepting a wire or an electronic communication for a person who intercepts wire, oral, or electronic communications in a nursing home or assisted living program under certain circumstances; requiring a related institution to allow a

resident or a resident's legal representative to monitor the resident through the use of video cameras or other electronic monitoring devices; requiring a resident who shares a room with another resident to obtain written consent before beginning electronic monitoring; requiring the nursing home or assisted living program to provide power sources and space to set up electronic monitoring devices; prohibiting a nursing home or assisted living program from refusing to admit an individual to or removing a resident from the nursing home or assisted living program because of a request to install an electronic monitoring device; authorizing a nursing home or assisted living program administrator to require that a request to install or place electronic monitoring be in writing; establishing certain penalties for violators; requiring that tapes or recordings created from electronic monitoring be admissible in criminal and civil actions brought in Maryland courts, subject to the Maryland Rules of Evidence; requiring that certain tapes and recordings created from electronic monitoring be made available to the Department of Health and Mental Hygiene for a certain purpose; defining a certain term; and generally relating to electronic monitoring in nursing homes and assisted living programs.

BY adding to
Article – Courts and Judicial Proceedings
Section 10–402(c)(11)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–343.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1020 – Delegates McDonough, Jennings, Impallaria, James, McComas, Norman, Riley, and Stifler

AN ACT concerning

Harford County – English Language – Formal Recognition

FOR the purpose of designating the English language as the official language of Harford County; making provisions of this Act applicable to certain Harford County functions and agencies; providing for certain exceptions; providing that this Act may not be construed to require the translation into English of any official motto or slogan; making the provisions of this Act severable; and generally relating to the designation of English as the official language of Harford County.

BY adding to
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 22–101 to be under the new title "Title 22. Official Language of Harford County"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1021 – Delegates Heller and Vallario

AN ACT concerning

Family Law – Prohibited Marriages – First Cousins

FOR the purpose of prohibiting certain individuals who are first cousins from marrying; authorizing two individuals who are first cousins to marry if both individuals are over a certain age or if one individual can show proof that the individual is infertile; providing for the application of this Act; and generally relating to a prohibition on marriage between first cousins.

BY repealing and reenacting, with amendments,
Article – Family Law
Section 2–202
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1022 – Delegates Carr, Waldstreicher, Gutierrez, Ali, Anderson, Barkley, Barnes, Barve, Beidle, Bobo, Branch, Bronrott, Cardin, Carter, Conaway, Doory, Dumais, Feldman, Frush, Gaines, Gilchrist, Guzzone, Hammen, Harrison, Haynes, Healey, Hecht, Hixson, Holmes, Hubbard, Hucker, Ivey, Jones, Kaiser, Kirk, Kramer, Krysiak, Lafferty, Lee, Love, Manno, McHale, McIntosh, Mizeur, Montgomery, Nathan–Pulliam, Niemann, Oaks, Pena–Melnyk, Ramirez, Reznik, Rice, Robinson, Rosenberg, Ross, Schuler, Simmons, Stukes, Tarrant, F. Turner, Valderrama, and Vallario

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
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 20–101(e)
Annotated Code of Maryland
(2009 Replacement Volume)

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), 20–608, 20–702(a), 20–704(a)(2), 20–705, 20–707(b) and (c), and 20–1103(b)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 2–302
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1023 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Criminal Procedure – Expiration Date of Sentences – Repeal

FOR the purpose of repealing the requirement that a court sentence a defendant for a period of imprisonment that will expire between certain dates under certain circumstances; repealing a provision authorizing a court to sentence a defendant to a certain period of imprisonment that is less than the minimum punishment required under certain circumstances; and generally relating to criminal procedure and sentencing.

BY repealing
Article – Criminal Procedure
Section 6–227
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1024 – Chair, Judiciary Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

State Boat Act – Operating Vessel While Impaired or Under the Influence of Alcohol – Testing

FOR the purpose of providing that a person who operates or attempts to operate a vessel on the waters of the State is deemed to have consented, subject to certain provisions of law, to take a certain test to determine alcohol concentration or drug or controlled dangerous substance content if the person is detained under certain circumstances; providing that a person may not be compelled to take a certain test, subject to a certain exception; requiring a detaining officer to advise a person detained under certain circumstances that, if the person refuses to take a certain test, or submits to the test and the results indicate a certain alcohol concentration, on conviction of a certain violation, the court is required to prohibit the person from operating or attempting to operate a vessel for a certain period; requiring a person involved in a vessel accident that results in the death of, or life–threatening injury to, another person, and who is detained under certain circumstances, to submit to certain testing; providing that certain provisions of law apply if a police officer directs that a person be tested under certain circumstances; providing that medical personnel who perform certain tests under this Act are not liable for any civil damages as a result of any act or omission related to the tests not amounting to gross negligence; establishing

that certain provisions of law do not preclude or limit admissibility of certain evidence if obtained as provided under certain provisions of law; making stylistic and conforming changes; and generally relating to testing for alcohol concentration and drug and controlled dangerous substance content of a person detained on suspicion of operating or attempting to operate a vessel while impaired or under the influence of alcohol.

BY renumbering
Article – Natural Resources
Section 8–738.1
to be Section 8–738.2
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–309
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 8–738
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Natural Resources
Section 8–738.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

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

House Bill 1025 – Delegates Tarrant, Anderson, Branch, Carter, Conaway, Glenn, Hammen, Harrison, Haynes, Kirk, McHale, McIntosh, Oaks, Robinson, Rosenberg, and Stukes

AN ACT concerning

Baltimore City – Sale of Motor Fuel for Dirt Bikes – Prohibition

FOR the purpose of requiring a retail service station dealer in Baltimore City to post a certain sign in a conspicuous location at a retail service station that states certain prohibitions relating to dispensing motor fuel into a dirt bike; requiring the Comptroller, in consultation with a certain organization, to adopt guidelines for the design of the sign; requiring a court, in making a disposition on a finding

that a child has committed a certain violation of this Act, to order the Motor Vehicle Administration to suspend the driving privilege of the child for a certain period of time; prohibiting, in Baltimore City, a person who is not an owner or employee of a service station who is subject to certain prohibitions under local law from dispensing motor fuel into a dirt bike from a retail pump at a service station; requiring the court to notify the Administration if a person is convicted of a certain violation of this Act; authorizing the Administration to suspend a person's driver's license for a certain period of time under certain circumstances; requiring the Administration to suspend a person's driver's license for a certain period of time under certain circumstances; establishing certain penalties; authorizing the court to order a minor's parent or guardian to pay a certain fine under certain circumstances; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to the sale of motor fuel for dirt bikes.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 10–101(k)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 10–503
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–8A–19(e)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 16–206(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 21–1128 and 27–101(dd)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1026 – Delegates Bromwell and Kach

AN ACT concerning

Health Insurance – Dental Provider Contracts – Prohibited Provision

FOR the purpose of prohibiting a carrier from including in a dental provider contract a provision that requires a dental provider to provide certain services; defining a certain term; providing for the application of this Act; and generally relating to dental provider contracts.

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–112.2(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 15–112.2(f)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1027 – Delegate Mizeur

AN ACT concerning

Gender Equity Health Coverage Act

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations, with respect to health insurance offered to individuals, from making or allowing a differential in ratings, premium payments, or dividends for a reason based on the sex of an applicant or policyholder; providing certain exceptions to provisions of law allowing the consideration by insurers of actuarial justification with respect to sex under certain circumstances; prohibiting insurers, nonprofit health service plans, and health maintenance organizations from considering sex in underwriting a particular risk or class of risks with respect to health insurance offered to individuals; requiring the Maryland Insurance Commissioner to review certain rating practices and underwriting standards to ensure certain compliance; authorizing the Commissioner to adopt regulations to carry out certain provisions of this Act; providing for the construction of certain provisions of this

Act; providing for the application of this Act; and generally relating to discrimination in ratings and underwriting standards for health insurance.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–208(b)(1) and 27–501(a) and (b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–208(b)(2) and 27–501(b)(2)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 27–501(h–1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1028 – Delegates Bartlett and Jenkins

AN ACT concerning

Local Correctional Facilities – Inmates – Fees for Medical and Dental Visits

FOR the purpose of altering certain fees for medical and dental visits charged to inmates in a local correctional facility; and generally relating to fees charged to inmates in a local correctional facility.

BY repealing and reenacting, without amendments,
Article – Correctional Services
Section 1–101(a) and (j)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services
Section 11–203(c)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1029 – Delegates Carr, Bronrott, Frick, Healey, Hecht, Kaiser, and Montgomery

AN ACT concerning

Election Law – Independent Expenditures – Reporting and Disclosure Requirements

FOR the purpose of requiring a business entity or nonprofit organization that makes certain independent expenditures to file an independent expenditures report at times and locations required by certain provisions of law; requiring the report to include certain information and be signed by a certain individual; requiring the business entity or nonprofit organization to file the report by certain filing deadlines; requiring the report to cover certain reporting periods; applying certain sanctions to a business entity or nonprofit organization that fails to file a certain report; clarifying that the requirement for a certain authority line applies to a person that makes an independent expenditure for campaign material; defining a certain term; and generally relating to requirements for independent expenditures made by business entities or nonprofit organizations.

BY renumbering
Article – Election Law
Section 13–301
to be Section 13–302
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY adding to
Article – Election Law
Section 13–301
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–304, 13–309, 13–312, 13–327, and 13–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law
Section 13–316
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1030 – Delegates Bronrott and Olszewski

AN ACT concerning

Vehicle Laws – Motor Scooters – Protective Headgear

FOR the purpose of prohibiting an individual from operating or riding on a motor scooter unless the individual is wearing protective headgear that meets certain standards; and generally relating to protective headgear for individuals operating or riding on motor scooters.

BY repealing and reenacting, without amendments,
Article – Transportation
Section 11–134.5
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 21–1207.3
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1031 – Delegates O'Donnell and Mizeur

AN ACT concerning

State Government – Open Meetings Act – Online Training

FOR the purpose of requiring the State Open Meetings Law Compliance Board to develop and offer an online training program on the requirements of the open meetings law to employees, officers, or members of a public body; requiring a public body to designate certain individuals to receive certain online training; requiring the public body to submit a list of the individuals designated to receive certain online training to the Board; requiring certain individuals designated to receive certain online training to complete the training within a certain time period; requiring certain individuals to complete certain annual

online training; and generally relating to online training on the requirements of the Open Meetings Act.

BY repealing and reenacting, with amendments,
Article – State Government
Section 10–502.4(d)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 10–502.7
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1032 – Delegates Kirk, Harrison, Haynes, King, Love, McHale, Minnick, Stukes, and Vaughn

AN ACT concerning

Motor Fuel Refiner or Supplier – Games of Chance – Repeal of Prohibition

FOR the purpose of repealing a provision prohibiting a refiner or other supplier of motor fuel to a retail service station from engaging in, sponsoring, promoting, advertising, or otherwise performing or participating in certain games of chance that would be marketed or offered to the public at certain retail service stations; repealing a provision authorizing certain suppliers to participate in certain games of chance sponsored by entities other than certain refiners or suppliers of motor fuel; repealing a provision prohibiting certain suppliers from requiring certain retail station dealers to pay for certain costs; and generally relating to games of chance and motor fuel refiners or suppliers.

BY repealing
Article – Business Regulation
Section 10–502
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1033 – Delegate G. Clagett

AN ACT concerning

Public Health – Frederick County – Dogs in Outdoor Dining Areas

FOR the purpose of authorizing the County Commissioners for Frederick County to enact certain laws, ordinances, rules, or regulations to allow a restaurant to allow dogs in outdoor dining areas of restaurants; requiring the legislation to contain a certain prohibition; requiring the legislation to contain a provision to ensure certain rights are not impeded; and generally relating to the presence of animals in outdoor dining areas in Frederick County.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–304
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1034 – Delegates Costa, Benson, Bobo, Bronrott, Gaines, Guzzone, Hubbard, Kullen, Manno, Mizeur, Montgomery, and Waldstreicher

AN ACT concerning

Community Services Reimbursement Rate Commission – Developmental Disabilities and Community Mental Health Services – Rate Adjustments

FOR the purpose of requiring the Community Services Reimbursement Rate Commission to develop a certain update formula for determining rates paid to developmental disabilities service providers and community mental health services providers; requiring the Commission to include in a certain existing annual report an analysis of the impact of a certain update formula on the financial condition of certain providers; requiring the Department of Health and Mental Hygiene to make a certain adjustment for inflation of the fees paid to certain providers using a certain update formula beginning in a certain fiscal year; establishing the formula for the annual inflation rate adjustment for certain providers; and generally relating to the Community Services Reimbursement Rate Commission and provider rate adjustments.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–806, 13–809, and 16–201.2
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1035 – Delegate King

AN ACT concerning

Criminal Law – First Degree Escape – Escape from Drug and Alcohol Treatment Facilities

FOR the purpose of prohibiting a defendant from knowingly escaping from the Department of Health and Mental Hygiene after a certain commitment by a court for treatment of alcohol or drug dependency; establishing that a person who violates this Act is guilty of the felony of escape in the first degree; and generally relating to escape from commitment to the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 9–404
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 8–507
Annotated Code of Maryland
(2009 Replacement Volume)

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

House Bill 1036 – Delegates Hixson, Barve, Frick, Gilchrist, and Kaiser

AN ACT concerning

Education – Enrollment – Average Daily Attendance

FOR the purpose of requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; providing for the application of this Act; defining certain terms; and generally relating to the calculation of education aid for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–122(b)(2) and 5–202(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1037 – Delegates Hixson, Hucker, Mizeur, and Ramirez

AN ACT concerning

Public Safety – National Guard Deployment – Governor's Powers

FOR the purpose of requiring the Governor to request the return of certain units of the National Guard to the control of the State under 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 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1038 – Delegates McComas, Aumann, Barnes, Bartlett, Eckardt, Frank, Haddaway, Impallaria, Jennings, McDonough, Norman, Riley, Rosenberg, Sophocleus, Stifler, and Stocksdale

AN ACT concerning

Drunk and Drugged Driving – Evidence – Qualified Medical Person

FOR the purpose of providing for the admissibility in evidence of a certified statement by a qualified medical person who obtained blood from a defendant charged with certain alcohol– or drug–related driving offenses without the testimony of the qualified medical person under certain circumstances; providing for certain exceptions; repealing certain procedures; and generally relating to altering certain evidentiary provisions concerning the admissibility of a certain certified statement by a qualified medical person under certain circumstances.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 10–304(a) and 10–306
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–304(c)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1039 – Delegates Bronrott, Barkley, Barve, Bobo, G. Clagett, Frush, Gaines, Guzzone, Healey, Hecht, Hubbard, Lee, Montgomery, Morhaim, Reznik, Taylor, F. Turner, and V. Turner

AN ACT concerning

Tanning Devices – Use by Minors – Prohibition

FOR the purpose of prohibiting certain owners, employees, and operators of tanning facilities from allowing minors to use certain tanning devices; prohibiting certain owners, employees, and operators of tanning facilities from distributing to minors certain passes, coupons, or packages redeemable for use of a tanning device; providing that this Act does not preempt certain measures to regulate the sanitary operation of tanning facilities; and generally relating to tanning devices.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–106
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1040 – Delegates Bronrott, Barkley, Barnes, Barve, Beidle, Bobo, Carr, Dumais, Frick, Frush, Gaines, Gutierrez, Guzzone, Hammen, Haynes, Hecht, Hixson, Hubbard, Hucker, Jones, Kaiser, Krysiak, Lafferty, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Ramirez, Reznik, Rice, Ross, Stein, and Taylor

AN ACT concerning

High Performance Buildings Act – Applicability to Recipients of State Aid

FOR the purpose of making the High Performance Buildings Act applicable to certain capital projects that are funded, to a certain extent, by a grant of State aid to certain grantees; defining certain terms; altering, in a certain definition, the amount of a certain contribution, grant, or subsidy; and generally relating to the construction of high performance buildings by certain grantees that receive certain State aid.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3–602.1 and 7–406(a)(5)

Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 7–406(a)(3)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 1041 – Delegates Waldstreicher, Anderson, Carter, Gutierrez, Howard, Lee, Levi, Oaks, Ramirez, and Rosenberg

AN ACT concerning

The Lead Paint Reduction Act of 2010

FOR the purpose of authorizing certain parties in Baltimore City, Baltimore County, Prince George's County, and Anne Arundel County to seek monetary damages for the abatement of certain nuisances under certain circumstances, including a nuisance consisting of a condition related to lead paint; repealing certain provisions of law that restrict certain other provisions of law authorizing nuisance actions from being construed to grant standing for a civil action for a condition relating to lead paint; and generally relating to nuisance actions in Baltimore City, Baltimore County, Prince George's County, and Anne Arundel County.

BY repealing and reenacting, without amendments,
Article – Real Property
Section 14–123(a)(1) and (4) and (b), 14–124(a)(1) and (4) and (b), 14–125(a)(1) and (4) and (b), 14–125.1(a)(1) and (4), (b), and (c)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 14–123(c)(1) and (e), 14–124(c)(1) and (e), 14–125(c)(1) and (e), and 14–125.1(d)(1) and (g)
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1042 – Delegate Lafferty

AN ACT concerning

State Government – Disclosure of Personal Information on Websites – Prohibition

FOR the purpose of prohibiting certain courts, the Maryland General Assembly, and certain departments and units of the Executive Branch of State government from publicly posting or displaying on certain Internet websites certain personal information of an individual; defining certain terms; and generally relating to prohibiting the posting or displaying of personal information on government websites.

BY adding to
Article – Courts and Judicial Proceedings
Section 1–205
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Government
Section 2–1804 and 8–504
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1043 – Delegates Conway, Dumais, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, DeBoy, Eckardt, Elmore, Frush, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jones, Levy, Mathias, Mizeur, Robinson, Rudolph, Schuh, Shewell, Sophocleus, Sossi, Stocksdale, and Wood

AN ACT concerning

Criminal Procedure – Child Advocacy Centers

FOR the purpose of requiring the Department of Human Resources and the Governor's Office of Crime Control and Prevention jointly to establish and sustain child advocacy centers in the State; specifying the organizations and entities in which the centers may be based; specifying certain actions to be taken by the centers; requiring that the State Victims of Crime Fund be used to support the centers; requiring the Governor's Office of Crime Control and Prevention to ensure that a certain amount of money be distributed equally to the centers annually as grants for certain purposes; authorizing the Department of Human Resources to contract with certain organizations to operate the centers; requiring that money for the child advocacy centers be as provided in the State budget and be used to

supplement, but not supplant, money that the centers receive from other sources; requiring the Governor's Office of Crime Control and Prevention to provide input into a certain report; altering the subject of a certain report to include the child advocacy centers; and generally relating to child advocacy centers.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 11–916, 11–919, and 11–923
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1044 – Delegates Bronrott, Ali, Aumann, Barkley, Barnes, Bartlett, Barve, Beidle, Beitzel, Bobo, Cardin, Carr, G. Clagett, Conway, Dumais, Eckardt, Feldman, Frick, Frush, Gaines, Griffith, Gutierrez, Guzzone, Hammen, Haynes, Healey, Hecht, Hixson, Hubbard, Hucker, Ivey, Jones, Kaiser, Kipke, Krysiak, Lafferty, Lee, Manno, McIntosh, Mizeur, Montgomery, Morhaim, Niemann, Pena–Melnyk, Pendergrass, Proctor, Ramirez, Reznik, Rice, Robinson, Ross, Stein, Taylor, F. Turner, and V. Turner

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; authorizing a community college to apply for a waiver from certain high performance building requirements under a certain waiver process established by the Department of Budget and Management and the Department of General Services; making this Act applicable to certain capital projects that have not initiated a certain Request for Proposal on or before a certain date; making a technical correction; 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 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Appropriations.

House Bill 1045 – Delegates Carter, Oaks, and Rosenberg

EMERGENCY BILL

AN ACT concerning

State Government – Commemorative Days – Earth Hour

FOR the purpose of requiring the Governor annually to issue an order, in observance of Earth Hour, that the lights in certain buildings be turned off on a certain day at a certain time and remain off for a certain period of time; making this Act an emergency measure; and generally relating to Earth Hour.

BY adding to
Article – State Government
Section 13–409
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1046 – Delegates Conway, Anderson, Aumann, Barnes, Bates, Beitzel, Bohanan, Branch, Bronrott, Cane, Carter, G. Clagett, Conaway, DeBoy, Doory, Dwyer, Eckardt, Elliott, Elmore, Frank, Gaines, Griffith, Gutierrez, Guzzone, Haddaway, Heller, James, Jennings, Jones, Kramer, Krebs, Levy, Mathias, McComas, McConkey, McDonough, Mizeur, Proctor, Ramirez, Robinson, Rosenberg, Rudolph, Schuh, Shewell, Simmons, Smigiel, Sossi, Stocksdale, Valderrama, Vallario, and Wood

AN ACT concerning

Criminal Procedure – Registered Sex Offenders – Restrictions on Pretrial Release and Inclusion on RAP Sheet

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is a registered sex offender; 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; adding the imposition of extended sexual offender parole supervision as a certain reportable event that must be reported to the Criminal Justice Information System Central Repository; requiring a certain State Record of Arrest and Prosecution to prominently indicate, if applicable, that a certain individual is a registered sex offender or

subject to a term of extended sexual offender parole supervision; and generally relating to registered sex offenders.

BY adding to
Article – Criminal Procedure
Section 5–202(g), 10–215(a)(24), and 10–229
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 10–215(a)(23) and (24)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1047 – Delegates McComas, Bartlett, Eckardt, Frank, Glenn, Impallaria, Simmons, Smigiel, and Sossi

AN ACT concerning

Family Law – Protective Orders – Annual Report

FOR the purpose of requiring the Governor's Office of Crime Control and Prevention to compile a certain report that includes certain statistical information, to submit the report to the Governor and General Assembly on or before a certain date each year, and to make the report available to the public on request; and generally relating to protective orders.

BY adding to
Article – Family Law
Section 4–506.2
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1048 – Delegates McComas, Bates, Frank, George, Impallaria, Jennings, Krebs, McDonough, Riley, Sophocleus, Sossi, Stocksdale, and Stull

AN ACT concerning

Vehicle Laws – Detectable Level of a Controlled Dangerous Substance or Its Metabolites – Prohibition

FOR the purpose of prohibiting a person from driving or attempting to drive any vehicle while the person has a detectable level of a controlled dangerous substance, or its metabolites, in the person's blood, if the person is not entitled to use the controlled dangerous substance under the laws of the State; establishing that a certain number of points be assessed against a certain person for a certain offense; making a certain conforming change; making a stylistic change; and generally relating to a prohibition on driving or attempting to drive a vehicle while having a detectable blood level of a controlled dangerous substance or its metabolites.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–402(a)(34), 21–902(d), and 27–101(q)(1)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

LINCOLN'S DAY ADDRESS

DELEGATE JEANNIE HADDAWAY-RICCIO
Caroline, Dorchester, Talbot and Wicomico Counties

Mr. Speaker, Madame Speaker Pro Tem, Mr. Majority Leader, Mr. Minority Leader, my fellow Delegates, ladies and gentlemen…

Let me start by saying what a tremendous honor it is to stand before you tonight and deliver this speech. As we observe the life and times of Abraham Lincoln, I want to focus on two significant journeys in Lincoln's life and one main principle that I believe shaped his legacy as one of the greatest leaders our nation has ever known.

We know that Abraham Lincoln governed in extremely difficult and demanding times. The nation was restless as it went through one of its greatest domestic challenges – a war with itself. A war that was physical, psychological and spiritual in nature – a war that ultimately shaped our country into the great nation we enjoy today.

And while Abraham Lincoln rose to the occasion to become the great leader that we know today, what I find most interesting is that he was an ordinary man from an ordinary town with an ordinary background. His ability to lead was not based on those criteria, but rather on the fact that he was a man of purpose and conviction with a true desire to serve the American people.

As the son of farmers, Lincoln was neither wealthy nor politically connected or overly educated, but as the first Western president from rural Kentucky he brought a unique and timely perspective to politics. Not unlike many of us, his beliefs and political positions were rooted in his upbringing, his religion and his personal experiences –

themes that would emerge throughout his political career – a career that, in a way, began on the Sangamon River after his family moved to Illinois.

At 22 years old, Lincoln embarked on a journey down the Sangamon River. His purpose was to find a home and for the first time to strike out on his own. He found the river hard to navigate, with many tree roots and snares along the way, but Lincoln was a skilled axeman and he used that to his advantage. We can only speculate what went through his mind as he made that symbolic passage from childhood and dependence to adulthood and freedom. What we do know is that he left a mark on those tree roots that threatened to hamper his progress and those tree roots left a mark on him.

Because shortly thereafter, Lincoln began his first political campaign with a bid for the Illinois General Assembly running on a platform of improving navigation on that river. In the local newspaper he wrote "I am young and unknown to many of you. I was born and have ever remained in the most humble walks of life. I have no wealthy or popular relations to recommend me. My case is thrown exclusively upon the independent voters of this county, and if elected they will have conferred a favor upon me, for which I shall be unremitting in my labors to compensate." *It was as if he was striking a contract with the voters.*

The Sangamon River and transportation in general continued to be a theme for Lincoln throughout his life. He was a great admirer of Henry Clay, a statesman and fellow politician from Kentucky that believed economic expansion was only possible by improving roads and trade. The transportation theme transcended into his legal career as well, as he represented river barges and railroads in court. He even began arguing cases before the U.S. Supreme Court which gained him wider recognition among his peers and among the people.

This recognition helped propel him into the national political scene and leads us to a second significant journey in Lincoln's life. This time it was not a trip down the Sangamon River, but a train ride to his inauguration.

So contentious was his election that Southern states were threatening to secede and a potential assassination plot was initiated against him before he was even inaugurated.

Lincoln had planned a series of "whistle stops" in seventy towns and cities which included an appearance in Baltimore before finally arriving at the capitol for his inauguration. Some say he slept through the night while others say he barely slept at all. While I have no historical basis for my opinion, I believe it could only have been the latter. Not just because of the assassination plot, but the realization that at the end of that train ride, he, Abraham Lincoln – a rural, self-educated lawyer from Kentucky – would become the 16th president of the United States of America. Again we can only speculate what went through Lincoln's mind as he made that symbolic passage. But with such tremendous challenges and responsibilities ahead, it is hard to imagine he had many restful nights thereafter.

If he suffered from a lack of sleep, it did little to interfere with the delivery of his inaugural address. In fact, I believe the challenges he faced made him more determined and more resolved to take leadership. In that first and critical inaugural address he was sure to remind his supporters that in time our states would be unified and the basis for that unification would be the Constitution. By the same token, he rhetorically reminded his opponents that even if a decision was made to turn back on the Constitution, would it not take an agreement of all of the parties to do so?

Lincoln posed this question because he viewed the Constitution as a binding document – a document that had been signed in pen and ink and in the blood of the revolutionaries that fought for our nation's independence. To him, it was no different than a legally binding contract – only it was more than that because it was a contract with the American people. As a relentless public servant, upholding that contract was his main focus and eventually his legacy.

Lincoln shared with us his litmus test for abiding by the Constitution at the first Republican National Convention where he referred to "a struggle for maintaining in the world, that form, and substance of government, whose leading objective is to elevate the condition of men – to lift artificial weights from all shoulders – to clear the paths of laudable pursuit for all – to afford all an unfettered start and a fair chance, in the race of life."

Even in our modern times, Lincoln has taught us that we are all Americans and all Marylanders organized by a constitutional framework and unified by those rights our forefathers afforded us and that brave men and women still fight to protect.

In a sense, the Civil War was a passage for our country and like Lincoln on the Sangamon River, we emerged a more independent and free society. The reconstruction years that followed were like his momentous train ride to the Capitol – uncertain times, but times that left us more resolved and more determined.

As public servants we are facing yet another great set of challenges – perhaps some of the greatest challenges of our time. Our journeys will be on the rivers of the Chesapeake Bay and along the roads and railways of the great districts we each represent. And like Lincoln, our main focus should remain on the *people* we represent. As everyday men and women who were moved to public service, we too should work relentlessly to uphold our contract with the Marylanders we serve.

If we go back to our history and back to our roots, if we let the Constitution and the Bill of Rights and our moral fabric be the compass for our decision making.

If we ask the hard questions that Lincoln asked such as:

(1) Is my leading objective to elevate the condition of mankind?

(2) Does this policy lift artificial weights from all shoulders and provide opportunities for everyone?

If we answer those questions affirmatively – *and I believe we can* – the result will be a fulfilled contract – where we leave our mark on the tree roots that threaten to impede our success. Then this will be *our* journey, this will be *our* time and this will be *our* legacy.

Thank You.

Delegate O'Donnell moved the Delegates remarks be journalized.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 131 Members present.

(See Roll Call No. 79)

ADJOURNMENT

At 8:33 P.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Tuesday, February 16, 2010.

Annapolis, Maryland
Tuesday, February 16, 2010

The House met at 10:02 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Shawn Z. Tarrant of Baltimore City.

QUORUM CALL

The presiding officer announced a quorum call, showing 129 Members present.

(See Roll Call No. 80)

The Journal of February 15, 2010 was read and approved.

EXCUSES:
Del. V. Clagett – medical – fractured ankle
Del. Hucker – business
Del. Impallaria – recovering from car accident
Del. Shewell – illness
Del. Walkup – medical – fractured knee

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Bill 7 – Senator Garagiola

AN ACT concerning

Business Regulation – State Amusement Ride Safety Advisory Board – Membership

FOR the purpose of altering the membership of the State Amusement Ride Safety Advisory Board; requiring that the composition of the Board as to the race and gender of its members reflect the composition of the population of the State; and generally relating to the membership of the State Amusement Ride Safety Advisory Board.

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 3–301

Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 3–304
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 57 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland) and Senators Astle, Della, Exum, Garagiola, Glassman, Kelley, Klausmeier, Middleton, and Pugh

EMERGENCY BILL

AN ACT concerning

Health Insurance – Mental Health Benefits ~~– Group Health Plans~~ and Medical and Surgical Benefits for Mastectomies – Parity with Federal Law

FOR the purpose of providing that it is not discriminatory, under certain provisions of law that prohibit certain health insurance policies, contracts, or certificates from discriminating against a person with a mental illness, emotional disorder, drug abuse disorder, or alcohol abuse disorder, if the benefits for partial hospitalization and outpatient expenses under certain group ~~health plans~~ contracts covering employees of one or more large employers are covered in a certain manner; providing that, under certain group ~~health plans~~ contracts covering employees of one or more large employers, certain benefits for mental illnesses, emotional disorders, drug abuse disorders, or alcohol abuse disorders may be delivered under a managed care system only if the benefits for physical illnesses are delivered under a managed care system; requiring certain factors used to manage certain benefits for mental illnesses, emotional disorders, drug abuse disorders, or alcohol abuse disorders under certain group contracts to be comparable as written and in operation to, and applied no more stringently than, the factors used to manage the benefits for certain physical illnesses; requiring certain contracts to provide coverage for certain physical complications of all stages of mastectomy in a certain manner; defining certain terms; altering a certain definition; making conforming and technical changes; making this Act an emergency measure; and generally relating to health insurance ~~and mental health benefits~~.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–703.1
Annotated Code of Maryland

(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 15–802 and 15–815
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

Senate Bill 99 – 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 designation of primary law enforcement units; preempting certain rights of certain counties and municipalities; superseding certain laws of certain counties and municipalities; 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; providing that certain provisions may not be construed to require junk dealers and scrap metal processors to incur certain ~~additional expenses~~ financial burdens for complying with certain record submission requirements; 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; prohibiting junk dealers and scrap metal processors from purchasing cemetery urns, grave markers, and certain other items 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; exempting certain items acquired from certain entities from certain record and reporting requirements; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; 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 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17–1001(g) and 17–1003
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

Senate Bill 328 – Senators Middleton ~~and Della~~, Della, Exum, Kelley, Klausmeier, and Pugh

AN ACT concerning

Hospitals – Financial Assistance and Debt Collection

FOR the purpose of requiring the State Health Services Cost Review Commission to require certain chronic care hospitals to develop a certain financial assistance policy for providing free and reduced–cost care to certain patients; requiring a certain hospital financial assistance policy to provide reduced–cost medically necessary care to certain patients who have a financial hardship; requiring a hospital to apply a reduction that is most favorable to a patient under certain circumstances; providing that a patient or ~~any family member~~ certain family members of the patient shall remain eligible for certain reduced–cost care under certain circumstances; requiring the patient or family member to inform a hospital of the patient's or family member's eligibility for certain reduced–cost care under certain circumstances; altering the requirements for a notice that a hospital must post regarding patient financial assistance; specifying that, for certain purposes, the rights and obligations of a patient with regard to a hospital bill include the rights and obligations with regard to certain reduced–cost care; requiring a hospital's policy on the collection of debts owed by patients to provide for a refund of certain amounts collected from a patient or the guarantor of a patient, require the hospital to seek to vacate a judgment or strike adverse information reported to a consumer reporting agency under certain circumstances, and provide a mechanism for a patient to request a reconsideration of the denial of free or reduced–cost care and file a complaint regarding the handling of the patient's bill; requiring a hospital, beginning on a certain date, to provide for a refund of certain amounts collected from a patient

or the guarantor of a patient who, within a certain time period, was found to be eligible for free care; authorizing a hospital to reduce the time period under certain circumstances; requiring a hospital's refund ~~to policy~~ policy to provide for a refund that complies with a patient's means–tested government health care plan under certain circumstances; prohibiting a hospital, for a certain period of time, from reporting adverse information about a patient to a consumer reporting agency or commencing civil action against a patient for nonpayment of a bill unless the hospital documents a certain lack of cooperation; requiring a hospital to ~~promptly~~ report to a certain consumer reporting agency the fulfillment of a patient's payment obligation within a certain period of time; prohibiting a hospital from forcing the sale or foreclosure of a patient's primary residence to collect a debt owed on a hospital bill; authorizing a hospital to maintain its position as a secured creditor under certain circumstances; requiring a hospital to fulfill certain requirements if the hospital delegates collection activity to an outside collection agency; requiring the board of directors of each hospital to review and approve the financial assistance and debt collection policies of the hospital at certain intervals; prohibiting a hospital from altering its financial assistance and debt collection policies without approval of its board of directors; requiring a hospital to provide to a patient, on request, a written estimate of certain charges; requiring the written estimate to include a certain statement; authorizing a hospital to restrict the availability of the written estimate; providing that the requirements pertaining to written estimates do not apply to emergency services; defining certain terms; making certain conforming changes; and generally relating to hospital financial assistance and debt collection requirements.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–214.1, 19–214.2, and 19–350(b)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

THE COMMITTEE ON JUDICIARY REPORT #2

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 74 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Maryland Uniform Interstate Family Support Act – Revision

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 75 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Criminal Law – Escape from Juvenile Facility

HB0075/712117/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 75
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike "physically" and substitute "hardware".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 16, inclusive, and substitute:

"**(F) "HARDWARE SECURE FACILITY" MEANS A FACILITY THAT IS SECURELY LOCKED OR FENCED TO PREVENT ESCAPE.**".

On page 3, in lines 1 and 13, in each instance, strike "**PHYSICALLY**" and substitute "**HARDWARE**".

On page 4, in line 3, strike "**PHYSICALLY**" and substitute "**HARDWARE**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 77 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Injuries Compensation Board – Claims by Victims Outside the United States

HB0077/872211/1
BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 77
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after "make" insert "certain".

AMENDMENT NO. 2

On page 2, strike beginning with "**COMMITTED**" in line 5 down through "**TERRORISM,**" in line 7 and substitute "**:**

1. COMMITTED AGAINST A PERSON WHO IS A RESIDENT OF THE STATE WHEN THE ACT IS COMMITTED;

2. COMMITTED IN A FOREIGN COUNTRY; AND

3.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 122 – Delegates Anderson, Barnes, Benson, Bronrott, Burns, Carter, Conaway, Conway, George, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Hucker, Ivey, Kirk, Levi, McComas, McIntosh, Murphy, Nathan–Pulliam, O'Donnell, Oaks, Pena–Melnyk, Proctor,

Ramirez, Robinson, Rosenberg, Ross, Schuler, Shank, Smigiel, Stukes, Tarrant, V. Turner, and Vallario

AN ACT concerning

Criminal Procedure – Board of Trustees of the Office of the Public Defender – Modification

HB0122/322015/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 122
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "Governor" and substitute "Board of Trustees, by a certain vote,"; and in line 7, strike ", only on the recommendation of the Board of Trustees".

AMENDMENT NO. 2

On page 2, in line 18, strike "**ONLY ON THE RECOMMENDATION OF**" and substitute "**BY A VOTE OF AT LEAST SEVEN MEMBERS,**"; and in line 19, strike "**, THE GOVERNOR**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 138 – Delegates Waldstreicher, Vallario, Anderson, Barnes, Carter, Conaway, Dumais, Dwyer, Frank, Jennings, Kelly, Kramer, Lee, Levi, McComas, McConkey, Ramirez, Rosenberg, Schuler, Simmons, Smigiel, and Valderrama

AN ACT concerning

Criminal Injuries Compensation Board – Right to Hearing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 161 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Family Law – Permanency Planning and Guardianship Review Hearings – Consultation with Child

HB0161/492310/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 161
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "Permanency Planning and"; in line 4, strike "permanency planning and"; strike beginning with "place" in line 5 down through "child" in line 6 and substitute "consult on the record with the child in a certain manner"; strike beginning with "permanency" in line 6 down through "and" in line 7; in line 10, strike "and"; in the same line, after "(h)(1)" insert ", and (k)"; and strike in their entirety lines 13 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 6, in each instance, strike the bracket; in the same line, strike "**PLACE**"; in the same line, strike "**AN AGE-APPROPRIATE CONSULTATION**"; in line 7, in each instance, strike the bracket; in line 16, after "**MONTHS**" insert "**AT A HEARING UNDER THIS SECTION**"; in the same line, strike "**PLACE**" and substitute "**CONSULT**"; in line 17, strike "**AN AGE-APPROPRIATE CONSULTATION**"; and in the same line, after "**CHILD**" insert "**IN AN AGE-APPROPRIATE MANNER**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably with amendments:

House Bill 168 – Delegates Rosenberg, Anderson, and Dumais

AN ACT concerning

Architectural or Engineering Services – Construction Industry – Indemnity Agreements – Void

HB0168/472311/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 168
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike "or" and substitute a comma; in the same line, after "Engineering" insert ", Inspecting, or Surveying"; in the same line, strike "Construction Industry –"; in line 5, strike "or" and substitute a comma; in the same line, after "engineering" insert ", inspecting, or surveying"; in line 6, after "circumstances;" insert "providing that certain provisions of law do not affect the validity of a certain indemnity agreement;"; and in line 8, strike "construction industry".

AMENDMENT NO. 2

On page 1, strike beginning with "the" in line 19 down through "**FOR**" in line 20 and substitute "**ARCHITECTURAL, ENGINEERING, INSPECTING, OR SURVEYING SERVICES**"; in line 21, strike the third comma; in line 22, strike "**INSPECTING, SURVEYING,**"; and in line 23, after "**OR**" insert "**THAT**".

AMENDMENT NO. 3

On page 2, in line 4, after "compensation," insert "**ANY GENERAL INDEMNITY AGREEMENT REQUIRED BY A SURETY AS A CONDITION OF EXECUTION OF A BOND FOR A CONSTRUCTION OR OTHER CONTRACT,**".

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Vallario, Chair, for the Committee on Judiciary reported favorably:

House Bill 208 – Delegates Schuler, Anderson, Barnes, Cardin, Carter, Conaway, Ramirez, Rosenberg, Simmons, Smigiel, Stein, and Valderrama

AN ACT concerning

Courts – County Administrative Judge – Responsibilities

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:

House Bill 126 – Delegates Ramirez, Vallario, Barnes, Conaway, and Simmons

AN ACT concerning

Outstanding Arrest Warrants – Drivers' Licenses and Vehicle Registrations

STATUS OF BILL: BILL ON 2ND READING. FAVORABLE REPORT AS AMENDED ADOPTED.

Delegate O'Donnell moved to make the Bill a Special Order for February 18, 2010.

The motion was adopted.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 81)

ADJOURNMENT

At 10:23 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Wednesday, February 17, 2010.

Annapolis, Maryland
Wednesday, February 17, 2010

The House met at 10:20 A.M. and pledged Allegiance to the Flag.

Prayer by Delegate Jon S. Cardin of Baltimore County.

QUORUM CALL

The presiding officer announced a quorum call, showing 135 Members present.

(See Roll Call No. 82)

The Journal of February 16, 2010 was read and approved.

EXCUSES:
Del. Carter – illness
Del. V. Clagett – medical – fractured ankle
Del. Impallaria – recovering from car accident
Del. Mathias – personal
Del. Walkup – medical – fractured knee

INTRODUCTION OF BILLS

House Bill 1049 – Allegany County Delegation

AN ACT concerning

Allegany County – Slot Machines for Nonprofit Organizations – Volunteer Fire Departments

FOR the purpose of adding Allegany County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; specifying that in Allegany County, a volunteer fire department may own and operate slot machines; and generally relating to slot machines in Allegany County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 12–304
Annotated Code of Maryland

(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1050 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Maryland Health Insurance Plan – Plan Options – Governmental Third Party Payers

FOR the purpose of authorizing the Board of Directors for the Maryland Health Insurance Plan to establish a certain Plan option for certain Plan members whose premiums are paid by certain governmental units; authorizing the Board to include certain amounts in setting premium rates and cost–sharing arrangements for the Plan option, subject to a certain limitation; authorizing the Board to limit the eligibility of certain members of the Plan to the Plan option; authorizing the Board to limit or eliminate the availability to certain members of the Plan of a certain premium subsidy; defining a certain term; and generally relating to the Maryland Health Insurance Plan.

BY adding to
Article – Insurance
Section 14–505(l)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1051 – Delegates Benson, Burns, Cane, Costa, Frush, Gaines, Glenn, Holmes, Kach, Nathan–Pulliam, Niemann, Robinson, and Ross

AN ACT concerning

Crimes – Prohibition on Sale of Drug Paraphernalia to a Minor – Local Law

FOR the purpose of authorizing the governing body of a county or a municipal corporation to adopt an ordinance or local law that prohibits a person from selling drug paraphernalia to a minor; authorizing a county or a municipal corporation to impose certain criminal or civil penalties; defining a certain term; and generally relating to the sale of drug paraphernalia to a minor.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 5–101(a) and (o)

Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 5–619.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1052 – Delegate Bromwell

EMERGENCY BILL

AN ACT concerning

Maryland Automobile Insurance Fund – Use of Fund Moneys and Property – Prohibitions

FOR the purpose of prohibiting moneys or property of the Maryland Automobile Insurance Fund from being used to pay for certain bonuses, services, events, and sponsorships; making conforming changes; providing for the application of this Act; making this Act an emergency measure; and generally relating to moneys and property of the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 20–204(a) and (b) and 20–301
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1053 – Delegates Simmons and Stifler

AN ACT concerning

Child Pornography – Matter Reflecting Belief That a Minor Is Depicted in a Certain Manner

FOR the purpose of prohibiting a person from knowingly promoting, advertising, presenting, soliciting, distributing, or possessing with the intent to distribute any matter, purported matter, visual representation, or performance that reflects the belief, or is intended to cause another to believe, that the matter depicts a minor engaged as a subject of sadomasochistic abuse or sexual conduct; expanding a certain provision of the child pornography laws so as to

prohibit a person from knowingly advertising, presenting, or soliciting any matter, purported matter, visual representation, or performance that depicts a minor engaged as a subject of sadomasochistic abuse or sexual conduct; and generally relating to child pornography.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 11–207
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1054 – Delegates Hubbard, Levi, and Holmes

AN ACT concerning

Creation of a State Debt – Prince George's County – Marleigh Community Safety and Surveillance System

FOR the purpose of authorizing the creation of a State Debt in the amount of $20,000, the proceeds to be used as a grant to the Board of Directors of the Ivy Community Charities of Prince George's County MD, 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 Appropriations.

House Bill 1055 – Delegates Eckardt and Haddaway

AN ACT concerning

Creation of a State Debt – Dorchester County – Blackwater National Wildlife Refuge

FOR the purpose of authorizing the creation of a State Debt not to exceed $80,000, the proceeds to be used as a grant to the Board of Directors for Ducks Unlimited, 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 Appropriations.

House Bill 1056 – Dorchester County Delegation

AN ACT concerning

Dorchester County – Alcoholic Beverages – Restaurant Seating Capacity

FOR the purpose of altering in Dorchester County the minimum seating capacity required for certain restaurants and restaurant facilities to obtain a beer, wine and liquor license; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(k)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1057 – Washington County Delegation

AN ACT concerning

Creation of a State Debt – Washington County – Rural Heritage Transportation Museum

FOR the purpose of authorizing the creation of a State Debt not to exceed $75,000, the proceeds to be used as a grant to the Board of Directors of the Washington County Agricultural Education 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 Appropriations.

House Bill 1058 – Delegate Shank

AN ACT concerning

Electric Companies – Residential Rates

FOR the purpose of requiring an electric company to apply certain residential rates to certain buildings located in an area zoned for residential use; providing for the application of this Act; and generally relating to electric utility rates.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–305
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1059 – Delegates Eckardt and Haddaway

AN ACT concerning

Dorchester County – Choptank River – Soft–Shell Clam Harvesting

FOR the purpose of altering the time periods during which and the locations in which soft–shell clam harvesting using certain types of gear is prohibited under certain circumstances in the Dorchester County portion of the Choptank River; making technical corrections; and generally relating to soft–shell clam harvesting in the Dorchester County portion of the Choptank River.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1037 and 4–1038
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–1039
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1060 – Delegates Eckardt, Cane, Costa, Elliott, Elmore, Haddaway, Jenkins, Krebs, O'Donnell, Schuh, Shank, Smigiel, Sossi, and Stocksdale

EMERGENCY BILL

AN ACT concerning

Election Law – Delay in Replacement of Voting Systems

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; making this Act an emergency measure; 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 2009 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 Ways and Means.

House Bill 1061 – Delegates Shank, Bartlett, Bates, Costa, Elmore, George, Haddaway, Kach, Kipke, Krebs, McComas, McConkey, Serafini, Smigiel, and Stifler

AN ACT concerning

Public Safety – Correctional Facilities – Immigration Status of Inmates

FOR the purpose of requiring a managing official of a correctional facility or the managing official's designee to require an individual committed to the correctional facility to provide information as to the immigration status of the individual; requiring a managing official of a correctional facility or the managing official's designee to send an immigration alien query to the Law Enforcement Support Center for information relating to the immigration status of individuals committed to the correctional facility; requiring the managing official of a correctional facility to report the immigration status of certain individuals to the Central Repository and the Division of Correction; requiring the Division of Correction to maintain in its offender management system certain information regarding certain individuals; requiring the Division of Correction to assist the United States Immigration and Customs Enforcement Agency with information leading to the deportation of certain individuals;

requiring the Central Repository to record certain information in the criminal history record of certain individuals; requiring the Central Repository to report certain information to the Law Enforcement Support Center; defining certain terms; and generally relating to correctional facilities and the immigration status of inmates.

BY adding to
Article – Correctional Services
Section 9–614
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1062 – Delegates Healey, Ross, Frick, Gaines, Hixson, Howard, Ivey, Stukes, and Walker

AN ACT concerning

Property Tax Credit – Urban Agricultural Activities

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 urban agricultural property; providing for the duration of the credit; authorizing the county or municipal corporation to provide, by law, for the amount of the credit and certain other provisions to carry out the credit; providing for the repayment of certain tax credits under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to a local property tax credit for urban agricultural property.

BY adding to
Article – Tax – Property
Section 9–252
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1063 – Delegates Elliott, Costa, Dwyer, Eckardt, Elmore, Frank, George, Jenkins, Kach, Krebs, McComas, O'Donnell, Serafini, Sossi, and Stocksdale

AN ACT concerning

Vehicle Laws – Single Registration Plate

FOR the purpose of requiring the Motor Vehicle Administration to issue a single registration plate to all classes of vehicles; providing for the method of attachment of the registration plate; making certain conforming changes and a certain technical correction; authorizing the publisher of the Annotated Code to make certain corrections; and generally relating to vehicle registration plates.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–410 and 13–411
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1064 – Delegate Hubbard

AN ACT concerning

State Board of Examiners of Psychologists – Criminal History Records Check

FOR the purpose of requiring applicants for a license to practice psychology to submit to a certain criminal history records check; requiring applicants to submit fingerprints and certain fees to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services under certain circumstances; requiring the Central Repository to forward certain information to the State Board of Examiners of Psychologists and to certain applicants; providing that certain information is confidential and may be used only for certain purposes; authorizing certain subjects to contest the contents of certain statements; requiring applicants for licensure to submit certain evidence to the Board; requiring the Board to consider certain facts and circumstances in determining whether to grant a license; prohibiting the Board from issuing certain licenses if certain criminal history record information has not been received; authorizing the Board to deny certain applicants a license for failure to submit to a certain criminal history records check; and generally relating to criminal history records checks and the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 18–302, 18–303, 18–306, and 18–313
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health Occupations
Section 18–302.1
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1065 – Delegate Weir

AN ACT concerning

State Parks – Boat Launching Fees – Waiver

FOR the purpose of authorizing a certain person who is at least a certain age and provides certain valid identification to launch a boat at a State park without paying a fee; and generally relating to launching a boat at a State park.

BY adding to
Article – Natural Resources
Section 5–1011
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1066 – Delegate Weir

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Video Lottery Terminals – Expansion to Alcoholic Beverages Licensed Establishments and Fraternal Organizations

FOR the purpose of proposing an amendment to the Maryland Constitution to authorize the State to issue video lottery operation licenses to holders of alcoholic beverages licenses and to certain nonprofit fraternal organizations; altering the number of video lottery terminals that may be authorized in the State; 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 XIX – Video Lottery Terminals
Section 1

Read the first time and referred to the Committee on Ways and Means.

House Bill 1067 – Delegates King and Bromwell

AN ACT concerning

State Law Enforcement Officers – One–Time Bonus

FOR the purpose of establishing the State Law Enforcement Officers' Bonus Fund in the Department of Budget and Management; providing that, for a certain fiscal year, certain State transfer tax revenues shall be allocated to the Fund; requiring the Secretary of Budget and Management to pay a certain bonus to certain State law enforcement officers with the money in the Fund on or before a certain date; requiring that money remaining in the Fund after paying certain bonuses shall be credited to a certain special fund; declaring the intent of the General Assembly; providing for the termination of this Act; and generally relating to providing one–time bonuses to certain State law enforcement officers.

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

House Bill 1068 – Delegates Shank, Anderson, Kramer, McConkey, Myers, Serafini, and Smigiel

AN ACT concerning

Criminal Law – Distributing a Controlled Dangerous Substance to a Minor Causing Death

FOR the purpose of prohibiting a person of a certain age from distributing or dispensing to a minor a controlled dangerous substance, the use or ingestion of which causes the death of the minor; establishing a penalty for a violation of this Act; providing that in a certain prosecution, the State need only prove that a certain person, based on certain circumstances, should have known that the minor had not attained a certain age; and generally relating to distributing a controlled dangerous substance to a minor.

BY adding to
Article – Criminal Law
Section 5–602.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1069 – Delegates Weir, Boteler, Carr, Glenn, Hucker, Niemann, Norman, Shewell, and Sossi

AN ACT concerning

Vehicle Laws – Driver Improvement Programs – Deduction of Accumulated Points

FOR the purpose of requiring the Motor Vehicle Administration to deduct a certain number of points from a certain 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 the Administration to include a certain statement in a warning letter sent to an individual who accumulates a certain number of points on the individual's driving record in a certain time period; requiring an individual attending a certain driver improvement program to pay a certain fee; requiring a certain program provider to collect a certain fee and remit it to the Administration; and generally relating to the accumulation of points against a driving record.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 16–212 and 16–404
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1070 – Delegates Shank, Beitzel, Haddaway, Hubbard, Hucker, Ivey, Jenkins, Jennings, Kach, Kipke, Montgomery, Ramirez, Riley, Sophocleus, and Stull

AN ACT concerning

Farmer's Markets – Sale of Poultry and Rabbits

FOR the purpose of altering a certain definition to exclude the sale of certain poultry or rabbit products at a farmer's market from regulation as a food service facility; clarifying that a license is not required to deliver prepackaged food products; providing that a license is not required for certain sales of a poultry product or a rabbit product if the farm on which the product was raised is not subject to certain federal regulation; prohibiting a local jurisdiction from requiring a license for the sale of certain poultry and rabbit products at a farmer's market; defining certain terms; making conforming changes; making a stylistic change; and generally relating to the sale of raw poultry and rabbits at farmer's markets.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–301(h)(2), 21–304, and 21–308(c)

Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 21–309.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1071 – Delegates Hixson, Ali, Barnes, Gutierrez, Ivey, Mizeur, Niemann, Pena–Melnyk, and Ramirez

AN ACT concerning

Creation of a State Debt – Prince George's County – CASA Multi–Cultural Service Center

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

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

House Bill 1072 – Delegates Lafferty, Boteler, DeBoy, Kach, Malone, Morhaim, and Stein

AN ACT concerning

Baltimore County Board of Education – Election of Members

FOR the purpose of establishing a procedure for the election of certain members of the Baltimore County Board of Education; repealing certain provisions governing the appointment of the members of the Baltimore County Board of Education; requiring some of the members of the county board to reside in and be elected from certain districts; providing that some of the members of the county board be elected at large; establishing a certain term of office for the elected members; providing for the removal of members under certain circumstances; providing a procedure for filling a vacancy for an elected member on the county board; providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; providing

for the termination of the terms of the appointed members of the county board; and generally relating to the election of members for the Baltimore County Board of Education.

BY repealing
Article – Education
Section 3–109(a) through (d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 3–109(e) through (i) and 3–114
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 3–2A–01 through 3–2A–04 to be under the new subtitle "Subtitle 2A. Baltimore County"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1073 – Delegates Pena–Melnyk and Vallario

AN ACT concerning

Insurance – Coordination of Benefits – Health Insurance and Personal Injury Protection

FOR the purpose of providing that certain health maintenance organization contracts, health insurance policies, and policies of nonprofit health service plans are subject to certain provisions of law relating to coordination of benefits with personal injury protection coverage under motor vehicle liability insurance policies; prohibiting the contracts and policies from containing a provision that requires certain personal injury protection benefits to be paid before benefits under the contracts and policies; defining the term "insured" or "named insured" for purposes of certain provisions of law relating to personal injury protection coverage to include an individual entitled to hospital, medical, or surgical benefits under certain health insurance policies or contracts; providing for the application of this Act; and generally relating to coordination of health insurance and personal injury protection benefits.

BY repealing and reenacting, without amendments,
Article – Health – General

Section 19–713.1(d)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–713.1(e)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 15–104(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Insurance
Section 15–104(d)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section 19–507
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1074 – Delegate Kipke

AN ACT concerning

Criminal Law – Threatening, Assaulting, or Wounding Officer Attempting or Interference with Service of Civil Process – Penalties

FOR the purpose of prohibiting a person from threatening, assaulting, or wounding an officer attempting the lawful service of civil process with the intention of obstructing the service or otherwise knowingly or intentionally interfering with the service; providing a criminal penalty for a violation of this Act; and generally relating to service of process.

BY adding to
Article – Criminal Law
Section 3–709

Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1075 – Delegate Kipke

AN ACT concerning

Health Insurance – Payments for Services of Nonparticipating Health Care Providers

FOR the purpose of requiring certain health insurance carriers that pay for health care services provided to an enrollee by a certain nonparticipating health care provider by issuing a check to the enrollee to make the check payable to both the enrollee and the health care provider; making certain provisions of this Act applicable to health maintenance organizations; defining certain terms; and generally relating to payments by health insurance carriers for health care services.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–134
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1076 – Delegate Feldman

AN ACT concerning

Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments

FOR the purpose of authorizing a credit grantor that makes a certain installment loan secured by a lien on a motor vehicle to a consumer borrower to require the consumer borrower to pay a balloon payment at maturity of the installment loan; and generally relating to installment loans secured by a lien on a motor vehicle.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 12–1003
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1077 – Delegates F. Turner, Beitzel, Kelly, and Myers

AN ACT concerning

Gaming – Video Lottery Terminals

FOR the purpose of altering a certain requirement that the State Lottery Commission conduct certain hearings; clarifying the authority of the Video Lottery Facility Location Commission to award video lottery operation licenses under this subtitle; altering a certain requirement to allow certain individuals or business entities to enter into certain agreements; clarifying the authority of the State Lottery Commission to issue certain licenses under this subtitle; authorizing the State Lottery Commission to waive a certain requirement for certain investors; altering the time period for certain licenses issued by the State Lottery Commission; altering certain eligibility criteria and disqualifying criteria used by the State Lottery Commission for a video lottery operation license; providing that certain video lottery terminal operations may begin in a temporary facility under certain circumstances; providing for when the term for a video lottery operation license begins; providing that the admissions and amusement tax does not apply to the operation of video lottery terminals; altering certain requirements for a video lottery facility in Allegany County; clarifying that the Video Lottery Facility Location Commission may reissue a video lottery operation license under certain circumstances; defining a certain term; altering certain definitions; making technical changes; and generally relating to the operation of video lottery terminals in the State.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–1A–01, 9–1A–02(d), 9–1A–04(a), 9–1A–05, 9–1A–07, 9–1A–08, 9–1A–11, 9–1A–13(a), 9–1A–16, 9–1A–20(b), 9–1A–26, 9–1A–27, 9–1A–33(a), and 9–1A–36
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–1A–02(a) and (b)
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1078 – Delegates Dwyer, Aumann, Bates, Boteler, Burns, Costa, Elliott, Impallaria, Jennings, King, Kipke, Krebs, McConkey, Miller, Minnick, O'Donnell, Schuh, Shank, Shewell, and Stocksdale

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Maryland Personhood Amendment

FOR the purpose of proposing an amendment to the Maryland Declaration of Rights to establish that the right not to be deprived of life is vested in all human beings, irrespective of age, health, function, physical dependency, or method of reproduction, from the beginning of their biological development; making technical changes; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution
Declaration of Rights
Article 24

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1079 – Delegates Dwyer, Aumann, Bates, Beitzel, Boteler, Burns, Costa, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Jenkins, Jennings, King, Kipke, Krebs, McComas, Myers, Norman, O'Donnell, Schuh, Serafini, Shank, Shewell, Sossi, Stocksdale, and Stull

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 Judiciary.

House Bill 1080 – Delegates Dwyer, Beidle, Costa, Frush, George, King, Kipke, Love, McConkey, Pena–Melnyk, Schuh, and Sophocleus

AN ACT concerning

Anne Arundel County – Drug–Free Zones Pilot Program – Recreation Areas

FOR the purpose of prohibiting a person in Anne Arundel County from manufacturing, distributing, dispensing, or possessing with intent to distribute a controlled dangerous substance in violation of a certain provision, or conspiring to commit the crimes, in a recreation area; establishing certain penalties for a violation of this Act; establishing that a certain mandatory minimum penalty may not be suspended; establishing the ineligibility for parole for a certain person except under certain circumstances; requiring a sentence for a violation of this Act to be consecutive to any other sentence; establishing that a conviction for a violation of this Act may not merge with certain other convictions; authorizing the county to post certain signs; defining a certain term; providing for the termination of this Act; and generally relating to drug free zones in Anne Arundel County.

BY adding to
Article – Criminal Law
Section 5–629
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1081 – Delegates Hixson, Hucker, Ivey, and Mizeur

AN ACT concerning

Condominiums – Conversion of Residential Rental Facilities – Expiration of Registration and Notice

FOR the purpose of requiring a certain owner and landlord to give a certain notice of conversion of a residential rental facility to a condominium and a purchase offer to a subsequent tenant who leases property in the facility after the owner or landlord has given the tenants the initial notice and purchase offer; requiring an owner and landlord to give a subsequent tenant the same period of time to remain in the rental facility as the initial tenants are given; providing that the right of a tenant approved for an extended lease under State or local law may not be terminated during the extension period because of a change of ownership of the rental facility during that period; conforming the contents of a certain

notice; limiting the validity of a certain registration of the conversion of a residential rental facility to a condominium to a certain period of time; requiring, if the validity of the registration expires, that the Secretary of State issue an order terminating the registration and requiring the owner to submit a new public offering statement and application for registration; establishing that the rights of tenants in a conversion are not abrogated by an owner's failure to complete the conversion in a certain period of time; requiring the Secretary to adopt regulations regarding the termination of a certain registration; providing for the application of this Act; and generally relating to the conversion of residential rental facilities to condominiums.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11–102.1, 11–127, and 11–137
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1082 – Delegate Braveboy

AN ACT concerning

Unemployment Insurance – Compensation for Lawyer or Agent Representation in Claim Proceedings

FOR the purpose of repealing certain provisions of law that specify a limit on the amount of compensation that a lawyer may charge a claimant for representation in a proceeding relating to the determination of an unemployment insurance claim before a hearing examiner, special examiner, or the Board of Appeals in the Department of Labor, Licensing, and Regulation; repealing a certain provision that prohibits an agent from charging a claimant for representation in a proceeding relating to the determination of an unemployment insurance claim before a special examiner or the Board of Appeals; and generally relating to unemployment insurance and compensation for lawyer representation in claim proceedings.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–507 and 8–5A–08
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1083 – Delegates McConkey, Costa, Dwyer, George, King, Kipke, and Schuh

AN ACT concerning

Anne Arundel County Board of Education – Appointed Members Subject to Contested Elections

FOR the purpose of requiring that the appointed members of the Anne Arundel County Board of Education be subject to contested elections; repealing certain provisions relating to a retention election for certain appointed members of the county board; providing for a nonpartisan election for the county board under certain circumstances; providing that certain candidates for election to the county board be nominated and that the elections be conducted in a certain manner; establishing rules regarding the inclusion of a candidate's name on the ballot and the counting of votes in the event a candidate dies, declines the nomination, or becomes disqualified; requiring the Governor to appoint a certain individual to fill a vacancy on the county board in certain circumstances; and generally relating to contested elections for certain appointed members of the Anne Arundel County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–108, 3–110, and 3–114
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 3–2A–01 to be under the new subtitle "Subtitle 2A. Anne Arundel County"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1084 – Delegates Hixson, Bobo, Dumais, Feldman, Gutierrez, Hucker, Kramer, Love, Manno, and Rice

AN ACT concerning

Domestic Violence – Reasonable Corporal Punishment – Limitations

FOR the purpose of specifying, in certain provisions of law relating to domestic violence, that reasonable corporal punishment of a child does not include certain actions; and generally relating to domestic violence and corporal punishment of a child.

BY repealing and reenacting, without amendments,

Article – Family Law
Section 4–501(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 4–501(b)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1085 – Delegates Mizeur and Hecht

AN ACT concerning

Clean Energy Loan Programs – Renewable Energy Projects

FOR the purpose of altering the purpose of a certain Clean Energy Loan Program to include providing loans to commercial property owners for the financing of renewable energy products with an electric generating capacity of not more than the equivalent thermal energy output measured in BTUs equivalent to a certain amount of kilowatts; and generally relating to Clean Energy Loan Programs.

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1502
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1086 – Delegates Bartlett, Boteler, Hecht, Hucker, Kaiser, Rice, and Riley

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; specifying certain factors to be considered when applying a certain exemption; prohibiting a campaign finance entity from distributing a campaign advertisement by broadcast or cable radio, subject to certain

conditions; exempting a violation of a certain provision of law from a certain penalty; providing for a delayed effective date; 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 2009 Supplement)

BY adding to
Article – Election Law
Section 13–404
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–604(a)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1087 – Delegates Ali and Shewell

AN ACT concerning

Foreign Corporation Campaign Disclaimer Act

FOR the purpose of requiring a business entity that publishes or distributes campaign material and that is a subsidiary of a foreign–owned business entity to state prominently in a certain size font certain information in a certain authority line; requiring the authority line and certain information to be placed on the front of campaign material under certain circumstances; defining a certain term; and generally relating to the identification of foreign–owned subsidiaries on campaign material.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–401
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1088 – Delegates Minnick, Olszewski, Weir, Barkley, Boteler, Burns, Conaway, DeBoy, Feldman, Haddaway, Harrison, Haynes, Jameson, Kelly, King, Kirk, Krysiak, Love, Manno, Mathias, McHale, Miller, Robinson, Rudolph, Stukes, and Tarrant

AN ACT concerning

Homeowner's Insurance – Offer of Coverage for Loss Caused by Discharge of Water

FOR the purpose of requiring certain insurers to offer in writing, at time of application and renewal, to provide coverage for loss that is caused by or results from a discharge of water from a certain system or source; requiring certain insurers to include a certain statement with the offer; providing that if an application or renewal is made by telephone, an insurer is deemed to be in compliance with a certain provision of this Act under certain circumstances; providing that if an application or renewal is made using the Internet, an insurer is deemed to be in compliance with a certain provision of this Act under certain circumstances; providing for the application of this Act; requiring certain insurers to submit certain annual reports to the Maryland Insurance Administration; and generally relating to homeowner's insurance and offers of coverage for loss caused by a discharge of water.

BY adding to
Article – Insurance
Section 19–213
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1089 – Delegates Rudolph and Elliott

AN ACT concerning

Health Occupations – Pharmacists – Laboratory Tests

FOR the purpose of including the performance of certain laboratory tests as within the scope of practice of certain pharmacists; and generally relating to the performance of laboratory tests by pharmacists.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–101(t)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–101(t)
Annotated Code of Maryland
(2009 Replacement Volume)
(As enacted by Chapter 249 of the Acts of the General Assembly of 2002)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1090 – Delegates G. Clagett, Barkley, Bohanan, Bronrott, DeBoy, Donoghue, Guzzone, Jones, Proctor, and Sophocleus

AN ACT concerning

Correctional Services – State Correctional Officers' Bill of Rights

FOR the purpose of providing for certain rights of a State correctional officer relating to employment, investigation, and discipline under certain circumstances; providing for the procedures for the investigation and interrogation of a State correctional officer; establishing procedures for an application for a show cause order under certain circumstances; establishing a certain limitation on administrative charges against a State correctional officer; providing for procedures for a hearing board conducting an investigation against a State correctional officer; providing for expungement of a record of a formal complaint against a State correctional officer under certain circumstances; providing for certain disciplinary actions against a State correctional officer under certain circumstances; providing that this Act supersedes inconsistent provisions of any other State or local law that conflict with this Act to the extent of the conflict; providing for the effect of this Act in relation to the duties of an appointing authority; prohibiting certain false statements; establishing a criminal penalty for providing a false statement to certain persons; defining certain terms; and generally relating to rights of a State correctional officer.

BY adding to
Article – Correctional Services
Section 10–901 through 10–914 to be under the new subtitle "Subtitle 9. State Correctional Officers' Bill of Rights"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 1–101(b) and 11–105
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1091 – Delegates Reznik, Anderson, Barkley, Beidle, Benson, Bobo, Bromwell, Bronrott, Carr, Carter, G. Clagett, Dumais, Feldman, Frick, Frush, Gilchrist, Gutierrez, Guzzone, Healey, Hixson, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Kullen, Lafferty, Lee, Manno, Mathias, Mizeur, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Rice, Robinson, Rosenberg, Rudolph, Schuler, Shewell, Simmons, Sophocleus, Stein, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, and Waldstreicher

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 certain treatment of autism spectrum disorders; requiring certain treatment of autism spectrum disorders to be prescribed and provided by certain individuals; clarifying that certain provisions of this Act may not be construed as limiting certain benefits otherwise available to an individual; prohibiting certain limits on visits to an autism services provider; requiring a certain notice; 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 a certain determination constitutes an adverse decision under certain provisions of law; providing that certain insurers, nonprofit health service plans, and health maintenance organizations are not required to provide reimbursement for certain services; exempting certain insurers, nonprofit health service plans, and health maintenance organizations from providing coverage for habilitative or rehabilitative care for certain years under certain circumstances; 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 health insurance coverage of autism spectrum disorders.

BY adding to
Article – Insurance
Section 15–845
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland

(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1092 – Queen Anne's County Delegation

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Cross County Trail Phase I

FOR the purpose of authorizing the creation of a State Debt not to exceed $470,000, the proceeds to be used as a grant to the Board of County Commissioners of Queen Anne's County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1093 – Delegate Donoghue

AN ACT concerning

Health Insurance – Clinically Integrated Organizations

FOR the purpose of authorizing certain health insurance carriers to pay a clinically integrated organization or its members for services associated with the coordination of certain covered medical services to certain qualifying individuals; authorizing the carriers to pay a clinically integrated organization or its members certain incentives for a certain purpose; requiring the carriers to share medical information about a qualifying individual with a clinically integrated organization and its members under certain circumstances; defining certain terms; requiring a clinically integrated organization to notify the Maryland Health Care Commission of a certain agreement and to provide a certain report to the Commission under certain circumstances; applying certain provisions of this Act to health maintenance organizations and managed care organizations; and generally relating to payments to and sharing medical information with clinically integrated organizations.

BY adding to
Article – Health – General
Section 15–102.8 and 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–1801 through 15–1803 to be under the new subtitle "Subtitle 18. Clinically Integrated Organizations"
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1094 – Carroll County Delegation

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 $35,000,000 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 Appropriations.

House Bill 1095 – Carroll County Delegation

AN ACT concerning

Carroll County – Sheriff – Salary

FOR the purpose of altering the annual salary of the Sheriff of Carroll County; providing that the annual salary of the Sheriff of Carroll County shall include certain cost–of–living adjustment increases under certain circumstances; providing that this Act does not apply to the salary or compensation of the Sheriff of Carroll County during a certain term in office; and generally relating to the salary of the Sheriff of Carroll County.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 2–309(h)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1096 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

Baltimore City – Property Taxes – Vacant and Uninhabitable Real Property

FOR the purpose of authorizing the Mayor and City Council of Baltimore City to establish a separate subclass of real property for property tax purposes consisting of certain vacant and uninhabitable real property; authorizing the Mayor and City Council of Baltimore City to set a special property tax rate for vacant and uninhabitable real property; repealing certain obsolete provisions and obsolete references; defining a certain term; providing for the application of this Act; and generally relating to the taxation of certain vacant and uninhabitable real property in Baltimore City.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 6–302
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – Property
Section 6–302.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1097 – Delegates Hammen, Krysiak, and McHale

AN ACT concerning

Creation of a State Debt – Baltimore City – Southeast Neighborhood Development 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 Southeast Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1098 – Delegate Oaks

AN ACT concerning

Baltimore City – Binding Arbitration – Police Officers

FOR the purpose of requiring binding arbitration between certain employee organizations representing certain Baltimore City police officers and the City of Baltimore under certain circumstances; applying certain procedures governing binding arbitration for firefighters and fire officers to certain police officers; providing for the selection of a certain board of arbitration; requiring a certain board of arbitration to consider certain matters; requiring the adoption of certain salary and wage scales for certain police officers under certain circumstances; making a technical change; and generally relating to binding arbitration between certain police officers and the City of Baltimore.

BY repealing and reenacting, with amendments,
The Charter of Baltimore City
Article II – General Powers
Section (55)
(2007 Replacement Volume, as amended)

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

House Bill 1099 – Delegates Love, Beidle, and Sophocleus

AN ACT concerning

Creation of a State Debt – Anne Arundel County – Reece Road Community Health 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 Trustees of the People's Community Health 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 Appropriations.

House Bill 1100 – Delegates Braveboy, Ali, Anderson, Barkley, Barnes, Benson, Bobo, Burns, Carr, Davis, Feldman, Frush, Gaines, Gilchrist, Glenn, Gutierrez, Guzzone, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Hucker, Ivey, Jones, Kirk, Krysiak, Kullen, Lee, Levi, Malone, Manno, McHale, Mizeur, Montgomery, Niemann, Olszewski, Pena–Melnyk, Ramirez, Reznik, Rice, Ross, Schuler, Stukes, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, and Walker

AN ACT concerning

Prevailing Wage Rates – Public Works Contracts – Suits by Employees

FOR the purpose of authorizing certain employees to file a complaint with the Commissioner of Labor and Industry; requiring that a certain complaint filed by an employee under a certain provision of law is subject to certain investigation and enforcement procedures; requiring the Commissioner to attempt to resolve a certain issue internally or issue a certain order under certain circumstances; authorizing certain employees to seek certain compensation and additional remedies from certain employers under certain circumstances; authorizing certain employees or the Commissioner 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; 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
(2009 Replacement Volume)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1101 – Delegate Elliott

AN ACT concerning

Insurance – Unfair Claim Settlement Practices – Third–Party Claims

FOR the purpose of altering the circumstances under which an unfair claim settlement practice is considered to have been committed to include failure to act in good faith, as defined under certain provisions of law, in settling any claim, including a third–party claim, under a policy of property and casualty insurance; altering the circumstances under which an unfair claim settlement practice, with the frequency to indicate a general business practice, is considered to have been committed to include failure to act in good faith, as defined under certain provisions of law, in settling any claim, including a third–party claim, under a policy of property and casualty insurance; providing that certain penalties apply to certain violations of certain provisions of law; providing for the application of this Act; and generally relating to unfair claim settlement practices under property and casualty insurance.

BY repealing and reenacting, with amendments,
Article – Insurance
Section 27–303 and 27–304
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 27–305 and 27–1001(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1102 – Delegates Niemann, Benson, Frush, Healey, Holmes, Ivey, Ramirez, and Vaughn

AN ACT concerning

Business Regulation – Bookstores Purchasing Used Textbooks – Required Records

FOR the purpose of requiring the owner or operator of a bookstore that purchases used textbooks from a person to make a certain written record if the transaction is for a certain amount or more; requiring certain bookstores to verify the identity of certain sellers in a certain manner; requiring certain bookstores to keep certain

records of certain transactions; providing that a person who violates this Act is guilty of a misdemeanor and on conviction is subject to a certain penalty; defining a certain term; and generally relating to the purchase of used textbooks by a bookstore.

BY adding to
Article – Business Regulation
Section 19–601 to be under the new subtitle "Subtitle 6. Used Textbooks"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1103 – Delegates Rosenberg and Feldman

AN ACT concerning

Business Regulation – Storage and Display of Tobacco–Related Products

FOR the purpose of prohibiting certain persons from storing or displaying a tobacco–related product unless certain conditions are met; providing for civil penalties for certain violations of this Act; authorizing a county health officer, or the county health officer's designee, to issue a civil citation to a person who violates a certain provision of law; requiring the civil citation to include certain information; requiring the county health officer to retain a copy of the civil citation; authorizing a person who receives a civil citation under a certain provision of law to elect to stand trial by filing a certain notice with the county health officer within a certain time period; requiring the county health officer to forward a certain notice to the District Court having venue; requiring the District Court to schedule the case for trial and notify the defendant; authorizing the county commissioners for the county where the violation of a certain provision of law occurred to authorize the State's Attorney to prosecute a certain civil infraction; requiring a certain violation to be prosecuted in the same manner and to the same extent as a municipal infraction under certain provisions of law; requiring a person found by the District Court to have violated a certain provision of law to be liable for the costs of the court proceedings; requiring the penalties and forfeitures collected by the District Court for the violation of a certain provision of law to be remitted to the county where the violation occurred; providing for the application of this Act; providing that this Act does not preempt any county or municipal law or ordinance more stringent than this Act; declaring the intent of the General Assembly; defining a certain term; and generally relating to the storage and display of tobacco–related products.

BY repealing
Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 15–101 through 15–102.1, 15–103, and 15–104 and the title "Title 15. Tobacco Product Sales"
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing
Article – Business Regulation
Section 16–3A–01 through 16–3A–03 and the subtitle "Subtitle 3A. Tobacco Product Vending Machines"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 16–3A–01 through 16–3A–05 to be under the new subtitle "Subtitle 3A. Storage and Display of Tobacco–Related Products"
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1104 – Delegates Ali, Taylor, Barkley, Kaiser, Montgomery, and Reznik

AN ACT concerning

Creation of a State Debt – Montgomery County – Muslim Community Center Youth Multipurpose Facility

FOR the purpose of authorizing the creation of a State Debt not to exceed $200,000, the proceeds to be used as a grant to the Board of Directors and the Board of Trustees of the Muslim 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; prohibiting the use of the loan proceeds or matching funds 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 Appropriations.

House Bill 1105 – Delegates Cardin, Bromwell, Haddaway, Morhaim, Olszewski, Shewell, Sossi, Stein, Stocksdale, F. Turner, and Walker

AN ACT concerning

Income Tax – Subtraction Modification – Health Improvement and Disease Prevention Act of 2010

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain health– and fitness–related expenses; limiting the amount and type of expenses that certain taxpayers may subtract from federal adjusted gross income; requiring the Comptroller in cooperation with the Department of Health and Mental Hygiene to adopt certain regulations; defining certain terms; requiring the Comptroller and the Department to report to the General Assembly on or before a certain date; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain health– and fitness–related expenses.

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–208(a)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Tax – General
Section 10–208(r)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1106 – Delegates Conaway and Robinson

AN ACT concerning

Criminal Law – Limited Immunity – Seeking Care or Medical Assistance for a Vulnerable Adult

FOR the purpose of providing that, notwithstanding any other law, a caregiver, parent, or other person who has permanent or temporary care or responsibility for the supervision of a vulnerable adult and who voluntarily seeks care or medical assistance for the vulnerable adult may not be charged with or prosecuted for a certain crime under certain circumstances; providing for the termination of this Act; and generally relating to limited immunity for a person who seeks care or medical assistance for a vulnerable adult.

BY repealing and reenacting, without amendments,
Article – Criminal Law
Section 3–604 and 3–605
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Law
Section 3–605.1
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1107 – Delegates Robinson, Burns, Glenn, Haynes, Oaks, and Stukes

AN ACT concerning

Establishment of a Minority Business Registry by the Small Business Development Center Network

FOR the purpose of requiring the Small Business Development Center Network to establish and maintain a directory of minority businesses on file with the State Department of Assessments and Taxation; requiring that certain forms require a certain business to indicate whether the business is minority–owned, the size of the business, and a certain code for the business; requiring the Small Business Development Center Network to organize the registry by certain codes and provide certain lists to units or contractors that request information on minority businesses for certain services; defining a certain term; and generally relating to the establishment of a minority business registry.

BY adding to
Article – State Finance and Procurement
Section 14–304.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1108 – Carroll County Delegation

AN ACT concerning

Carroll County – Gaming

FOR the purpose of authorizing certain nonprofit organizations in Carroll County to conduct a gaming contest that is a card game, card tournament, or casino night; authorizing the county commissioners to issue a permit to conduct a gaming contest; specifying certain conditions under which a permit holder may conduct a gaming contest; restricting a permit holder from conducting more than a

certain number of gaming contests in a calendar year; specifying the purposes for which certain proceeds may be used; specifying the time when a gaming contest may be conducted; requiring a participant to use wagering tokens for wagering under certain conditions; prohibiting a permit holder from taking certain actions; requiring a permit holder to submit to the Sheriff's Office a certain financial report within a certain time; authorizing the county commissioners to adopt certain regulations; imposing certain penalties; defining certain terms; and generally relating to card games, card tournaments, and casino nights in Carroll County.

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 13–906 and 13–909
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1109 – Caroline County Delegation

AN ACT concerning

Caroline County – Bay Restoration Fee – Lien Against Property

FOR the purpose of establishing in Caroline 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 Caroline 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 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1110 – Queen Anne's County Delegation

AN ACT concerning

Queen Anne's County – Annual Financial Report – Filing Date

FOR the purpose of altering the date by which Queen Anne's County may file its annual financial report for the fiscal year with the Department of Legislative

Services; and generally relating to the annual financial report of Queen Anne's County.

BY repealing and reenacting, with amendments,
Article 19 – Comptroller
Section 37
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1111 – Carroll County Delegation

AN ACT concerning

Carroll County – State's Attorney – Salary

FOR the purpose of requiring the governing body of Carroll County to adjust the salary of the State's Attorney for Carroll County to include a certain cost–of–living adjustment under certain circumstances; providing that this Act does not apply to the salary or compensation of the State's Attorney for Carroll County during a certain term in office; and generally relating to the salary of the State's Attorney for Carroll County.

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 15–407
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1112 – Carroll County Delegation

AN ACT concerning

Carroll County – Green Building Tax Credit

FOR the purpose of altering certain authority for the governing body of Carroll County to grant, by law, a green building tax credit against the county property tax imposed on certain properties on which a person installs certain environmentally friendly technologies; providing for the application of this Act; and generally relating to property tax credits in Carroll County.

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–308(e)

Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1113 – Delegates Stocksdale, Aumann, Howard, Impallaria, Minnick, Proctor, Shewell, Stein, Vallario, Weir, and Wood

EMERGENCY BILL

AN ACT concerning

State Retirement and Pension System – Retirement Allowance Adjustments

FOR the purpose of altering the method used to calculate certain annual retirement allowance adjustments under certain circumstances; making this Act an emergency measure; and generally relating to retirement allowance adjustments for retirees and beneficiaries of retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–406, 29–418, and 29–427
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 29–407
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1114 – Carroll County Delegation

AN ACT concerning

Carroll County – Alcoholic Beverages – Sale of Wine for Off–Premises Consumption

FOR the purpose of authorizing a holder of a Class B beer, wine and liquor license in Carroll County to sell wine under certain circumstances for off–premises consumption; limiting the number of bottles of wine a holder of the license may sell to an individual at one time; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(a)(1) and (h)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 6–201(h)(2)(iii)2.
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article 2B – Alcoholic Beverages
Section 6–201(h)(2)(iii)3.
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1115 – Queen Anne's County Delegation

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Hospice of Queen Anne's

FOR the purpose of authorizing the creation of a State Debt not to exceed $40,000, the proceeds to be used as a grant to the Board of Directors of the Hospice of Queen Anne's, 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 Appropriations.

House Bill 1116 – Queen Anne's County Delegation

AN ACT concerning

Creation of a State Debt – Queen Anne's County – Queen Anne's County YMCA

FOR the purpose of authorizing the creation of a State Debt not to exceed $3,000,000, the proceeds to be used as a grant to the Board of County Commissioners of Queen Anne's County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1117 – Delegates Riley and James

AN ACT concerning

Harford County Property Tax Credit – Homes near a Refuse Disposal System – Extension to Additional Properties

FOR the purpose of extending the property tax credit in Harford County for certain residential real property in proximity to certain refuse disposal systems to certain additional residential real property; providing for the application of this Act; and generally relating to a 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 2009 Supplement)
(As enacted by Chapters 228 and 229 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 9–314(a)(4)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1118 – Delegate Niemann

EMERGENCY BILL

AN ACT concerning

Real Property – Foreclosures of Residential Property – Loss Mitigation and Settlement

FOR the purpose of requiring certain documents to accompany a notice of intent to foreclose a mortgage or deed of trust on residential property; requiring an order

to docket or a complaint to foreclose a mortgage or deed of trust on residential property to include payment of a certain filing fee and be accompanied by a certain affidavit under certain circumstances; altering the contents of a certain notice that must accompany an order to docket or complaint to foreclose under certain circumstances; requiring an order to docket or a complaint to foreclose to be accompanied by a certain homeowner challenge petition or a certain loss mitigation application under certain circumstances; requiring a mortgagor or grantor to be mailed a certain final loss mitigation affidavit and homeowner challenge petition under certain circumstances; prohibiting a foreclosure sale on residential property from occurring until after the later of certain dates; providing that the filing of a homeowner challenge petition stays a foreclosure proceeding under certain circumstances; requiring a court to make a certain determination and order a certain settlement conference under certain circumstances; imposing certain conditions on the conduct of certain parties at a settlement conference; authorizing the court to continue a stay or dismiss a stay in a foreclosure proceeding under certain circumstances; requiring revenue collected from a certain filing fee to be distributed to a certain housing counseling fund; establishing a certain housing counseling fund in the Department of Housing and Community Development; requiring the Commissioner of Financial Regulation to adopt regulations to prescribe the form and content of certain documents required under this Act; establishing the form of certain documents that shall be used until certain regulations are adopted under this Act; terminating the use of certain documents and requiring the use of certain documents under certain circumstances; defining certain terms; making this Act an emergency measure; and generally relating to loss mitigation and settlement in foreclosures of residential property.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7–105.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–507
Annotated Code of Maryland
(2006 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1119 – Delegates Robinson, Burns, Glenn, Haynes, Oaks, and Stukes

AN ACT concerning

State Personnel – Employee Development and Training Institute

FOR the purpose of establishing an Employee Development and Training Institute in the Department of Budget and Management; requiring the Executive Director of Personnel Services and Benefits of the Department to enter into a certain contract for certain services concerning the Institute; requiring the Secretary of Budget and Management to adopt certain regulations; requiring that a certain annual report be submitted to the House Appropriations Committee and the Senate Budget and Taxation Committee; and generally relating to an Employee Development and Training Institute for State employees.

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 10–101 through 10–105 and 13–401 through 13–403
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 10–106
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1120 – Delegate Niemann (Task Force to Study Motor Vehicle Towing Practices) and Delegates Beidle, Frush, Gaines, Glenn, Holmes, and Stukes

AN ACT concerning

Motor Vehicles – Towing Practices and Procedures

FOR the purpose of establishing a motor vehicle towing and storage lien on a towed motor vehicle on behalf of the tower for certain towing and storage charges; prohibiting a motor vehicle towing and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; establishing certain notice and publication requirements for the public sale of a towed vehicle; requiring the Administration to issue a salvage certificate to the purchaser of a vehicle subject to a motor vehicle towing and storage lien under certain circumstances; requiring certain motor vehicle towing and storage lienors to file a certain court action in a certain manner under certain circumstances; requiring the Motor Vehicle Administration to issue a certificate of title that contains a conspicuous "salvage" notation under certain circumstances; clarifying the application of certain security requirements for tow trucks; altering certain security requirements for tow trucks; altering certain penalties for certain violations related to tow truck vehicle registration; providing for the statewide application of certain provisions of law governing

the towing or removal of vehicles from parking lots; altering the content required on certain signage related to the towing and storage of vehicles; altering the maximum distance that a vehicle towed from a parking lot may be transported for storage, subject to a certain exception; altering certain maximum amounts that a person may charge for towing and storing a vehicle; altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to obtain certain photographic evidence from the parking lot owner before towing a vehicle from a parking lot; prohibiting a tower from towing a vehicle for a certain violation within a certain time period; altering the storage facility to which a tower is required to transport a towed vehicle; prohibiting the removal of a towed vehicle from a certain storage facility for a certain time period; clarifying the required opportunity that certain persons must provide for the reclamation of a towed vehicle; requiring a tower to release a towed vehicle to certain persons under certain circumstances; requiring a storage facility for towed vehicles to accept payment in a certain manner and to make an automatic teller machine available on the premises; altering the persons eligible to seek certain civil damages from a tower under certain circumstances; altering certain penalties for certain towing violations; establishing certain penalties for violations relating to motor vehicle towing and storage liens; making a certain stylistic change; making a certain technical correction; altering a certain definition; and generally relating to motor vehicle towing practices and procedures.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 16–202(c) and 16–207
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Commercial Law
Section 16–206
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 11–152, 13–507, 13–920, 21–10A–01 through 21–10A–06, and 27–101(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 13–506(c) and 27–101(a) and (b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1121 – Delegates Bates, Burns, Frank, Haddaway, McComas, Sophocleus, and Sossi

AN ACT concerning

Great Preschools Scholarship Program

FOR the purpose of establishing the Great Preschools Scholarship Program in the State Department of Education; authorizing certain schools to apply to the Department to participate in the Program; authorizing eligible students to apply for certain scholarships; requiring the Department to award scholarships under certain circumstances; requiring the Department to determine the amount of certain scholarships based on certain income eligibility; establishing requirements for the use of scholarship money; requiring participating schools to use a certain selection process; requiring certain counties to include certain students in their full–time equivalent enrollment; requiring certain schools to comply with certain administrative, financial, and academic accountability requirements; establishing the autonomy of certain schools; requiring the Department to conduct a certain public awareness program, create a certain form, and prohibit certain schools from further participation in the Program under certain circumstances; requiring certain county boards to provide school records and transportation for certain students; requiring the Department to conduct a certain evaluation and submit certain reports by certain dates; defining certain terms; requiring the Department to adopt certain regulations; and generally relating to the establishment of the Great Preschools Scholarship Program in the State Department of Education.

BY adding to
Article – Education
Section 9.5–101 through 9.5–109 to be under the new title "Title 9.5. Great Preschools Scholarship Program"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1122 – Delegates O'Donnell, Bartlett, Bates, Beitzel, Dwyer, Eckardt, Elliott, Frank, George, Haddaway, Jenkins, Kach, Krebs, McComas, McConkey, Miller, Norman, Schuh, Serafini, Shank, Smigiel, Sossi, Stifler, and Stocksdale

AN ACT concerning

Presidential Elections – Agreement Among the States to Elect the President by National Popular Vote – Repeal

FOR the purpose of rescinding the State of Maryland's consent to enter into the Agreement Among the States to Elect the President by National Popular Vote and repealing the statutory provisions reciting the Agreement; repealing certain provisions of law relating to the nomination of presidential electors; specifying that presidential electors in the State continue to be elected at large by the voters of the entire State and not in accordance with the procedure outlined in the Agreement; specifying that presidential electors cast their votes for the candidates for President and Vice President who received a plurality of the votes cast in the State and not as defined under the Agreement; repealing a certain contingency relating to the State's entry into the Agreement; and generally relating to the repeal of the Agreement Among the States to Elect the President by National Popular Vote.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 8–503 through 8–505
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)
(As enacted by Chapters 43 and 44 of the Acts of the General Assembly of 2007)

BY repealing
Article – Election Law
Section 8–5A–01 and the subtitle "Subtitle 5A. Agreement Among the States to Elect the President by National Popular Vote"
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

BY repealing
Chapter 43 of the Acts of the General Assembly of 2007
Section 3

BY repealing
Chapter 44 of the Acts of the General Assembly of 2007
Section 3

Read the first time and referred to the Committee on Ways and Means.

House Bill 1123 – Delegates Holmes, Ali, Healey, and Niemann

AN ACT concerning

Real Property – Mobile Home Parks – Resident and Park Owner Rights

FOR the purpose of requiring a mobile home park owner to maintain security deposits in certain accounts of certain financial institutions; imposing certain requirements for the accounts; prohibiting security deposits under mobile home

park resident leases from being attached by certain creditors under certain circumstances; imposing certain requirements for the return and withholding of security deposits under certain circumstances; requiring certain rent escrow procedures to be followed in certain actions between a mobile home park owner and a resident; authorizing a court to grant certain relief to a mobile home park owner if certain service was made on a resident under certain circumstances; providing that acceptance of certain payments by a mobile home park owner is not a waiver of certain rights; providing that when a mobile home park owner consents to a certain resident remaining on the premises, the resident becomes a month–to–month resident under certain circumstances; providing that a tenant holding over with consent retains certain rights; providing for the distribution of certain payments under certain circumstances; establishing certain procedures to be followed in wrongful detainer actions between a mobile home park owner and a resident; authorizing a mobile home park owner to bring an action for summary ejectment against a deceased resident under certain circumstances; defining a certain term; making stylistic changes; and generally relating to mobile home park owners' and residents' rights.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 8A–1001, 8A–1702, and 8A–1703
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 8A–1503, 8A–1704, and 8A–1705
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1124 – Delegates Holmes, Glenn, Healey, Lafferty, Niemann, Sossi, and Stull

AN ACT concerning

Real Property – Common Ownership Communities – Annual Registration

FOR the purpose of requiring cooperative housing corporations, condominiums, and homeowners associations to register annually with the Division of Consumer Protection of the Office of the Attorney General; authorizing the Division of Consumer Protection to charge a certain registration fee; requiring the registration form to include certain information; requiring cooperative housing corporations, condominiums, and homeowners associations to notify the Division of Consumer Protection of changes in registration information under

certain circumstances; and generally relating to the annual registration of common ownership communities.

BY adding to
Article – Corporations and Associations
Section 5–6B–12.1
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Real Property
Section 11–130.1 and 11B–115.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1125 – Delegates Holmes, Barkley, Beidle, Cane, G. Clagett, Elmore, James, Jameson, Love, McConkey, Norman, O'Donnell, Serafini, Sossi, Stull, and Wood

EMERGENCY BILL

AN ACT concerning

Stormwater Management – Development Projects – Redevelopment and Preliminary Plan Approval

FOR the purpose of establishing certain requirements for a certain redevelopment project design; authorizing a certain developer to pay a certain fee–in–lieu payment to a certain local government to offset certain stormwater management requirements; requiring a certain fee–in–lieu payment to be in an amount determined by a local government and used for certain purposes; authorizing a person to submit a certain stormwater management plan that complies with certain laws and regulations if a certain development project receives certain approvals before a certain date; defining certain terms; making this Act an emergency measure; and generally relating to stormwater management.

BY repealing and reenacting, with amendments,
Article – Environment
Section 4–203(b) and 4–204
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY adding to
Article – Environment

Section 4–203(e)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1126 – Delegate Holmes

AN ACT concerning

Consumer Protection – Prizes Conditioned on Purchase or Sales Promotion – Tenant Referrals

FOR the purpose of providing that certain provisions of law prohibiting notifying a person of a prize, award, or anything of value conditioned on the purchase of goods or services or participating in or submitting to a sales promotion effort do not apply to offers by a landlord or property management company of rewards or credits to a current tenant for referring an applicant for rental who becomes a tenant of the landlord or property management company within a certain period of time; requiring a landlord or property management company that offers a reward or credit for a tenant referral to make certain disclosures; authorizing the landlord or property management company to disclose certain information to the referring tenant; prohibiting the landlord or property management company from disclosing certain information to the referring tenant; prohibiting the landlord or property management company from treating certain obligations as a reward or credit; and generally relating to rewards or credits for tenant referrals.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–305
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1127 – Delegates Holmes, Dwyer, Niemann, and Stein

AN ACT concerning

Health Insurance – Coverage for the Treatment of Bleeding Disorders

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain pharmacy care, home nursing services, treatment at a hemophilia treatment center, and clinical laboratory services that an insured's or enrollee's treating physician determines are necessary to prevent, diagnose, or treat a bleeding disorder;

requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for certain blood clotting products and to preapprove or preauthorize a prescription for a blood clotting product in a certain manner, under certain circumstances; requiring the insurers, nonprofit health service plans, and health maintenance organizations to provide to an insured or enrollee a choice of a certain number of certain full–service home care providers; authorizing the imposition of a copayment or coinsurance requirement or deductible for certain coverage under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to coverage for bleeding disorders under health insurance policies and contracts.

BY adding to
Article – Health – General
Section 19–706(cccc)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Insurance
Section 15–845
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1128 – Delegates Serafini, Bates, Dwyer, Eckardt, Elliott, Frank, George, Kipke, McComas, McConkey, Norman, O'Donnell, Shank, Sossi, and Stocksdale

AN ACT concerning

State Personnel – Innovative Idea Awards Program – Additional Cash Awards

FOR the purpose of requiring that a certain additional cash award provided to certain State employees under the Innovative Ideas Awards Program for certain innovative ideas shall be equal to a certain percentage of the savings or gain to the State from the innovative idea, up to a certain monetary limit; making certain conforming changes; and generally relating to awards made under the State Innovative Idea Awards Program.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 10–203
Annotated Code of Maryland

(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1129 – Delegates Stukes, Anderson, Glenn, Harrison, and Tarrant

AN ACT concerning

Workers' Compensation – Permanent Partial Disability – Baltimore City Sheriff's Office

FOR the purpose of extending enhanced workers' compensation benefits for certain permanent partial disability claims to sworn officers of the Baltimore City Sheriff's Office; and generally relating to workers' compensation benefits for sworn officers of the Baltimore City Sheriff's Office.

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 9–628
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 9–629
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1130 – Delegates Davis, Braveboy, and Griffith

AN ACT concerning

Creation of a State Debt – Prince George's County – Forestville Military Academy Track

FOR the purpose of authorizing the creation of a State Debt in the amount of $180,000, the proceeds to be used as a grant to the Forestville Military Academy High School PTA 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 Appropriations.

House Bill 1131 – Delegates O'Donnell, Barve, and Bates

AN ACT concerning

Education – Maintenance of Effort Waiver – Appeal Process

FOR the purpose of requiring the State Board of Education to inform certain county boards of education of a certain decision; authorizing certain parties to appeal the decision of the State Board to the Office of Administrative Hearings within a certain time frame; requiring the Office of Administrative Hearings to conduct a hearing and issue a decision within a certain time frame and according to certain provisions of law; requiring a certain decision to be based on substantive grounds; providing that the decision of the Office of Administrative Hearings is final; prohibiting the assessment of a certain penalty until the Office of Administrative Hearings has issued a decision; and generally relating to an appeals process for the maintenance of effort requirement for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 5–202(d)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1132 – Delegates Morhaim, Stein, and Cardin

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt in the amount of $150,000, the proceeds to be used as a grant to the Board of Directors of the Humane Society of Baltimore 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 Appropriations.

House Bill 1133 – Delegate Waldstreicher

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 any 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 2009 Supplement)

BY adding to
Article – Criminal Law
Section 3–805.2
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

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

House Bill 1134 – Delegate Griffith (Chair, Joint Committee on Pensions) and Delegates Bates, Branch, Eckardt, Gutierrez, Haynes, James, Jones, and Schuh

AN ACT concerning

State Retirement and Pension System – Eligible Governmental Units

FOR the purpose of providing that the effective date of certain eligible governmental units to join the State Retirement and Pension System shall be postponed to a certain date if the Board of Trustees for the State Retirement and Pension System does not receive certain documents on or before a certain date from the eligible governmental unit; making certain technical and clarifying changes to the State Personnel and Pensions Article; deleting certain obsolete provisions in the State Personnel and Pensions Article; defining certain terms; and generally relating to eligible governmental units participating in the State Retirement and Pension System.

BY repealing
Article – State Personnel and Pensions
Section 31–201 through 31–205 and the subtitle "Subtitle 2. Participation in the Local Fire and Police System"

Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – State Personnel and Pensions
Section 31–101(a), 31–2A–01(a), and 31–2B–01(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 31–101(e) and (h), 31–109.1, 31–2A–01(f), 31–2A–03, 31–2A–03.1, 31–2A–05, 31–2B–01(e), 31–2B–03, 31–2B–05, 31–301, 31–302, 31–304, 31–305, and 31–306
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – State Personnel and Pensions
Section 31–2A–01(g), 31–2B–01(f), and 31–2B–03.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1135 – Delegates Ross, Holmes, Levi, and Niemann

AN ACT concerning

Property Tax Credit – Grocery Stores – Low–Income Areas

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain grocery stores; 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 certain terms; providing for the application of this Act; and generally relating to a local property tax credit for certain grocery stores.

BY adding to
Article – Tax – Property
Section 9–252
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1136 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Financial Institutions – Supervision and Reorganization

FOR the purpose of requiring certain trust companies to pledge certain securities or a certain surety bond to the Commissioner of Financial Regulation to defray the costs of receivership; authorizing the Commissioner to determine the amount of the securities or surety bond, subject to a certain maximum amount; authorizing the Commissioner to reduce the pledged securities or surety bond to cash to pay certain costs; establishing procedures for the conversion of a federal mutual savings bank to a Maryland–chartered savings bank; authorizing the Commissioner to take possession of a nondepository trust company if the Commissioner determines that a certain emergency exists; providing that certain expenses of the Commissioner related to the Commissioner's possession of a nondepository trust company shall be paid from the assets of the trust company and the proceeds of the sale of certain bonds or payment on a certain surety bond; authorizing the Commissioner to appoint certain individuals and retain certain officers and employees as needed to carry out the receivership of a nondepository trust company, and requiring that the salaries of those individuals be paid out of the funds of the trust company, as well as the proceeds of the sale of certain bonds or payment on a certain surety bond; defining certain terms; and generally relating to the supervision of certain trust companies and the reorganization of certain savings banks.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 3–101, 5–101, and 5–606
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY adding to
Article – Financial Institutions
Section 3–211.1, 4–701.1, 5–602.1, and 5–604.1
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Financial Institutions
Section 5–601 and 5–602
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1137 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

State Board of Public Accountancy – Educational Requirements for Examination and Licensure

FOR the purpose of altering the educational requirements for an applicant for a license to practice certified public accountancy to take the examination to be a certain number of semester hours or their equivalent and the possession of a baccalaureate or higher degree; maintaining the educational requirements for a license to practice certified public accountancy at a certain number of semester hours or their equivalent and the possession of a baccalaureate or higher degree; and generally relating to the educational requirements for examination and licensure as a certified public accountant.

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 2–303 and 2–305
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1138 – Delegate Davis

AN ACT concerning

Residential Multiple Occupancy Buildings and Shopping Centers – Master Meters

FOR the purpose of authorizing the Public Service Commission to authorize the use of a certain master meter in certain residential multiple occupancy buildings and shopping centers without requiring individual metering or submetering under certain circumstances; authorizing an electric company or a gas company to inspect and test certain master meters in accordance with a certain provision of law; defining certain terms; and generally relating to metering for electricity and natural gas in residential multiple occupancy buildings and shopping centers.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–301
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Public Utility Companies
Section 7–304.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1139 – Delegates Dumais, McComas, Doory, Kullen, Lee, Valderrama, and Waldstreicher

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; 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 2009 Supplement)

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

House Bill 1140 – The Minority Leader and Chair, Baltimore City Delegation

AN ACT concerning

Baltimore City – Republican Party Central Committee – Composition

FOR the purpose of requiring the Baltimore City Republican Party Central Committee to consist of a certain number of members elected at large; and generally relating to the Baltimore City Republican Party Central Committee.

BY repealing and reenacting, with amendments,
Article – Election Law
Section 4–203(b)(2)
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1141 – Delegate Dumais

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; altering the circumstances under which certain information concerning child abuse and neglect is required to be disclosed; requiring the State's Attorney to notify the local director or the Secretary within a certain period of time after the conclusion of a certain investigation or prosecution under certain circumstances; requiring the local director or the Secretary to make a certain disclosure within a certain period of time after notification by the State's Attorney; repealing a requirement that the Secretary consult with a certain law enforcement agency before disclosing certain information concerning child abuse and neglect; requiring the local director or the Secretary to disclose certain information; prohibiting the local director and the Secretary from disclosing the names of certain individuals; 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 2009 Supplement)

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

House Bill 1142 – Delegates DeBoy and Malone

AN ACT concerning

Creation of a State Debt – Maryland Food Bank

FOR the purpose of authorizing the creation of a State Debt not to exceed $250,000, the proceeds to be used as a grant to the Board of Directors of the Maryland 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 Appropriations.

House Bill 1143 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Marlboro Meadows 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 Marlboro Meadows Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

House Bill 1144 – Delegates Holmes, Hubbard, and Levi

AN ACT concerning

Creation of a State Debt – Prince George's County – Allen Pond Park

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 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 Appropriations.

House Bill 1145 – Delegates Mathias, Cane, Conway, Elmore, and Rudolph

AN ACT concerning

Criminal Law – Salvinorin A and Salvia Divinorum – Distribution to and Possession by Individual Under 21 Years of Age

FOR the purpose of prohibiting a person from distributing Salvia divinorum to an individual under the age of 21 years; providing that it is a defense in a certain prosecution that the defendant examined a certain license or identification that positively identified a certain purchaser or recipient as at least a certain age; establishing penalties for a certain violation of this Act; providing that certain separate incidents are separate violations for a certain purpose; prohibiting an individual under the age of 21 years from possessing Salvia divinorum; establishing that a person who violates this Act shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the District Court to prescribe a certain form of citation; requiring the jurisdiction that issues a certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; providing that an individual who is under the age of 21 years but not a minor is subject to certain provisions of this Act; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; establishing certain penalties for a certain violation of this Act; prohibiting the Chief Judge of the District Court from establishing a certain schedule for the prepayment of fines; authorizing a court to direct the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State's Attorney to prosecute a certain violation in a certain manner; authorizing a certain intake officer to refer a certain child to a substance abuse education or rehabilitation program under certain circumstances; requiring a certain intake officer to forward a certain citation to the State's Attorney if a certain child fails to comply with a substance abuse education or rehabilitation program referral; establishing that a violation of a certain provision of this Act is a violation for certain purposes; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; providing for the application of this Act; providing that this Act does not preempt certain local or municipal laws; defining a certain term; making conforming changes; and generally relating to Salvia divinorum.

BY adding to
Article – Criminal Law

Section 10–130 through 10–133 to be under the new part "Part IV. Salvia Divinorum"
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–01(dd), 3–8A–10(k), and 3–8A–33(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1146 – Delegates Carter, Anderson, Oaks, and Vaughn

AN ACT concerning

Procurement – Governor's Office of Minority Affairs – Office of Minority Business Enterprise Compliance

FOR the purpose of establishing the Office of Minority Business Enterprise Compliance in the Governor's Office of Minority Affairs; providing for the appointment and tenure of the head of the Office of Minority Business Enterprise Compliance; specifying the duties of the Office of Minority Business Enterprise Compliance; requiring certain procurement units to submit a certain report each month to the Office of Minority Business Enterprise Compliance; and generally relating to the Office of Minority Business Enterprise Compliance.

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–302, 9–303, 9–304, 9–305, and 9–306
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–303.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Government
Section 9–307
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1147 – Delegates Walker, Anderson, Benson, Conaway, Haynes, Ivey, King, Kipke, Manno, Oaks, Olszewski, Ramirez, Schuh, Stukes, Tarrant, F. Turner, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Vehicle Laws – Renewal of Registration – Unemployed Individuals

FOR the purpose of establishing that a vehicle that is owned by an individual who is eligible for unemployment insurance benefits is not subject to a fee for the renewal of the vehicle's registration; providing for the termination of this Act; and generally relating to unemployed individuals and fees for vehicle registration renewals.

BY adding to
Article – Transportation
Section 13–903.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1148 – Delegates Walker, Benson, Bohanan, Burns, Cardin, Carr, Carter, DeBoy, Dumais, Frush, George, Glenn, Healey, Holmes, Howard, Impallaria, Ivey, Kach, Kullen, Levi, Montgomery, Murphy, Myers, Pena–Melnyk, Proctor, Rice, Schuh, Tarrant, Taylor, F. Turner, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Supplemental Retirement Plans – Investment Options

FOR the purpose of requiring the Board of Trustees of the Maryland Teachers and State Employees Supplemental Retirement Plans to provide participants in the State supplemental retirement plans certain investment options; defining certain terms; and generally relating to investment options for participants in the State supplemental retirement plans.

BY adding to
Article – State Personnel and Pensions
Section 35–303
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1149 – Delegates Carter, Anderson, Bates, Simmons, and Walker

AN ACT concerning

Denial or Dismissal of Domestic Violence Petition – Expungement of Records

FOR the purpose of authorizing a respondent in a certain domestic violence proceeding to file a written request to expunge court records relating to the proceeding under certain circumstances; providing that a certain request for expungement may not be filed within a certain time except under certain circumstances; requiring the court to schedule a hearing on a certain request; requiring the court to provide a certain notice of a certain hearing; requiring the court to order the expungement of all court records relating to the proceeding under certain circumstances; providing a certain exception; requiring certain custodians to notify the court and the respondent of compliance with the order; authorizing access by certain persons to certain expunged records under certain circumstances; defining certain terms; and generally relating to domestic violence and the expungement of certain court records.

BY adding to
Article – Family Law
Section 4–512
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1150 – Delegates Hecht, Bobo, Bronrott, Carr, Feldman, Heller, Hucker, Kramer, Lee, Manno, Niemann, and Riley

AN ACT concerning

Consumer Protection – Damages for Violations of the Maryland Consumer Protection Act

FOR the purpose of authorizing a court to award certain statutory damages and treble damages under certain circumstances to a person who is injured by a violation of the Maryland Consumer Protection Act; making a stylistic change; and generally relating to damages for violations of the Maryland Consumer Protection Act.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–408
Annotated Code of Maryland

(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1151 – Chair, Economic Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Commercial Motor Vehicles – Minimum Security Requirements

FOR the purpose of establishing specific minimum levels of required security for commercial motor vehicles by conforming Maryland motor carrier requirements to certain federal regulations; authorizing the Motor Vehicle Administration to adopt certain regulations consistent with certain federal regulations; providing for the effective date of this Act; and generally relating to minimum security requirements for motor carriers.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 13–920(h) and 17–103(b)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

BY adding to
Article – Transportation
Section 25–111.1
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1152 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Commissioner of Financial Regulation – Applicant and Staff Criminal Background Checks

FOR the purpose of requiring the Commissioner of Financial Regulation to apply to the Criminal Justice Information System Central Repository for a State and national criminal history records check for each applicant for employment with the Commissioner; authorizing the Commissioner to apply to the Central Repository for a State and national criminal history records check for each employee of the Commissioner; requiring the Commissioner to submit certain

fingerprints and fees as part of the application for the criminal history records check; requiring the Central Repository to forward certain information to the applicant or employee and the Commissioner; requiring that the information obtained by the Central Repository be confidential and used only for certain purposes; prohibiting the information obtained by the Central Repository from being redisseminated; authorizing certain individuals to contest the contents of certain statements; requiring the Commissioner to consider certain factors in considering certain convictions as they relate to the individual's qualifications for employment with the Commissioner; defining certain terms; and generally relating to criminal history records checks for applicants for employment with and employees of the Commissioner of Financial Regulation.

BY repealing and reenacting, with amendments,
Article – Financial Institutions
Section 2–104
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1153 – Delegates Oaks, Ali, Anderson, Bobo, Branch, Carr, Carter, Costa, Davis, Donoghue, Glenn, Hammen, Harrison, Haynes, Healey, Holmes, Howard, Hubbard, Kirk, Krysiak, Malone, McHale, Morhaim, Nathan–Pulliam, O'Donnell, Pena–Melnyk, Reznik, Riley, Robinson, Rosenberg, Stukes, Stull, Tarrant, Taylor, Vaughn, and Walker

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 2009 Supplement)

BY repealing
Article – Environment
Section 6–819(g)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1154 – Delegates O'Donnell, Aumann, Bates, Beitzel, Costa, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Haddaway, Jennings, Kach, Kipke, McComas, McConkey, Miller, Norman, Schuh, Shank, Smigiel, Sossi, Stifler, and Stocksdale

AN ACT concerning

Education Funding Formula – Average Daily Attendance

FOR the purpose of requiring certain enrollment calculations used for education aid to be based on the average daily attendance in certain school years; defining certain terms; providing for the application of this Act; and generally relating to the calculation of education aid for primary and secondary education.

BY repealing and reenacting, with amendments,
Article – Education
Section 4–122(b)(2) and 5–202(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1155 – Delegates Lafferty, Ali, Anderson, Beidle, Bobo, Bronrott, Cardin, Carr, Frush, Gilchrist, Hecht, Hucker, Lee, Manno, Montgomery, Morhaim, Niemann, Reznik, Rosenberg, Schuh, Schuler, Stein, and Waldstreicher

AN ACT concerning

Transportation – Consolidated Transportation Program – Evaluation and Selection of Proposed Capital Projects

FOR the purpose of altering the process and the criteria used for selecting capital projects to be included in the Consolidated Transportation Program; requiring that the annual Consolidated Transportation Program report include certain goals, a summary of how certain determinations were made, and certain information for each major capital project; requiring that each major capital project proposed by a certain entity include certain elements; requiring the Department of Transportation to evaluate requests for major capital projects based on a certain record and certain other information; requiring the Department to evaluate and select the capital projects to be included in the Consolidated Transportation Program based on certain criteria; requiring the Smart Growth Subcabinet to conduct an annual review of certain goals, benchmarks, and indicators that are used to select certain capital projects;

defining certain terms; and generally relating to the evaluation and selection process for capital projects to be included in the Consolidated Transportation Program.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 2–103.1
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means and the Committee on Environmental Matters.

House Bill 1156 – Delegates Dwyer, Anderson, Barnes, Beidle, Boteler, Bronrott, Carter, Conaway, Costa, Dumais, Eckardt, Frank, Heller, Hubbard, Jennings, Kach, Kelly, Kipke, Kramer, Krebs, Levi, McComas, McConkey, Olszewski, Pena–Melnyk, Riley, Robinson, Rosenberg, Schuh, Shank, Shewell, Simmons, Smigiel, Sophocleus, Sossi, Valderrama, Vallario, Waldstreicher, and Wood

AN ACT concerning

Victims' Rights – Fatal Vehicular Accident – Suspension of License

FOR the purpose of authorizing a victim's representative to be present at a certain administrative hearing concerning a fatal vehicular accident; authorizing a victim's representative to make an oral statement or submit a written statement for consideration at a certain administrative hearing concerning a fatal vehicular accident; requiring a law enforcement officer, during the investigation of a fatal vehicular accident, to inform a victim's representative of the right to file a certain request with the Motor Vehicle Administration; requiring certain notice to a victim's representative under certain circumstances; authorizing the Administration to suspend a license of a person who is convicted of a moving violation that contributed to an accident resulting in the death of an individual; providing for certain procedures; defining certain terms; and generally relating to victims' rights and license suspensions concerning certain fatal vehicular accidents.

BY adding to
Article – Transportation
Section 12–206.1 and 16–206(a)(5) and (f)
Annotated Code of Maryland
(2009 Replacement Volume and 2009 Supplement)

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

House Bill 1157 – Delegates Elliott, Aumann, Bartlett, Bates, Costa, Dwyer, Eckardt, Elmore, Frank, George, Haddaway, Jenkins, Kipke, Krebs, McComas, Miller, Myers, O'Donnell, Schuh, Serafini, Shank, Shewell, Sossi, and Stull

AN ACT concerning

Health Care Malpractice – Limitation on Noneconomic Damages

FOR the purpose of altering a certain limitation on noneconomic damages in health care malpractice claims; making conforming and stylistic changes; and generally relating to altering a certain limitation on noneconomic damages in health care malpractice claims.

BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(a)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–2A–09(b)(1)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1158 – Delegate Costa

AN ACT concerning

Natural Resources – Commercial Finfish – Bycatch

FOR the purpose of clarifying that certain persons are prohibited from catching or possessing tidal finfish in violation of certain size limits; creating an exception to the prohibition by authorizing certain persons to possess a certain bycatch of individual species of tidal finfish; and generally relating to catching or possessing tidal finfish.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–215(a)(4) and (e) and 4–734
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to

Article – Natural Resources
Section 4–734.1
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1159 – Delegates Costa, Bates, Dwyer, Elmore, Frank, George, Kipke, McComas, Norman, Schuh, and Sossi

AN ACT concerning

Budget Reduction Act

FOR the purpose of repealing certain State horse racing impact aid grants to certain local jurisdictions; repealing certain grants to certain film production entities; altering certain State aid provided to certain nonpublic institutions of higher education; repealing certain State grants to certain institutions; repealing a certain income tax credit for certain research and development expenses; altering a certain limit on the amount of certain distributions required to be made to certain counties and Baltimore City based on per capita yield of county income taxes; altering certain State aid to local jurisdictions for local expenditures for police protection; providing for the distribution of certain amounts to the General Fund of the State from a certain special fund; altering or repealing certain required appropriations; prohibiting the use of State general funds for certain purposes; limiting certain rates established under certain programs; altering the calculation of certain State aid to community colleges; altering a certain scholarship program; altering certain State funding requirements for local health services; altering the distribution of certain motor fuel tax revenue; altering the distribution of certain sales and use tax revenue from short–term rental vehicles; altering a certain limit on the maximum aggregate initial tax credit certificates that may be issued for any fiscal year under a certain tax credit for certain investments in certain biotechnology companies; altering a requirement that the State reimburse certain amounts to certain local jurisdictions for a certain property tax credit; altering the distribution of certain highway user revenues; stating certain intent of the General Assembly regarding restraining spending in the State budget by implementation of certain actions; making the provisions of this Act severable; providing for the application of this Act; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of State government.

BY repealing
Article 41 – Governor – Executive and Administrative Departments
Section 4–401, 4–402, and 4–405
Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing
Article – Business Regulation
Section 11–404 and 11–405
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

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 and 2009 Supplement)

BY repealing
Article – Education
Section 17–104
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing
Article – Health – General
Section 13–1015 and 13–1116 through 13–1118
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing
Article – Tax – General
Section 10–721
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(a)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1101(d)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article 41 – Governor – Executive and Administrative Departments
Section 4–403 and 4–406(d)

Annotated Code of Maryland
(2003 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 11–403, 11–404.1, and 11–406
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 4–216(b) and 10–523(a)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY adding to
Article – Economic Development
Section 10–640(g) and 10–643(g)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 8–417, 16–305(c)(1), 18–1101, 18–1102(a) and (b), and 18–1103
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education
Section 17–104
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 2–302
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 11–401 and 11–402(d)
Annotated Code of Maryland
(2007 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement

Section 7–325(a)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–1104, 2–1302.1, and 10–725(e)(3)(iii)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section 9–103(h)
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–402(c) and 8–403
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Chapter 487 of the Acts of the General Assembly of 2009
Section 44

BY repealing and reenacting, with amendments,
Article – Transportation
Section 8–403
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)
(As enacted by Chapter 487 of the Acts of the General Assembly of 2009)

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

House Bill 1160 – Delegates Busch, Dumais, Gilchrist, Heller, Hixson, Ivey, Kaiser, Kramer, Manno, Myers, Olszewski, and Rice

AN ACT concerning

Safe Schools Act of 2010

FOR the purpose of requiring the juvenile court to notify a certain school official that a child has been found to be delinquent, in need of assistance, or in need of supervision and committed to a certain agency under certain circumstances; adding certain offenses to a list of offenses for which a student is arrested that are required to be reported to certain school officials under certain

circumstances; requiring a certain local law enforcement agency to notify a school security officer of the arrest of a student for a certain offense within a certain period of time under certain circumstances; authorizing a certain law enforcement agency to notify the State's Attorney of the arrest of a student for a certain offense; requiring a local school superintendent and a school principal to consider prohibiting a student who is arrested for a reportable offense from attending the same school or riding on the same school bus as the alleged victim under certain circumstances; prohibiting a student who is convicted of or adjudicated delinquent for a reportable offense involving rape or a sexual offense from attending the same school or riding on the same school bus as the victim; requiring each public middle and high school to designate at least one school security officer; requiring the State Board of Education to develop a model policy to address gangs and gang–like activity in schools; specifying the components of the model policy; requiring each county board of education to establish a policy to address gangs and gang–like activity; requiring each county board to develop the policy in consultation with certain groups; requiring each county board to publicize its policy in a certain manner; requiring each county board to submit its policy to the State Board by a certain date; requiring each county board to develop certain educational programs to address gangs and gang–like activity in schools; requiring a school employee to report suspected gang or gang–like activity to certain school officials; authorizing certain school officials to take certain actions; requiring each county superintendent of schools to require certain school security meetings for certain schools; requiring the participation of certain individuals in school security meetings; requiring each county superintendent to enter into a certain memorandum of understanding with the county State's Attorney's Office; requiring the State Department of Education to submit a certain report to the General Assembly on or before a certain date each year; requiring the Governor's Office of Crime Control and Prevention to perform certain actions and submit a certain report to the General Assembly on or before a certain date; defining certain terms; repealing a certain definition; altering a certain definition; making certain clarifying and conforming changes; and generally relating to school safety, gang prevention and intervention in schools, and truancy.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–819(b–1) and 3–8A–19(d)(5)
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–302 and 7–303
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to

Article – Education
Section 7–424.2
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1161 – Delegates Jones, Burns, Busch, Hammen, and Nathan–Pulliam

AN ACT concerning

Tax Increment Financing and Special Taxing Districts – State Hospital Redevelopment

FOR the purpose of authorizing certain counties and municipal corporations to finance the costs of certain public improvements located in or supporting a State hospital redevelopment; authorizing certain counties and municipal corporations to designate special taxing districts, create special funds, and provide for the levy of certain taxes to pay certain costs of infrastructure improvements located in or supporting a State hospital redevelopment; authorizing certain counties and municipal corporations to pledge under an agreement that amounts deposited to a certain special fund be paid over to provide for the payment of certain infrastructure improvement costs; authorizing certain counties and municipal corporations to pledge that certain alternative local tax revenues attributable to a State hospital redevelopment be paid into a certain special fund for certain purposes; altering a certain definition; defining a certain term; and generally relating to certain authorization for certain counties and municipal corporations to finance the costs of certain public improvements located in or supporting State hospital redevelopment.

BY renumbering
Article – Economic Development
Section 12–201(o), (p), and (q), respectively
to be Section 12–201(p), (q), and (r), respectively
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

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 2009 Supplement)

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

Section 9–1301(a), (c)(2), (f)(1), and (g)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article 24 – Political Subdivisions – Miscellaneous Provisions
Section 9–1301(b) and (c)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 12–201(a)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 12–201(j) and 12–210
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

BY adding to
Article – Economic Development
Section 12–201(o)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1162 – Delegates Robinson, Glenn, and Shewell

AN ACT concerning

Department of Health and Mental Hygiene – Health Care Facilities – Abuser Registry

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure; prohibiting a health care

facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–114(d)
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – Health – General
Section 19–347.1 and 19–351(e) and (f)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–351(a)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1163 – Delegates Carr, Gutierrez, and Waldstreicher

AN ACT concerning

Economic Development – Enterprise Zones – Designation

FOR the purpose of increasing the number of enterprise zones that the Secretary of Business and Economic Development is authorized to designate in a county in a calendar year; and generally relating to enterprise zones.

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 5–704(b)
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1164 – Delegate Niemann

AN ACT concerning

Green Maryland Act of 2010

FOR the purpose of altering the minimum requirement for the purchase of recycled paper by the Department of General Services; requiring the Board of Public Works to adopt regulations that require certain State units, on or before a certain date, to establish a certain increased price preference for the purchase of certain products; requiring State units to review annually and revise certain procurement specifications in accordance with a certain manual and strategy; requiring the Department to study the use of compost as a fertilizer and report findings of the study on or before a certain date; making it the goal of the Department to increase the use of compost in landscaping activities; requiring the Department to provide assistance to State units in developing strategies and best practices for implementing environmentally preferable purchasing, including the development of a best practices manual; requiring bidders and offerors for a procurement contract with the Department to certify certain product claims; defining certain terms; providing for the application of certain provisions of this Act; making technical changes; providing for the construction of this Act; repealing obsolete provisions; and generally relating to procurement and use of environmentally beneficial products and practices.

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14–402 and 14–405
Annotated Code of Maryland
(2009 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 14–409 and 14–410
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing
Article – Environment
Section 9–1722
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Health and Government Operations and the Committee on Environmental Matters.

House Bill 1165 – Delegates Love, Beidle, Costa, Dwyer, George, James, King, Kipke, McConkey, Schuh, and Sophocleus

AN ACT concerning

Education – Offenses Reportable to School Authorities

FOR the purpose of altering certain definitions, including the definition of "reportable offense", to include certain violations of the Criminal Law Article and the attempt to commit certain crimes; requiring a law enforcement agency to report the arrest of a student for a certain reportable offense to a local superintendent and the public or nonpublic school principal; and generally relating to offenses reportable to school authorities.

BY repealing and reenacting, with amendments,
Article – Education
Section 7–303
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1166 – Delegates Elliott, Bartlett, Bates, Costa, Eckardt, Frank, George, Haddaway, Jenkins, Krebs, McComas, Miller, Myers, O'Donnell, Schuh, Serafini, Shank, Shewell, Sossi, and Stull

AN ACT concerning

Health Care Malpractice – Awards and Judgments – Periodic Payments

FOR the purpose of requiring periodic payments of certain damages in excess of a certain amount for certain health care malpractice causes of action; establishing procedures and requirements relating to periodic payments and annuities for funding periodic payments; providing for the application of this Act; and generally relating to periodic payments for future damages in medical malpractice actions.

BY renumbering
Article – Courts and Judicial Proceedings
Section 3–2A–10
to be Section 3–2A–11
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–2A–10
Annotated Code of Maryland
(2006 Replacement Volume and 2009 Supplement)

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

House Bill 1167 – Carroll County Delegation

AN ACT concerning

Carroll County – Homemade Food Sales – County Parks and Facilities

FOR the purpose of authorizing a county–owned and county–operated park or facility that is hosting a public festival to offer for sale or sell certain types of homemade–style food under certain circumstances; adding honey to the list of homemade–style food that may be offered for sale or sold under a certain provision of law; and generally relating to homemade food sales in Carroll County.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–305(f)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1168 – Delegate Guzzone

AN ACT concerning

Consent of Minors for Health Care – Detention and Correctional Facilities

FOR the purpose of repealing a certain provision of law relating to the consent to the immunization of a minor in the care and custody of the Department of Juvenile Services; specifying that a minor has the same capacity as an adult to consent to certain initial screenings, immunizations, and physical examinations if the minor is committed to the custody of certain individuals, under the supervision of the Department, or detained at an adult detention center; and generally relating to the consent of minors for health care.

BY repealing
Article – Health – General
Section 18–4A–03(c)
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 20–102(c)
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1169 – Delegates Bartlett, Cane, Elmore, Frick, Hecht, Kipke, Krebs, McHale, Sossi, and Stull

AN ACT concerning

Agricultural Energy Production Act of 2010

FOR the purpose of providing that a certain customer–generator may use certain methods of meter aggregation on certain agricultural properties owned or leased by and operated by an eligible customer–generator under certain circumstances; defining certain terms; and generally relating to net energy metering.

BY repealing and reenacting, with amendments,
Article – Public Utility Companies
Section 7–306
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1170 – Delegates Gutierrez, Pena–Melnyk, Ali, Barkley, Carr, Carter, Feldman, Frick, Gaines, Hixson, Hucker, Lee, Mizeur, Montgomery, Ramirez, Reznik, Rice, Simmons, Taylor, F. Turner, Valderrama, Vallario, and Waldstreicher

AN ACT concerning

Consumer Protection – Prepaid International Calling Cards – Notice of Expiration

FOR the purpose of prohibiting a person from selling or issuing a prepaid international calling card that is subject to expiration unless the date on which the prepaid international calling card expires is disclosed in a certain manner; 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; and generally relating to prepaid international calling cards.

BY repealing and reenacting, with amendments,
Article – Commercial Law
Section 13–301(14)(xxiii)
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

BY adding to
Article – Commercial Law
Section 14–1322
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1171 – Delegate Kipke

AN ACT concerning

State Government – Promotional Items for Giveaways – Purchase Limitations

FOR the purpose of prohibiting primary procurement units from procuring certain promotional items for use as giveaways to certain persons without the written approval of the head of the unit making the request; and generally relating to the purchase of promotional items.

BY adding to
Article – State Finance and Procurement
Section 12–107.1
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1172 – Delegate Walkup

AN ACT concerning

Natural Resources – Oyster Dredging – Cecil, Kent, and Queen Anne's Counties

FOR the purpose of adding the waters of Cecil, Kent, and Queen Anne's counties to the areas of the State waters of the Chesapeake Bay where a person may catch oysters by dredge; providing for the termination of this Act; and generally relating to oyster dredging in the Chesapeake Bay.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–1012
Annotated Code of Maryland
(2005 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1173 – Kent County Delegation

AN ACT concerning

Kent County – Sewage Sludge Utilization Permit

FOR the purpose of prohibiting the Department of the Environment from issuing a sewage sludge utilization permit to an applicant for the land application of certain sewage sludge in Kent County; and generally relating to sewage sludge and Kent County.

BY repealing and reenacting, with amendments,
Article – Environment
Section 9–236
Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

House Bill 1174 – Delegate Kullen

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 designation of primary law enforcement units; preempting certain rights of certain counties and municipalities; superseding certain laws of certain counties and municipalities; 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; providing that certain provisions may not be construed to require junk dealers and scrap metal processors to incur certain financial burdens for complying with certain record submission requirements; 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; prohibiting junk dealers and scrap metal processors from purchasing cemetery urns, grave markers, and certain other items 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; exempting certain items acquired from certain entities from certain record and reporting requirements; authorizing certain law enforcement personnel to enforce this Act; establishing certain penalties; altering a certain definition; 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 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Business Regulation
Section 17–1001(a) and (f)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

BY adding to
Article – Business Regulation
Section 17–1001(g) and 17–1003
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Economic Matters.

House Bill 1175 – Kent County Delegation

AN ACT concerning

Kent County Board of Education – Members – Terms and Vacancies

FOR the purpose of altering the term of the members of the Kent County Board of Education; requiring the County Commissioners of Kent County to appoint a certain individual to fill any vacancy on the Board; repealing certain provisions providing for the election of a certain candidate to fill a certain vacancy on the Board; providing for the application of certain provisions of this Act; and generally relating to the terms of members and vacancies on the Kent County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–801
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1176 – Delegate Conaway

CONSTITUTIONAL AMENDMENT

AN ACT concerning

Marriage – Valid Between Consenting Adults

FOR the purpose of adding a new section to the Maryland Constitution to establish that a marriage between consenting adults is valid 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 4

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

House Bill 1177 – Delegates Ivey, Ross, Anderson, Barnes, Benson, Cane, Carter, Frush, Gaines, Glenn, Healey, Hecht, Holmes, Howard, Hucker, Levi, Love, McHale, Mizeur, Murphy, Nathan–Pulliam, Niemann, Pena–Melnyk, Proctor, Ramirez, Robinson, Stukes, Tarrant, V. Turner, Valderrama, and Vaughn

AN ACT concerning

Income Tax – Millionaires Tax – Sunset Repeal

FOR the purpose of removing a certain limitation on the applicability of a certain income tax rate on certain income of an individual in excess of a certain amount; and generally relating to the State individual income tax.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 10–105(a)(3)
Annotated Code of Maryland
(2004 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1178 – Delegates Gilchrist, Barve, Simmons, Gutierrez, Ali, Barkley, Hucker, Kaiser, Lee, Reznik, and Rice

AN ACT concerning

Creation of a State Debt – Montgomery County – Identity House

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 Identity, 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 Appropriations.

House Bill 1179 – Delegates Murphy, Bartlett, Barve, Cardin, Doory, Elmore, Frick, George, Hecht, Hixson, Howard, Jameson, Kullen, Levy, Rice, Shank, Stukes, Walker, and Wood

AN ACT concerning

Office of Student Financial Assistance – Public Service Scholarships – Student Members of County Boards of Education

FOR the purpose of authorizing members of the General Assembly to authorize the Office of Student Financial Assistance to award certain scholarship funds to certain applicants; establishing the program of Public Service Scholarships for Student Members of County Boards of Education; establishing the requirements for receiving a Public Service Scholarship; establishing the amount, use, and duration of certain awards; providing for the funding of Public Service Scholarships; and generally relating to the establishment of scholarships for student members of county boards of education.

BY repealing and reenacting, with amendments,
Article – Education
Section 18–407 and 18–507
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18–408(a)
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

BY adding to
Article – Education

Section 18–5A–01 through 18–5A–06 to be under the new subtitle "Subtitle 5A. Public Service Scholarships for Student Members of County Boards of Education"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

Read the first time and referred to the Committee on Ways and Means.

House Bill 1180 – Delegates Montgomery, Carr, Frick, and Manno

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 relating to prescription information inapplicable to certain actions under certain circumstances; prohibiting certain provisions relating to prescription information from being construed to prohibit certain actions; defining certain terms; and generally relating to the confidentiality of certain information derived from or relating to a prescription drug order.

BY adding to
Article – Health – General
Section 21–220.1
Annotated Code of Maryland
(2009 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Health – General
Section 21–1215
Annotated Code of Maryland
(2009 Replacement Volume)

Read the first time and referred to the Committee on Health and Government Operations.

House Bill 1181 – Delegates Kipke, Beidle, Dwyer, Love, Schuh, and Sophocleus

AN ACT concerning

Forfeiture of Property – Criminal Gang Offenses

FOR the purpose of authorizing the seizure of certain property used or intended for use in connection with criminal gang activity; establishing certain procedures to

be followed for the forfeiture of certain property; establishing certain deadlines for the filing of a complaint seeking forfeiture; requiring that the complaint contain certain information; providing for service of a certain summons and complaint; requiring a certain notice; establishing certain requirements for the answer to a complaint seeking forfeiture; requiring the court to set a hearing on the forfeiture claim within a certain time period; authorizing the court to order forfeiture without a hearing under certain circumstances; providing that a certain owner's interest in real property may be forfeited under certain circumstances; providing for the jurisdiction and notice of forfeiture proceedings for real property; establishing a certain rebuttable presumption; providing certain exceptions for real property used as a principal family residence; authorizing the court to take certain actions in a forfeiture proceeding; requiring the court to order certain actions depending on the court's determination after a full hearing; requiring a certain lienholder to sell a certain property and apply the proceeds in a certain manner; providing procedures for the disposition of forfeited property or proceeds; providing that a sale of certain property shall be for cash and give the purchaser clear and absolute title; defining certain terms; and generally relating to seizure and forfeiture of property used in criminal gang activity.

BY adding to
Article – Criminal Law
Section 9–805
Annotated Code of Maryland
(2002 Volume and 2009 Supplement)

BY adding to
Article – Criminal Procedure
Section 13–501 through 13–516 to be under the new subtitle "Subtitle 5. Violations of Criminal Gang Law"
Annotated Code of Maryland
(2008 Replacement Volume and 2009 Supplement)

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

House Bill 1182 – Delegates Ivey, Benson, Frush, McIntosh, Niemann, Pena–Melnyk, Ramirez, and Valderrama

AN ACT concerning

Business Improvement Districts

FOR the purpose of authorizing a county or municipal corporation to create certain business improvement districts; providing for the legislative purposes of a district; requiring a county or municipal corporation to adopt certain resolutions to provide for the creation, organization, and alteration of a district; providing for the governance of the business improvement district corporation; providing

that the net earnings of a district corporation may benefit only the district corporation; authorizing a district corporation to receive certain money, charge certain fees, have certain employees, and use certain services; providing for the application and creation of a district; requiring that before a district may be created a certain public hearing must be held; requiring the governing body of a county or municipal corporation to impose a certain tax in a certain manner under certain circumstances; providing for the expansion of a district; authorizing a district corporation, under certain circumstances, to issue certain bonds; and generally relating to the authorization and creation of business improvement districts and district corporations.

BY adding to
Article – Economic Development
Section 12–401 through 12–412 to be under the new subtitle "Subtitle 4. Business Improvement Districts"
Annotated Code of Maryland
(2008 Volume and 2009 Supplement)

Read the first time and referred to the Committee on Environmental Matters.

INTRODUCTION OF JOINT RESOLUTIONS

House Joint Resolution 9 – Delegates Carter, Oaks, and Rosenberg

A House Joint Resolution concerning

Earth Hour

FOR the purpose of recognizing a certain hour on a certain day as Earth Hour; urging Marylanders to observe Earth Hour; urging the Governor to order that the lights in the Government House and the State Capitol complex be turned off during Earth Hour; and generally relating to Earth Hour.

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

MESSAGE FROM THE SENATE

FIRST READING OF SENATE BILLS

Senate Joint Resolution 2 – The President (By Request – Governor's Salary Commission)

A Senate Joint Resolution concerning

Governor's Salary Commission – Salary Recommendations for Governor and Lieutenant Governor

FOR the purpose of ~~establishing the salaries to be paid the Governor and Lieutenant Governor, as directed by Article II, Section 21A of the Maryland Constitution, for the 4–year term of office beginning January 19, 2011~~ rejecting certain recommendations of the Governor's Salary Commission in accordance with Article II, Section 21A of the Maryland Constitution for the 4–year term of office beginning January 19, 2011, that address the salaries to be paid to the Governor and Lieutenant Governor.

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

Senate Joint Resolution 4 – The President (By Request – Judicial Compensation Commission)

A Senate Joint Resolution concerning

Judicial Compensation Commission – Recommendations

FOR the purpose of ~~proposing an alteration to~~ establishing 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 Appropriations.

THE COMMITTEE ON HEALTH AND GOVERNMENT OPERATIONS REPORT #1

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 33 – Delegate Hubbard

AN ACT concerning

Child Care Articles and Toys Containing Bisphenol–A – Prohibition

HB0033/686080/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 33

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Hubbard" and substitute "Delegates Hubbard, Benson, Bronrott, Cane, Healey, Kramer, Manno, Montgomery, V. Turner, and Waldstreicher"; in line 2, strike "and Toys"; in line 3, strike "toys or"; in line 6, after "Act;" insert "requiring the Department of Health and Mental Hygiene to adopt certain regulations on or before a certain date;"; in line 7, strike "certain terms" and substitute "a certain term"; and in line 8, strike "toys and".

AMENDMENT NO. 2

On page 1, in line 18, after "**SECTION**" insert a comma; strike beginning with the first "**THE**" in line 18 down through "**(2)**" in line 20; in line 20, strike "**CHILD**" and substitute "**CHILD**"; strike beginning with "**A**" in line 20 down through "**TEETHING**" in line 23 and substitute "**AN EMPTY BOTTLE OR CUP TO BE FILLED WITH FOOD OR LIQUID THAT IS DESIGNED OR INTENDED BY A MANUFACTURER TO BE USED BY A CHILD UNDER THE AGE OF 4 YEARS.**

(2) IF A FEDERAL LAW REGULATING THE USE OF BISPHENOL–A IN CHILD CARE ARTICLES IS ENACTED, "CHILD CARE ARTICLE" SHALL BE DEFINED AS SPECIFIED IN THE FEDERAL LAW".

On page 2, strike in their entirety lines 1 through 3, inclusive.

AMENDMENT NO. 3

On page 2, in line 4, strike "**JANUARY 10, 2011**" and substitute "**JANUARY 1, 2012**"; in line 5, after "**MANUFACTURE,**" insert "**KNOWINGLY**"; and in the same line, strike "**CHILDREN'S TOY OR**".

AMENDMENT NO. 4

On page 2, after line 19, insert:

"**(E) ON OR BEFORE JANUARY 1, 2011, THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**".

AMENDMENT NO. 5

On page 2, in line 21, strike "October" and substitute "July".

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 67 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Senior Prescription Drug Assistance Program – Sunset Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 69 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Insurance – Insurers – Audits, Investments, and Operations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 71 – Chair, Health and Government Operations Committee (By Request – Departmental – Health Insurance Plan)

AN ACT concerning

Senior Prescription Drug Assistance Program – Appointment of Insurance Producers

HB0071/756089/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 71
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after "Plan)" insert "and Delegates Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner"; in lines 2 and 3, strike "Appointment of Insurance Producers" and substitute "Training for Insurance Producers"; strike in their entirety lines 4 through 15, inclusive, and substitute:

"FOR the purpose of requiring certain insurance producers who engage in certain activities relating to the Senior Prescription Drug Assistance Program to receive certain continuing education; authorizing the Board of Directors for the Maryland Health Insurance Plan to adopt regulations that require an insurance producer to receive training about the Program before the insurance producer may market the Program or assist a Medicare beneficiary to enroll in the Program; providing that training received about the Program qualifies as continuing education under certain provisions of law; and generally relating to training for insurance producers about the Senior Prescription Drug Assistance Program.";

in line 16, strike "adding to" and substitute "repealing and reenacting, with amendments,"; and in line 18, strike "14–515(f)" and substitute "10–116(a)(4) and 14–514(b)".

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 20 on page 2, inclusive, and substitute:

"10–116.

(a) (4) (i) To increase the level of education of insurance producers, an insurance producer shall obtain continuing education in the kind or subdivision of insurance for which the insurance producer has received a license.

(ii) Each insurance producer who possesses a license to sell health insurance and who sells long–term care insurance shall receive continuing education that directly relates to long–term care insurance.

(iii) Each insurance producer who possesses a license to sell property and casualty insurance and who sells flood insurance shall receive continuing education that directly relates to flood insurance.

(IV) EACH INSURANCE PRODUCER WHO POSSESSES A LICENSE TO SELL HEALTH INSURANCE AND WHO MARKETS THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM OR ASSISTS A MEDICARE BENEFICIARY TO ENROLL IN THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM SHALL RECEIVE CONTINUING EDUCATION THAT DIRECTLY RELATES TO THE SENIOR PRESCRIPTION DRUG ASSISTANCE PROGRAM.

14–514.

(b) **(1)** The Board shall adopt regulations to carry out Part II of this subtitle.

(2) THE BOARD MAY ADOPT REGULATIONS THAT REQUIRE AN INSURANCE PRODUCER TO RECEIVE TRAINING ABOUT THE PROGRAM BEFORE THE INSURANCE PRODUCER MAY MARKET THE PROGRAM OR ASSIST A MEDICARE BENEFICIARY TO ENROLL IN THE PROGRAM.

(3) SUBJECT TO § 10–116(D) OF THIS ARTICLE, TRAINING RECEIVED UNDER PARAGRAPH (2) OF THIS SUBSECTION QUALIFIES AS CONTINUING EDUCATION UNDER § 10–116(A) OF THIS ARTICLE.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 209 – Delegates Vaughn, Gutierrez, Haynes, Holmes, Hucker, Love, Oaks, and Robinson

AN ACT concerning

General Obligation Bonds for Capital Projects – Required Reports

HB0209/686581/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 209
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "and Robinson" and substitute "Robinson, Hammen, Pendergrass, Benson, Bromwell, Donoghue, Hubbard, Kullen, Montgomery, Morhaim, Nathan–Pulliam, Pena–Melnyk, Reznik, Riley, Tarrant, and V. Turner".

AMENDMENT NO. 2

On page 4, in line 19, strike "**§ 24–305**" and substitute "**§ 14–305**".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0209/133722/1

BY: Delegate Morhaim

AMENDMENT TO HOUSE BILL 209
(First Reading File Bill)

On page 4, in line 35, strike "**DECEMBER 1**" and substitute "**JULY 1**".

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably:

House Bill 261 – Delegate Tarrant

AN ACT concerning

Health – Administrative Service Provider Contracts – Contracting Provider Definition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Delegate Hammen, Chair, for the Committee on Health and Government Operations reported favorably with amendments:

House Bill 292 – Delegate Morhaim

AN ACT concerning

Health Insurance – Uniform Consultation Referral Form – Electronic Transmission

HB0292/396283/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 292
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike "Delegate Morhaim" and substitute "Delegates Morhaim, Benson, Bromwell, Costa, Donoghue, Elliott, Hammen, Hubbard, Jenkins, Kach, Kipke, Krebs, Kullen, McDonough, Montgomery, Nathan–Pulliam, Oaks, Pena–Melnyk, Pendergrass, Reznik, Riley, Tarrant, and V. Turner"; in line 5, after "electronically;" insert "requiring the Maryland Insurance Commissioner, in consultation with the Maryland Health Care Commission, to adopt by regulation standards for the electronic transmission of the data elements contained in the uniform consultation referral form;";

and in line 9, after "15–119", insert "and 15–120".

AMENDMENT NO. 2

On page 2, after line 6, insert:

"15–120.

(a) Subject to subsection (b) of this section, the Commissioner shall adopt by regulation a uniform consultation referral form for use by insurers, nonprofit health service plans, and health maintenance organizations that require insureds or subscribers to have a written referral to receive consultation services.

(b) The Commissioner may waive the requirements of regulations adopted under subsection (a) of this section for the use of uniform consultation referral forms for an entity that uses the forms solely for internal purposes.

(C) THE COMMISSIONER, IN CONSULTATION WITH THE MARYLAND HEALTH CARE COMMISSION, SHALL ADOPT BY REGULATION STANDARDS FOR THE ELECTRONIC TRANSMISSION OF THE DATA ELEMENTS CONTAINED IN THE UNIFORM CONSULTATION REFERRAL FORM.".

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

LETTERS OF REASSIGNMENT

MEMORANDUM

To: Hon. Sheila E. Hixson, Chairman, W&M
From: Michael E. Busch, Speaker
Re: Reassignment of Bill(s)

In accordance with Rule 33, you are hereby requested to return to the Office of the Chief Clerk, the following legislation for reassignment as indicated below:

Bill No.	Reassignment
HB 902	ECM

Read and ordered journalized.

QUORUM CALL

The presiding officer announced a quorum call, showing 136 Members present.

(See Roll Call No. 82A)

ADJOURNMENT

At 10:52 A.M. on motion of Delegate Barve the House adjourned until 10:00 A.M. on Thursday, February 18, 2010.